

**Submission
No 102**

INQUIRY INTO POST SCHOOL DISABILITY PROGRAMS

Organisation: UnitingCare NSW.ACT
Name: Ms Janet Scott
Position: Community Services Consultant
Telephone: 02 8267 4279
Date Received: 14/03/2005

Subject:

Summary

From: Janet Scott
To: "gpscno2@parliament.nsw.gov.au" <gpscno2@parliament.nsw.gov.au>
Date: Tue, Mar 15, 2005 11:01 am
Subject: Submission on Post School Programs changes

To: Steven Reynolds

Dear Steven

I submitted (I think) our submission electronically and accidentally and I am not sure that the file was included.
I had a few changes to make to it but I inadvertently sent it .

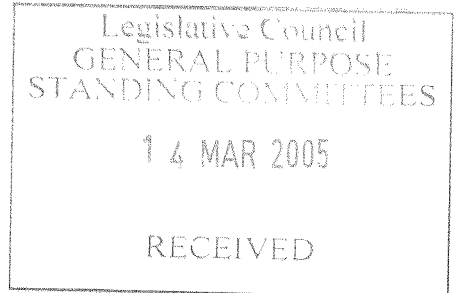
Here is our submission which is in its correct format so could you please use this one rather than the other one (if you did in fact receive it).

Regards

Janet Scott

Janet Scott
Community Services Consultant
UnitingCare NSW.ACT
PO Box A2178
SYDNEY SOUTH NSW 1235
Ph (02) 8267 4279; Fax 9267 4842

<<UnitingCare Submission.doc>>





Legislative Council
GENERAL PURPOSE
STANDING COMMITTEES

14 MAR 2005

RECEIVED

Submission to:

The Legislative Council Inquiry
into Changes to Post School Programs
for Young Adults with a Disability

Contact:

Janet Scott
Community Services Consultant
UnitingCare NSW.ACT
PO Box A2178
SYDNEY SOUTH NSW 1235
Ph: (02) 8267 4279
Email:

March 2005

<u>1. About UnitingCare NSW.ACT</u>	3
<u>2. What we believe</u>	3
<u>3. Overview</u>	4
<u>4. Impact of Reforms and the Disability Principles and Standards</u>	5
<u>5. Response to Terms of Reference</u>	6
<u>1. The program structure and policy framework, including eligibility criteria, for the new Transition to Work (TTW) and Community Participation (CP) Programs.</u>	6
<u>2. The adequacy and appropriateness of funding arrangements for the new programs.</u>	9
<u>4. The impact of the exclusion of students enrolled or proposing to enroll in post secondary and higher education from eligibility for assistance under the new programs.</u>	12
<u>5. The appropriateness of the assessment methodology used to identify school leaver support needs and to stream school leavers into the new programs.</u>	13
<u>6. The adequacy of complaints and appeals mechanisms established in relation to the implementation of the new programs, and particularly with respect to assessment decisions.</u>	13
<u>7. Whether appropriate and sustainable further education and vocational training and employment outcomes for people with a disability are likely to be achieved as a result of these changes.</u>	14
<u>6. Conclusion</u>	14

1. About UnitingCare NSW.ACT

UnitingCare NSW.ACT is the peak body for all community services, chaplaincy and the social justice and advocacy activities of the Uniting Church in the New South Wales Synod. UnitingCare is one of the Boards within the New South Wales Synod of the Uniting Church in Australia.

Most Uniting Church community services are provided by congregation based committees and boards – including parish missions – or by major UnitingCare agencies such as UnitingCare Burnside or UnitingCare Ageing. Services include

- Education and care for children of more than 4,000 working families
- Accommodation, care and support to 6,000 older people
- 10 Lifeline centres across NSW
- family and relationship counseling
- support for homeless and those with mental illness
- Wesley Dalmar and UnitingCare Burnside providing for a broad range of services to disadvantaged families and children

Several congregations, missions and UnitingCare agencies provide services for people with disabilities. These services include residential and day programs, social activities, support programs, respite care and case management. Services are also provided to people who live in boarding houses. Three agencies currently provide for 130 people in post school programs with Wesley Mission being the largest provider.

The views in this submission are based on the practical experience and reflections of staff working with post school clients as well as the clients themselves and their families.

2. What we believe

Our work is guided by a belief in a God of love, compassion and social justice, who provides all that people need in order to live. We provide community services in response to the love and grace of God, as revealed in Jesus Christ, as a way of working with God in the life of the world. God works for social justice and invites us to share that work. This is part of Christian mission and discipleship.

UnitingCare seeks to express social justice (a) in the way we deliver services and work with users of services and with staff, and (b) through appropriate advocacy in the public arena. Our view of social justice is guided by the Christian scriptures, theological reflection, insights of social, political and economic analysis, the statements of the NSW Synod and national Assembly and our encounters with people and their life experiences in our work.

The NSW Synod of the Uniting Church is committed to the precept that people with disabilities be able to fully participate in society. Jesus said, 'I have come that they may have life and have it more abundantly'. This statement is recognition of the innermost yearnings of individuals to achieve their full potential. The God revealed in Jesus Christ is a god who created and values all people, a god who work always to sustain life, to nurture human beings so that they flourish and are brought into community.

3. Overview

The Adult Training, Learning and Support (ATLAS) reform project was initiated by the Government to¹:

- improve employment outcomes for school leavers;
- provide certainty (ie ongoing funding for community based support) for those school leavers unlikely to be able to move to the work force;
- remove barriers that prevent people with disabilities from accessing the jobs, training and community access services they need;
- deliver greater flexibility to meet the needs of individuals, their families and carers; and
- facilitate community participation and access to lifelong learning

There has been an increasing growth in the demand for services and therefore the funding required. The changes that were originally proposed to the Post-School Options (PSO) program and that have been made to the ATLAS program have been designed to provide certainty to both clients and service providers as well as to rein in total expenditure which was seen by the Department of Disability, Ageing and Home Care (DADHC) as growing ever larger without achieving positive outcomes for

¹ Taken from DADHC web site.

those clients who with training and support could be employed.

Our interest as a Church committed to working for social justice and as a service provider, is to ensure that the rights of people with disabilities are supported and facilitated. We strongly support the principles of the Disability Services Act 1993 and the NSW Disability Service Standards as well as the vision, objectives and policy principles for the new programs. As service providers we regard the standards as the minimum that we should achieve if people with disabilities are to live valued lives consisting of meaningful relationships and work, and participation and integration in the community. The stated commitment in the new policy principles to lifelong learning and full access and participation in the community and the commitment to ongoing funding for TTW is to be applauded.

We recognize that this needs to be balanced in terms of available funds. Our concerns outlined in this paper are based on the impact the reforms are having on individual clients and their families. For many clients we believe that it will be difficult to achieve the objectives of the reforms and outcomes because of the reduced funding available to individual clients. Achieving positive outcomes in large part will be dependent on a change among the community and employers in recognising and responding to the rights of people with disabilities and ultimately a willingness to provide adequate resources to do so.

4. Impact of Reforms and the Disability Principles and Standards

UnitingCare's concern is that individual clients and families are being adversely affected by the reforms. Funding for CP clients is now guaranteed into the future. However there has been a reduction in funding related to many individual clients together with a lack of flexibility in being able to consider individual situations and respond accordingly. This detracts from service providers' ability to comply with the principles and standards. Adverse impacts include:

- dislocation of families [Standard 9, Application of Principles (m)]
 - parents needing to give up work or reduce their hours of work to care for their child with a disability who can no longer access a post school program 5 days per week
 - a sibling no longer able to attend university as her family cannot afford this with mother having to give up work

- reduced individual attention [Standards 5 & 6, , Application of Principles (d)]
 - it will be necessary to do more group work with clients in order to maximize the number of days they attend the service [Principle (g)]
 - less ability of the service to assist clients to access and develop community connections [Application of Principles (g)]
- reduced ability to source employment opportunities, support clients on work experience, work with clients to achieve their goals [Application of Principles (a), (b), (d)]
 - the number of goals that can realistically be set for clients and that can be achieved will be reduced because programs can only be offered for reduced hours
- only limited support available to those with high support needs [Principle (b), (c), (d)]
 - families must reduce their hours of work or pay extra to the service provider so that support can be provided on additional days

5. Response to Terms of Reference

1. The program structure and policy framework, including eligibility criteria, for the new Transition to Work (TTW) and Community Participation (CP) Programs.

The ATLAS program was established in 1999, following the cessation of new clients entering the PSO program, to support people to obtain open or supported employment or to move into employment related services such as appropriate training with TAFE. However all school leavers, regardless of the likelihood of their ever obtaining employment, were channelled into ATLAS if they were not job ready or if other if other training were not appropriate. This resulted in only a small percentage of clients moving onto employment.

If a difference is to be made to the uptake in the workforce of young people with disabilities, then any policy change must address ways of removing some of the structural barriers to achieving positive outcomes for people with disabilities. This is a stated aim of the reforms to ATLAS and yet no initiatives are being taken by DADHC or the government to achieve this. The only "initiative" is that DADHC is to advise "the Australian Government if there are not enough employment placements

available for people.”²

Many unskilled jobs have been lost over the last decade so that few employment places exist for young people with disabilities, particularly in light of community and employee attitudes. There is a need for:

- community education
- programs which promote inclusiveness
- community and business partnerships
- improved access to TAFE courses
- adequate support for employers
- objectives to be set by business, government and the non-government sectors for the employment of people with disabilities. Those receiving government funding and assistance (both corporate and community agencies) should be required to develop a disability action plan which covers all aspects of access, not just physical access, to facilitate meeting employment objectives.

Clients who have been assessed as being job ready – from existing PSO programs and from ATLAS, and in future from TTW – are to be exited from these programs and referred to Centrelink and subsequently to the Job Network or Disability Employment Assistance. Without the structural changes mentioned above, many of these clients will be unable to find appropriate work quickly and are likely to

Mary has been in ATLAS for 3 years. She has progressed to the point where she is almost job ready and has now been transferred to CP. The service must continue to work with Mary to try to find appropriate work experience and employment for her but must now do this with fewer hours per week because of the reduction in funding.

lose skills and motivation without ongoing support and training. In other words there is a danger that TTW will fail to deliver on its objectives and this ultimately leaves these young people for whom participating in the program was beneficial, without options. With reduced funding, with services of necessity providing less individual support to clients and less able to build networks and relationships with local employers, the 2 year time frame for many clients participating in TTW is unrealistic if meaningful outcomes are to be achieved.

² DADHC website Question and Answer Sheet for PSO Service Providers

To ensure that the objectives and policy principles outlined in the TTW and CP policy framework³ are not compromised a number of mechanisms need to be in place. This is not yet the case. These include:

- careful and appropriate assessment of clients including timely reassessment where necessary;
- flexibility in the program to provide for individual needs and circumstances;
- transition or bridging funding to ensure that gains with existing clients can be maintained
- guidelines for managing the programs;
- flexibility to make decisions that are in the best interest of clients or prospective clients; and
- an appeals mechanism with timely application.

The reforms have not addressed the problem of clients who exit the programs because they have found employment or they are taking up study programs and who do not succeed in these areas. There is no safety net to allow them to re-enter TTW or to move to CP. They are considered to be no longer eligible for the programs because they are no longer school leavers. For this reason, service providers and parents may well be reluctant for young people with a maximum of 2 years in TTW to exit the program to employment unless they can be quite sure of success. Some sort of safety net should be provided to ensure that these young people do not lose their skills and that if necessary they may be taken into the CP program. Providers and parents would then be more willing to take a risk in supporting clients into open employment.

³ Taken from DADHC website

2. The adequacy and appropriateness of funding arrangements for the new programs.

History

PSO introduced in 1994

- Individually funded at \$13,500 to \$16,500 per annum with indexation.
- Clients provided with 20 –35 hours per week support “to bridge the gap for school leavers...between their departure from school and their participation in the wider community and assuming adult life roles.”⁴
- With indexation, some clients funded up to \$24,000 pa.

ATLAS introduced 1999

- PSO considered financially prohibitive – no new clients from 1999
- 2 year program to assist school leavers transition from school to employment but extended from year to year
- Individual funding of \$15,000 pa indexed for 20-35 hours per week support
- With indexation, some clients funded up to \$20,000 pa.

ATLAS reforms: TTW and CP

- Proposed in July 2004 because only 3% clients moving to employment or related services (eg TAFE)
- \$15,699 for TTW – 2 year maximum in program
- Originally proposed that CP be funded at \$9,000 - \$13,500.
- Both new programs “block funded”_December 2004 – agreement that all CP clients be funded at \$13,500
- \$1.4M pool to fund those with high support needs – on application

Funding constraints

The overall funding to each service provider has been severely limited. Some high support needs clients who have been in the ATLAS program for 2 years or more have been transferred to CP with a consequent loss of funds of up to \$6,500 or 32%. This reduction along with the reduction in funding for all new clients to CP (formerly they received \$15,699 through ATLAS) has severely curtailed our services' ability to offer individual programs and has resulted in more group work being

⁴ PSO Guidelines (April 1997) Ageing & Disability Department

scheduled which is not necessarily in the best interests of clients.

Funding for clients in TTW is \$15,699 per annum. Providers are expected to offer programs to these clients for 3 days per week with the objective that they will be able to be placed in employment or employment related programs within 2 years.

It is interesting to compare this with the funding available through the federal Department of Employment and Workplace Relations (DEWR). Providers in the Job Network can receive up to \$6,000 for working with someone (without a disability) who has been long term unemployed, and who is ultimately placed in a job in which they remain for 13 weeks or more. Providers may be working with such a person for up to 1 to 2 years, sometimes intensively and at other times they may see them only once per fortnight. Providers also have access to additional funds to be used for clients for such things as outside training, equipment or transport⁵. This funding from DEWR in most cases appears quite generous compared with that for TTW where clients in general would have far higher support needs. Given our client group in TTW it would appear that for many of our clients, our aim for positive outcomes may be difficult to achieve with the limited resources available.

There are other constraints on the ability of our services to offer programs to meet the needs of individual clients. These include:

- No funding is being provided for “set-up” of new services although providers were asked to identify set-up costs in their tenders.
- In the past, services could apply for up to 14.8% of their client’s initial annual funding as a one off grant to assist with equipment etc. In her press release of 13 August 2004, the Minister announced that “a pool of funding will be available to aid in the transition to the new service models”⁶. As yet, no funding has been identified or made available and there appears to be no mechanism in place for applying for such funds.

⁵ Information from Wesley Uniting Employment

⁶ DADHC website – Media Releases

- o Services provided details of clients with high support needs to DADHC last November. As yet there are no guidelines and no approval mechanism in place and so no additional funding has been made available from the inadequate pool of \$1.4 million identified for this purpose. Services are therefore trying to cater for high support needs clients without adequate resources resulting in a substantial limitation in the number of days that these clients can attend the service.

Jason has high support needs and therefore, requires 1:1 support. He is unable to join in group activities as he is fearful of groups and only trusts certain individuals. He now receives only very limited support as his funding will not cover his requirements. The number of hours Jason attends the program has been cut from 15 to 9 hours. This adds to the pressure on his ageing parents who now must care for him at home while he is not with the service.

Block funding

The ATLAS reforms have included changing the method of funding from being linked to individual service users (transferable with the client) to “block funding” whereby the provider is paid for the number of clients allocated. This was intended to give services greater security. However the impact on both the service provider and the client is considerable.

When our service providers completed their tenders for the new programs, they were asked to prepare a budget based on the number of clients that would be needed in order to operate a viable service (minimum numbers) as well as their capacity to offer that service (maximum numbers). It was expected that with “block funding,” approved service providers would receive at least a minimum amount to be able to operate viably and that the total number of providers and the allocation of clients would be managed accordingly. The Department approved the places to fund for each service based on the number of school leavers proposing to access a particular service.

Rather than block funding as it is normally understood, “block funding” was allocated on a per client basis so that some services now have only a few clients, the income for whom does not allow a viable operation. For clients, block funding has meant that they are unable to move from one provider to another⁷. If they are unhappy with their provider or they are moving to a different area to live they can only go to a provider who has a vacancy. However, unless someone exits the service there will be no

⁷ Principles (a), (e) and (f) are being violated in James’ situation – see text box.

One of our services has been contacted by James and his family about transferring to that service. The service has no vacancies (although they have the capacity to take additional clients) and the funding for James cannot be transferred with him as it is "block funding" paid to the service he is presently attending. James is unhappy at his current service and has no capacity to exercise choice or to participate in a decision which affects his life.

vacancies as funding is determined at the beginning of the year based on the number of clients at that time.

There needs to be flexibility built into the programs so that the needs of clients can be met and so that service providers can

operate viably and in the best interests of clients.

Other concerns are:

- TTW and CP now operating without DADHC guidelines in place
- No financial management guidelines with the method for acquittals being of particular concern (Interim guidelines for ATLAS were not provided until late 2004 – 5 years after it was established)
- DADHC failed to include one of our largest service providers in the information booklet for families so that a number of their service outlets received no enquiries from prospective clients. As a result one of the service outlets has been closed.

4. The impact of the exclusion of students enrolled or proposing to enroll in post secondary and higher education from eligibility for assistance under the new programs.

This has had little impact on our services. Some TAFEs in the past were unwilling to take clients on as they saw the ATLAS provider as being funded for providing training. This varied from TAFE to TAFE.

5. The appropriateness of the assessment methodology used to identify school leaver support needs and to stream school leavers into the new programs.

Occasionally students miss out on being assessed at school. There is no appeals mechanism in place for TTW or CP except to take it up with DADHC staff who appear unable to rectify this situation so that the young person is then denied services.

We consider that several of our clients have been assessed incorrectly. This has been brought to DADHC's attention but as yet no reassessment has occurred.

In 2004 there were at least 4 young people who have disabilities (that we are aware of) leave Lithgow High School. One was successful in gaining a placement in Transition to Work. One enrolled at TAFE but was subsequently denied a placement, two failed to have paperwork completed by the school and as such these three have no avenues to access the programs.

One of these young people approached UnitingCare Lithgow in January about receiving a service. The manager of the service phoned the Western Region ATLAS Coordinator to discuss the possibility of completing this young man's forms now and appealing for him to be accepted late. She was told that if the schools do not complete the paperwork there is no way for this young man to access the program as he has now technically left school.

6. The adequacy of complaints and appeals mechanisms established in relation to the implementation of the new programs, and particularly with respect to assessment decisions.

Our services have several clients that they consider have been inappropriately assessed for either CP or TTW and have appealed to DADHC. However there are no guidelines or mechanisms in place for DADHC to deal with these appeals and these clients remain in inappropriate programs.

One ATLAS clients whom the service believes is job ready has been transferred to CP. The service must now work with this client to get her into employment and to support her in this but must do this on considerably less funds. There is no avenue to change this decision.

Clients who are employed from TTW or CP (or in the past from ATLAS) and who fail in that employment are not eligible for TTW or CP as they have exited the program and are not school leavers. This frequently means that the young person must now spend their days in their group home or with their family as there are few other options available. And yet with further intensive work, these clients may be found suitable employment. Again, flexibility is required to provide for the needs of these clients.

7. Whether appropriate and sustainable further education and vocational training and employment outcomes for people with a disability are likely to be achieved as a result of these changes.

- It is expected that this will be more difficult as some clients need at least 3 years on TTW for positive outcomes.
- Need for structural and systemic change with employers and the community (see ToR 1, Section 5 above)
- TAFEs vary in their willingness to take people with disabilities. Some are very accommodating. The Disability Support Coordinator for the Central Western Area for TAFE said to the Manager of UnitingCare Lithgow "If TAFE gave one of your clients a Certificate 3 for anything they would be the laughing stock of the industry". Lithgow has about 6 of their clients whom they believe should be able to access TAFE but only one attends. The local TAFE is not willing to modify their courses (eg offer them over a longer period of time for people with disabilities); they offer only one Certificate 2 course which is not appropriate for the client group.

6. Conclusion

UnitingCare NSW.ACT supports the vision, objectives and policy principles of the reforms. However we are keen to see much greater flexibility built into the programs to allow for the very varied needs of individual clients.

Without a commitment to additional funding for clients in TTW and for higher support needs clients, and without some of the structural changes necessary to provide for participation in both work and community for young people with disabilities we remain concerned that the objectives of the programs will not be met.