

INQUIRY INTO POST SCHOOL DISABILITY PROGRAMS

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Subject:

Summary

GPSC2 GPSC2 - ACROD NSW Submission

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Date: 11/03/2005 3:49 PM
Subject: ACROD NSW Submission
CC:

Dear Committee Secretary

Attached, please find the ACROD NSW Submission to the Legislative Council General Purpose Standing Committee No. 2 Inquiry into Changes to Post School Programs for Young Adults with a Disability.

ACROD was granted an extension for lodgement of its submission until 11 March on 2 March.

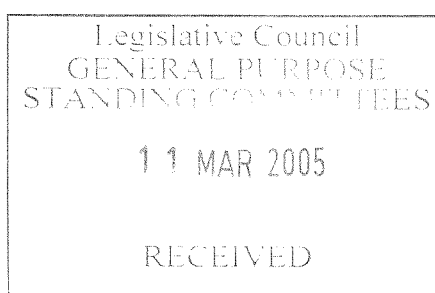
ACROD would be pleased to discuss the contents of its Submission with the Committee at any convenient time.

We hope our Submission assists the Committee with its deliberations on this important issue and look forward to the learning of the outcomes of the inquiry.

Sincerely

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11 MAR 2005

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ACROD N.S.W Division

National Industry Association For Disability Services

Submission
to the
NSW Legislative Council
General Purpose Standing Committee No. 2

In response to the

***INQUIRY INTO CHANGES TO POST SCHOOL PROGRAMS FOR
YOUNG ADULTS WITH A DISABILITY***

11 March 2005

Preamble

ACROD is the national peak body for disability services. Its membership includes 550 non-government, not-for-profit organisations that collectively operate several thousand services for Australians with all types of disabilities.

ACROD NSW provides a wide range of advice and information to the disability services sector through a monthly newsletter, an extensive e-mail network, conferences and seminars. Its consultative structures include a system of issues-based Sub-Committees comprised of industry leaders in their fields. ACROD NSW convenes quarterly regional meetings in 11 locations across NSW every year. These are attended by over 300 representatives of disability services at every round of meetings. ACROD's submissions to Government are developed in consultation with its sub-committees, its Divisional Committee and membership.

ACROD NSW also provides advice to the NSW Government in relation to all matters affecting the provision of disability services. It is currently represented on numerous reference groups, expert advisory groups and committees in NSW.

ACROD NSW has a small, full-time Sydney-based secretariat. The activities of ACROD NSW are overseen by a Divisional Committee which is comprised of 12 senior disability services representatives elected by ACROD's membership in NSW.

Introduction

ACROD NSW welcomes this opportunity to provide a perspective on the provision of services to young people with disability after leaving school. The views expressed in this submission are based on the premise that the former ATLAS program required fundamental reform evidenced by a two-year review of the program carried out by the Department of Ageing Disability and Home Care (DADHC) in consultation with service providers and advocacy bodies. The submission will critically discuss key aspects of the reforms and will provide an account of this organisation's actions and positions taken during the reform process.

At the outset, ACROD NSW believes reform of the ATLAS service model was necessary to ensure the delivery of appropriately targeted programs for young people with disabilities upon leaving school. Although the reform implementation process was poorly planned and inadequately supported by the Department, the new programs have the capacity to deliver coherent sets of achievable objectives while offering predictability and a modicum of security into the future for these young people and their families.

It was previously accepted that community access programs such as those being implemented by the NSW Government should be funded for five days of service per week. ACROD believes specification of five days per week per client is necessary to assist people with a disability realise their potential and facilitate integration with their communities to the greatest degree possible. It also represents a cost effective use of support funding. Five days of service per week recognises the contributions of carers and would assist them to maintain employment and other activities. In doing so, family resilience would be enhanced reducing demand for more intensive support such as respite care and longer-term accommodation while easing burdens on the welfare system.

ACROD, like others in the disability sector has substantial concerns about the adequacy of funding applied to the new programs by the NSW Government. It is clear that the reforms would have been better received and would stand a better chance of success if appropriate service costing work had been carried out before implementation. ACROD NSW therefore looks forward to the completion and publication of the University of Wollongong's costing study which was commissioned by the Department in early 2004. In the absence of this work, and, because the programs are only now getting underway, little data about the actual operation of these programs and the adequacy of funding levels is yet available.

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

In general terms, the proposed structure of the Transition to Work (TTW) and the Community Participation (CP) programs has the potential to deliver better outcomes for young people, if appropriately managed and resourced. The new program structure has significant benefits when compared with the ATLAS program structure. The ATLAS program suffered several flaws that the new program structure should address.

The ATLAS program's original intent was laudable. It was, however, awkwardly positioned between the responsibilities of several state and federal government agencies. As a result the program overlapped and in some instances duplicated responsibilities borne by these. As a result of these structural difficulties and, in an attempt to better define appropriate boundaries, several flaws emerged. The ATLAS Program:

- ◆ Was limited to two years per client.
- ◆ Did not specify clear employment or lifestyle objectives in relation to the diverse population it attempted to serve for much of the period that it operated.
- ◆ Did not recognise differential resource requirements of the diverse objectives it attempted to pursue.
- ◆ Featured arbitrary funding arrangements that:
 - did not reflect the diversity of the program's population;
 - did not differentiate funding on the basis of individual need;
 - Contained several critical disincentives to achievement of the program's key objectives of preparing the client group for social and economic participation, including employment, and facilitating transition to appropriate specialist disability employment services.
 - Did not specify a quantum of service to be delivered to individual clients. Higher support needs were often met through reduction of service hours via processes that were neither consistent nor transparent across the sector.

During consultations on reform of the ATLAS program, the Department declared that the rate of flow-through to employment programs from the ATLAS program was around three per cent in 2001-2002. This was considered unacceptably low¹. The Department's data, gathered from extensive assessment of the ATLAS client population and applicants for the program who would leave school in 2002, indicated the following:

- ◆ *Of the 1556 [program participants], only 11 (0.7%) people were assessed as being capable of participating in full time employment without intervention.*

¹ Tickner K *Adult Training, Learning and Support Reform* Presentation to ACROD NSW Annual Conference 21 April 2004

- ◆ *After an intervention, 126 (8%) were expected to be able to participate in full time work.*
- ◆ *66% of the cohort was assessed as having no improved capacity for work after receiving the interventions recommended by the CRS. This does not factor in volunteer or other work related opportunities.*
- ◆ *Even after intervention, 996 (64%) were expected to be able to work less than 8 hours a week and require community participation and life long learning options.²*

Clearly, better programs were required to meet the personal aspirations and unlock the potential of program clients.

The Department of Ageing, Disability and Home Care's (DADHC) Policy Framework for the Transition to Work (TTW) Program or the Community Participation Program, released in July 2004, states that the objectives for both programs are to:

- ◆ *support access to the full range of post school pathways for young people with disabilities including:*
 - *further education and training*
 - *employment*
 - *community participation.*
- ◆ *maintain the implementation of an individualised and person-centred planning approach for service users that acknowledges:*
 - *Aboriginal and Torres Strait Islander culture and communities*
 - *cultural and religious considerations*
 - *age*
 - *gender*
 - *support needs*
 - *personal aspirations.*
- ◆ *support the life transitions of service users through access to a diverse range of flexible pathways including:*
 - *school-to-work*
 - *school to further education and/or training*
 - *education and/or training to work*
 - *work to retirement.³*

DADHC developed these objectives and the dual service structure to deliver them based on two years of research into the nature of the client group and the requirements for success based on experiences of leading practitioners. Knowledge was developed from the field through the establishment of three Departmental working parties. These were the ATLAS:

- ◆ Community Access and High Support Needs Working Group
- ◆ Training Focus Group

² Ibid.

³ Department of Ageing, Disability and Home Care *Policy Framework: Transition to Work and Community Participation Programs* July 2004 page 6

◆ Transition to Work Pilot Projects.

Each group comprised representation from service providers, advocacy bodies and were led by the Department. ACROD was also represented on each group. The groups were instrumental in identifying key features of the new program specifications. They also identified several perverse disincentives resulting from the ATLAS program structure that actively prevented achievement of the objectives of the program. Importantly, the program structure denied most clients the confidence to attempt employment because any such attempt, if unsuccessful, would deny subsequent access to any service at all.

The importance of a program structure that would eliminate these disincentives cannot be overstated. Important disincentives related to service funding and organisational viability will be discussed below. These funding disincentives had a profound impact on the implementation of the program and the capacity of the service sector to plan and implement high-quality programs.

In addition to promoting counter-productive behaviour to preserve service viability, the flawed structure of the ATLAS program, as previously stated, discouraged service users from seeking access to enhanced social and economic participation through employment. Evidence from the field reveals that attempts to participate in employment by ATLAS clients often fail at the first attempt and frequently require repeated attempts and sustained support to deliver employment outcomes over the medium term.

Permeability between programs is required to ensure clients will risk attempting employment in the knowledge that, if such an attempt fails, further training and community access services will be available. Service users need to be supported to move between community access programs, employment preparation programs, such as the Transition to Work Program, and Commonwealth administered Disability Employment Assistance (DEA) programs, and back again to ensure durable employment outcomes can be achieved.

ATLAS program guidelines did not allow any such movement between programs. In fact, until 2002, any participation in a disability employment service resulted in immediate disqualification from the ATLAS program. In addition, service users who attempted employment and who subsequently ceased to be employed could not re-enter the ATLAS program and had little chance of access to any other funded program. Consequently, any decision by service users and their families to leave ATLAS and enter disability employment assistance, or any other form of employment, without the promise of ongoing support and a right of return to the program would be irrational and for this reason, many didn't even try.

ACROD will continue to work with the Department to ensure these disincentives are eliminated in full. We intend to work closely with DADHC to ensure program guidelines allow an appropriate flow between service types and require services to utilise this flexibility.

The CSTDA

Jurisdictional issues were a key factor in defining the program structure and will remain so in the future. This structure is predicated by the division of responsibilities under the Commonwealth State and Territory Disability

Agreement (CSTDA). This agreement places responsibility for administration of employment programs in the hands of the Commonwealth while community access and life skills programs, including vocational preparation programs, are states' responsibilities.

This issue will be discussed in detail below. Suffice to say that the jurisdictional delineation of these related responsibilities has, in the past, impeded attempts to maximise participation in employment for school leavers with disabilities and will continue to pose challenges into the future, regardless of the integrity of program structure.

Co-ordination with the School System

Until the mid-1990s it was common for young people with significant disabilities to remain at school until the age of about 22. Significant changes of interpretation to the entitlements to schooling for people with a disability in the early 1990s added to the need for establishment of such a post-school program for these young people. The need for such a program remains strong in, in part due to the impact of inadequately resourced inclusion into mainstream schools and classes of students with disabilities and emerging curriculum imperatives.

All school students with disabilities are, like all other young people, entitled to remain at school until the year in which they turn 18 or in which they complete their Higher School Certificate. The life skills development and related vocational preparation assistance undertaken by service delivery organisations addresses generic key competencies that the school system also explicitly attempts to address for students with disabilities. Schools address generic skills development through a special program of study developed by the NSW Board of Studies. The program includes:

"...eight Life Skills courses and seven Industry Curriculum Framework Access Program Courses within the Board's seven Vocational Education and Training (VET) frameworks..."

"The Stage 6 Special Program of Study stresses the application of knowledge and understanding, skills, values and attitudes to a range of environments that will be accessed by students with special education needs."⁴

While these courses attempt to address the life skills required to facilitate participation in the community and employment, the population served by the courses are far broader than the potential ATLAS client group. In addition, the courses themselves are tied to the requirements of the *Education Act 1990* which specifies that learning should occur within specific Key Learning Areas. The courses stress the importance of a broad general education that has intrinsic value for the individual. They are not specifically geared to provide the skills necessary for social or economic participation, including employment.

These objectives differ markedly from the approach taken by disability service providers in relation to people with an intellectual disability who make up the

⁴ NSW Board of Studies *Stage 6 Work and the Community Life Skills Syllabus 1999* page 6

largest portion of the new programs' target group. The approach of disability service providers tends to be more closely related to specific experiences and contexts. It attempts to support service users achieve practical skills related to specific life activity and employment related situations.

Better communication between the Board of Studies, schools, specialist disability services, and students with disabilities and their families, as well as a focus on the post-school destinations of students with disabilities while still at school is required to maximise opportunities for these young people.

In addition, consistent protocols for assessment of the support needs of students with disabilities between schools and disability services are currently lacking. It is therefore difficult for schools to assist students identify appropriate post-school destinations consistently and tailor programs to expand the range of options available upon leaving school.

ACROD urges DADHC and the Department of Education and Training to agree and implement consistent screening and assessment processes to aid identification of future TTW and CP service users and facilitate better targeted life skills learning experiences for these students before leaving school.

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

There is little data to hand about the adequacy or otherwise of the funding levels set for the TTW and the CP program. The TTW program is funded at the per capita ATLAS funding rate. Certainly, funding at this rate generated inadequate transition of service users to employment in the past but, evidence suggests and the Department accepts that this was largely due to the disincentives in the ATLAS Program's specification rather than to the funding level.

This submission referred earlier to disincentives for service users in making decisions about attempting to transition to an employment service. Other disincentives also confronted service providers and were related directly to the funding regime under the ATLAS program.

The ATLAS program was, at least notionally, individually funded. If a service user was successfully assisted to engage in employment by their ATLAS service and exited from the service, ATLAS funding immediately ceased in relation to that client. If two or three such transitions were achieved, a member of staff, whose work may well have made a substantial contribution to these successes, would have to be retrenched.

Access to the program was also restricted to the yearly intake of school leavers. Successful service providers could not "backfill" places vacated by exiting service users during the year. Similarly, the rigid program structure and funding arrangements acted as barriers to the transfer of clients from services which specialised in design and delivery of quality community participation programs to those with strong links with employment services and *vice versa*.

ACROD is, however, concerned to ensure that funding for both the TTW and for the CP programs is sufficient to meet the objectives, specified outputs and outcomes for each program. Until service providers have had the opportunity to develop appropriate programs that deliver on the service plans which will be

required for each client, no judgement can be made about these funding levels except that, in the case of the CP program, the level of funding represents a cut of over \$2000 per client per year.

Additional Funding for High Support Needs Clients

The NSW Government has provided a specific allocation to meet the needs of CP program clients with high support needs. \$1.4 million recurrent has been allocated for this purpose.

The allocation method for these funds has been under negotiation since November. DADHC sought ACROD's assistance to establish a committee to determine the best funding allocation method. The committee comprises representatives from DADHC and specialist practitioners and managers from four providers of these services. ACROD is also represented on the committee. Consumer and advocacy peak bodies have also been consulted about the proposed funding methodology.

ACROD has taken the position that an evidence basis is required to equitably distribute these resources. The Department and industry representatives, in consultation with advocacy organisations, have drawn up a rigorous funding eligibility tool that seeks clear evidence of the support needs the additional funding is designed to meet.

ACROD urges the Department to adopt the methodology developed by the committee and to maintain comprehensive data in relation to the uses of these funds. The purpose of this data collection is to gather evidence on the adequacy of the high support needs funding pool in relation to the needs of the overall client group.

Funds for Capital Acquisition

ACROD understands the Department intends to release funds for capital acquisitions to facilitate implementation of the programs. ACROD, together with a number of peak and consumer peak bodies has worked intensively with the Department in recent weeks to assist refine guidelines for allocation of these funds. All parties have cooperated these monies are allocated fairly and in a manner that provides effective assistance to organisations to ensure access to the TTW and CP programs is maximised.

Comparisons with Funding of Similar Services in Other States

Publicly available comparative information in relation to expenditure on similar programs in other Australian states is unreliable and of poor quality. The most recent estimates of the cost to governments of community access programs such as the CP program relates to the 2002-2003 year. Usefulness of data about growth in program costs cannot be tracked over time because of changes to Minimum Data Set information collected by states from service providers

annually. The scope and nature of the data collected was altered radically in 2002 rendering historical comparisons impossible⁵.

The lack of comparable historical data and difficulties in comparing calculations of costs between states render such comparisons useless. This is amply demonstrated by the national average government expenditure on community access programs which stood at \$5633 per year per service user in 2002-2003⁶

Given the deficiencies in publicly available comparative funding information, ACROD has no reason to question the evidence provided to this Committee by the DADHC Director-General in Budget Estimates hearings in late 2004. At that time the Director General stated:

***Mr O'REILLY:** ... The funding levels in New South Wales are comparable to what is happening in other States. South Australia has an average funding level of \$14,190; Victoria has five funding levels between \$7,000 and \$21,695; Queensland funds between \$7,500 and \$18,000 and only for a maximum of five years; Western Australian funding levels range from \$1,450 to \$6,800 for low support need levels and to a maximum of \$20,500; and the Commonwealth benchmark rate for those people who are not going to be involved in vocational-type transition arrangements is currently \$9,000.⁷*

Appropriateness of Funding

While authoritative judgements about the adequacy of funding are not possible at this time and notwithstanding concerns about CP funding levels, ACROD NSW is encouraged that the Department has specified output measures for both programs. We were also encouraged by the Minister's decision to increase CP base-level funding from \$9000 to \$13500 per service user per year. We emphasise our concern, however, that the increased amount remains insufficient to implement high quality programs that will facilitate true social participation for the program's target groups.

The Failings of ATLAS Individualised Funding

Failure to specify firm output measures was one of the chief failings of the funding arrangements under the ATLAS program. Service providers had difficulty applying individualised client funding flexibly to meet episodic conditions, higher than usual support needs and other issues with which clients presented from time to time.

⁵ Productivity Commission *Report on Government Service Delivery 2005* Chapter 13 *Services for People with a Disability* page 13.

⁶ National Disability Administrators *Commonwealth State and Territory Disability Agreement Annual Public Report 2002-2003* page 21

⁷ O'Reilly, B Evidence to NSW Legislative Council *General Purpose Standing Committee No. 2 Examination of proposed expenditure for the portfolio area: Community Services, Ageing, Disability Services and Youth* 20 December 2004 (uncorrected transcript) page 7

Because the level of funding was not based on individuals' support needs and because of the inflexibility of administrative and funding arrangements, sufficient services to meet these circumstances could only be supplied to an ill-defined and unknown number of service users through a reduction of service hours. This meant there was a wide variation in the amount of service hours delivered across the service user population and little scope to apply additional resources to meet emerging issues. Significantly, there was little information available in relation to these issues to the sector, to service users and their families and to the Department.

Further, the individualised basis of funding provided few opportunities for organisational investment in infrastructure and equipment that would improve the quality of services provided. Nevertheless, organisations had to allocate funds to meet non-discretionary and fixed costs necessary to service provision and organisational viability. The effort involved in accounting for service users' annual funding while addressing the need to recover fixed costs and those associated with administration of the program added substantial administrative burdens to both service providers and to DADHC and had a significant impact on the proportion of program funds required simply for administration.

Clearly, these problems indicate that in the ATLAS program there was no direct correlation between individualised funding and the quality of services. Nor was there any evident benefit that arose from these arrangements in terms of organisational efficiency for service providers and for the Department.

The Benefits of the Funding Approach of the New Programs

The new programs feature block funding arrangements that take a more sensible approach to these issues. The funding arrangements allow service funding to be used flexibly to meet emerging issues and events as they arise from time to time based on decisions made at the service level. Such a system relies on the specification of service outputs and quality monitoring which ACROD is willing to work with the Department in developing.

The funding methodology captures a range of variables and allows decisions about individual service planning and the components that constitute any individual's service to be made at the interface between client and support staff. Higher cost service delivery is then covered from the high support needs funding pool based on evidence provided by the service provider.

The proposed system for TTW and CP funding has the net effect of reducing an incomprehensibly complex set of client-specific episodes of support into a relatively reliable and predictable payment structure. It is, in reality, a mechanism to relate funds to the outputs of support and to improve accountability, rather than to purchase service elements on behalf of particular clients of the program.

Obviously, service quality issues constitute a prime dimension of service delivery and are intimately related to the funding levels and payment system. Monitoring of service quality and the promotion of good practice are essential if the objectives of the new programs are to be delivered and beneficial outcomes for service users are to be achieved. Processes for service monitoring are currently

under development by DADHC. ACROD believes that such a monitoring system should be at arms' length from the funding body and based on principles of continuous quality improvement. ACROD, together with other industry and consumer peak bodies is working with the Department on the development of its monitoring processes.

Finally, it is important to acknowledge some substantial positives for both current and future service users in the reforms. Not only is the funding recurrent, it is also uncapped which means that all eligible students currently attending school who will need a service at some time in the future are assured that such a service will be available under this system. Until now this has not been the case.

It is essential that this certainty is backed by the NSW Government's commitment to at least maintain per capita funding for new entrants to the program over time. It is therefore necessary to ensure that grants are indexed for existing service users and that the base level of funding for new program entrants is indexed at the same rate. This was not the case with the ATLAS program and had the effect of reducing the real price paid by the Government for successive intakes of program participants.

3. The role of advocates both individual and peak groups in the consultation process.

In the months since reform of the ATLAS Program was announced last July ACROD NSW actively pursued achievable and practical initiatives intended to assist the Government establish a sustainable service system for current and potential TTW and CP clients. Such action was necessary because of planning and implementation inadequacies that were hallmarks of the reform process.

The initial July proposal from the Government stated 1635 ATLAS program clients at an average funding level of \$15699 and 1419 Post School Options program clients at an average funding level of \$20000; would all be moved across to the new Transition to Work program at \$15699 per person or to the new Community Participation Program at either \$9000 or \$13500 per person. A small reserve to assist people who needed high support was also announced.

ACROD immediately advised both the Minister and the Director General that the proposal was unworkable and inequitable and proposed a number of changes as follows:

- ◆ That the timetable for the calling of Expressions of Interest (EOI) be put back to at least August.
- ◆ That the Post School Options program be removed from the Reforms.
- ◆ That existing ATLAS Providers be exempt from completing an EOI, but simply be required to complete an eligibility checklist and interview.

OUTCOMES

- ◆ The timetable was put back to September.
- ◆ The Post School Options program was completely removed from the Reforms in September 2004. PSO Clients retained funding at an average \$20,000 per annum.

- ♦ All existing providers were exempted from completing the expression of interest process and, with the exception of very few, gained eligibility to become Community Participation providers through an interview process.

ACROD NSW led a delegation of service providers in a meeting with the Minister for Disability Services in late October. Following this meeting, on 11 November, ACROD NSW wrote to the Director-General of DADHC asserting that:

- ♦ The funding level of \$9000 was unsustainable and should be significantly lifted.
- ♦ A substantial pool of funds available to meet the High Support Needs of appropriately assessed service users should be allocated recurrently.
- ♦ That the method of assessing High Support Needs be developed jointly with the sector and DADHC.
- ♦ That the lead time for the introduction of Community Participation be extended at least two months to allow service users, parents, carers and service providers time to adjust to the changes.

OUTCOMES

- ♦ Community Participation Program base funding level was increased from \$9000 to \$13500.
- ♦ \$1.4 million recurrent was allocated to provide additional services for assessed high support needs clients.
- ♦ A committee comprising representatives from DADHC and ACROD represented by specialists from four major services was formed and continue to meet to develop the methodology for allocation of the high support needs funding pool.
- ♦ The commencement of the Community Participation Program was moved from 1 January 2005 to 1 April 2005, a three month delay.

ACROD also conducted a major survey of members on 26 July and used the responses from that survey to inform discussions with the Minister and the Department.

Any improvements were secured through constant ACROD representations and discussions with the Minister, the Director General, and their staff. While the ACROD representations were led by the Executive Officer, the representation of members was a constant feature of this work and involved a broad range of services. In all, fifteen ACROD member organisations met with the Minister through ACROD and double that number with the Director-General. Many service providers also made their own representations to the Minister and Director-General.

ACROD has a responsibility to consult with its members, who are service providers. From the original announcement on 9 July until the final concessions were announced on 30 November ACROD held 24 meetings around the state attended by 650 service provider representatives from 300 services. ACROD allowed a number of parent and carer representatives to attend these meetings to express their opinions. ACROD also attended and spoke at every Service

Provider Information Session conducted by DADHC for the purpose of advising the sector of the planned reforms.

ACROD kept, and continues to keep its members and other service providers fully informed of current negotiations and changes by means of an e-mail service to 1500 disability sector contacts. These e-mails are sent as regularly as required and, at the peak of negotiations, were going out several times each month.

From the outset, ACROD made it clear that its intention and strategy was to remain engaged with the Government at the negotiating table rather than at protest rallies. ACROD did, however, promote several such rallies organised by others in the disability sector through its networks. In addition, ACROD Divisional Committee members and staff spoke at several of these meetings.

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

ACROD asserts that it is imperative for DADHC to accurately target the TTW and CP programs to meet the needs of those who have no access to services provided by other Departments. The role of these programs is to provide meaningful life experiences and to draw out the potential of young people with a disability. Use of program funds to duplicate or supplement entitlements from other levels of government or from other departments is not an appropriate or a justifiable use of program funds.

Exclusion of university students is a necessary if unfortunate requirement for the success of the new programs. In the past, ATLAS funds have, in a few instances, been used to provide transport for program users to access universities and TAFE colleges to undertake vocational education and professional training. ACROD understands that, in 2003, three university students were served by the ATLAS program and an unspecified number of TAFE students were also ATLAS clients.

Each of these students had access to the Mobility Allowance made available by the Australian Government and administered by the Department of Family and Community Services. Further, the NSW Department of Education and Training has access plans for people with a disability for all TAFE colleges as do, we understand, all universities.

This submission is not the appropriate place to argue the merits of the Mobility Allowance, its efficiency or the level of funding support it offers people with a disability to access education and training. It is also not appropriate to argue the merits or shortcomings of access and support provided by education providers to facilitate the participation of people with a disability enrolled in university and TAFE courses.

There is an inevitable tension about appropriate uses of program funds. It is, however, important to acknowledge that the NSW Government has an obligation to provide a program that provides community access programs where it has a responsibility to do so and an obligation to define the limits of responsibility under that program.

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

There is no completely reliable method of assessing the support needs of people with a disability. These issues are regularly debated in the disability community and the clear consensus is that even the best assessment tools provide only a rough indicator of the supports any individual may require.

Assessment methodology for the ATLAS program was formulated and tested in 2002 by the Department in consultation with the University of Wollongong. We understand this methodology is to be used to identify candidates for the new TTW and CP programs. A number of assessment devices used in assessment of support needs for the Home and Community Care (HACC) program were trialled. The first tier consisted of the HACC Functional Dependency Screen which consisted of nine questions covering domestic, self-care, challenging behaviour and cognitive domains. This was administered by schools and families.

A second tier of assessment was also undertaken which comprised a comprehensive assessment of each of the four domains and was undertaken by the Commonwealth Rehabilitation Service (CRS). The CRS assessment captured basic personal information such as age, sex and disability in addition to information on individuals' strengths, barriers to economic and social participation, current capacity to work, future capacity to work, self-care functioning, behavioural functioning, domestic functioning, recommended interventions and recommended types of assistance.

These assessments were undertaken by PSO program participants in addition to existing ATLAS participants and those who would leave school at the end of 2002.

Analysis of the results of the 2002 assessment work found:

- ◆ The best predictors of the type of assistance required were (in order) domestic functioning, self-care functioning and future capacity to work.
- ◆ Domestic and self care functioning were better predictors of the type and level of assistance required than any of the variables typically assumed to determine need for ATLAS services (disability type, capacity to work and so on).
- ◆ The domestic domain is the most relevant and, overall, domestic functioning is the single best predictor of need for ATLAS services.

The Department and the University of Wollongong reported that statistical correlation between the results of the two tiers of assessment was high and, as a result, decided the second tier was not required for future cohorts of school leavers. In 2004, we understand, the assessment process consisted of:

- ◆ the 9 item functional screen and
- ◆ the behavioural and domestic assessment, plus

- ◆ Additional targeted questions related to VET in schools, work experience etc.⁸

As previously stated, even the best assessment methodologies are not foolproof. At best they provide a reasonable means of streaming school leavers into appropriate post-school destinations given their preferences and the challenges they face. It also provides a rational basis for the Department to define the limits of access to the programs. ACROD believes the definitions of such boundaries are vital to the future sustainability of the new programs.

While it is attractive from an administrative perspective to treat results of these assessment processes as absolute in every individual case, evidence from the field indicates this is not and should not be so. Earlier in this submission we argued that a key component for the success of the new programs is the ability of participants to move between each as individuals mature and as their aspirations and needs develop and change over time. ACROD is pleased the Department has recognised the need for permeability between the TTW and CP programs and is willing to work closely with the Department and service providers to ensure options for program participants are maximised.

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.

ACROD has received no information on this point from its members or from members of the public. We are, however, willing to assist resolution of any matters brought to our attention.

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.

Previously in this Submission, ACROD referred to the approach taken by school curriculum authorities to the educational and training needs of school students with a disability. One of the key issues confronting DADHC, TTW and CP service providers is the difference between the skills acquisition objectives of the programs they administer and the approach taken by the Board of Studies and schools in its Stage 6 Life Skills curriculum which is bound by a strict interpretation of requirements to provide courses in the key learning areas specified in the *Education Act 1990*.

It is likely that a greater emphasis on practical and focused life-skills development by schools and curriculum authorities would reduce the need for a program such as the TTW. Such an emphasis would facilitate better articulation with employment, training and lifestyle pathways that match the diversity of current and future TTW and CP participants.

⁸ Tickner, K *Adult Training, Learning and Support Reform* Presentation to ACROD NSW Annual Conference 21 April 2004

Cross-jurisdictional Issues in the Achievement of Employment Outcomes for People with a Disability

As previously stated, the separation of responsibilities between NSW and the Commonwealth present structural challenges to the success of the Transition to Work program now and will continue to do so. Achievement of enhanced economic and social participation through employment is not entirely in the control of DADHC or the NSW Government in general.

It is likely that most TTW program participants will strive for positions in either supported employment which is offered in congregate employment settings, known as business services, or in the mainstream workforce with the assistance of a Competitive Training and Placement Service, commonly referred to as open employment services. These services are funded under the Commonwealth Disability Employment Assistance (DEA) Program which is administered by the Department of Family and Community Services and by the Department of Employment and Workplace Relations. The program provides ongoing support to facilitate participation in employment for people with a disability.

Places available under these programs are, however, limited. In addition, there is significant unmet need for those places. Growth in the disability employment sector was provided in 2001 as a consequence of the Australian Government's welfare reform agenda, known as Australians Working Together. These places have all been consumed. More growth places were promised in the Federal Government's 2002 Budget. These places were conditional on passage of changes to eligibility for the Disability Support Pension which would have reduced access to the pension for a substantial number of recipients.

The Australian Government is currently conducting consultations with the community in an effort to further develop its plans for welfare reform. Whatever the outcome of its deliberations, it is clear that the NSW Government needs to advocate for the release of additional DEA employment places to ensure the success of these new programs. Failure to secure substantial growth in disability employment assistance will undermine the 'flow-through' nature of the program and will ultimately render them unsustainable.

CSTDA Bi-lateral Agreement

The NSW and Australian Governments are aware of the pressures on these programs resulting from the separation of responsibilities under the CSTDA. The most recent agreement includes a bi-lateral agreement between NSW and the Commonwealth. This agreement is intended to identify structural and practical barriers confronting people with a disability in attempting to access Commonwealth administered DEA positions directly from school or from a NSW program such as the TTW or CP program.

The agreement specifies a number of research initiatives that could ameliorate the difficulties currently experienced in aligning these two vastly different service systems in order to provide services for people with a disability that best matches their aspirations and capabilities. The work to be undertaken commits both governments to:

- ◆ Map policies and practices affecting movement between, and within State and Commonwealth disability services;
- ◆ Identify and share the lessons from Australians Working Together and the Adult Training, Learning and Support (ATLAS) Review & Reform Project to reduce barriers and to improve pathways;
- ◆ Develop strategies to improve pathways (this may include mixed programs and streamlined assessments);
- ◆ Develop an improved process for the referral to Centrelink of school leavers seeking disability employment assistance.
- ◆ The Commonwealth will work with NSW to continually review the allocation of disability employment places with a view to achieving the best possible outcomes for school leavers.
- ◆ Identify and address barriers for school leavers to employment (including attitudes and skill gaps);
- ◆ Map the number and characteristics of the affected population.
- ◆ The Commonwealth will make available disability employment places proportional to the NSW working age disability population.
- ◆ The Commonwealth and NSW will work jointly to encourage service providers to increase take-up of employment places;
- ◆ The Commonwealth and State will jointly identify, plan and implement any additional actions and strategies to effect an uptake of disability employment places to achieve a full population share for NSW. The Commonwealth will retain the right to reallocate employment places to other jurisdictions if they are not taken up in NSW.⁹

While these initiatives will go some way towards identification of issues that in many cases impede transition to enhanced social and economic participation through employment for the TTW target group, ACROD notes that no funds have been provided by either government to progress work that is clearly needed on both sides and to facilitate identified improvements. It appears that this situation will persist until, at least, the implementation of the next CSTDA which will not be negotiated and implemented until 2007.

It is clear that until these cross-jurisdictional issues are addressed comprehensively, no assurances about the sustainability of appropriate employment outcomes from these or from any other programs with similar objectives can be assured.

⁹ CSTDA Bi-lateral Agreement Between the Commonwealth and the State of New South Wales [http://www.facs.gov.au/internet/facsinternet.nsf/vIA/cstda/\\$file/nsw.pdf](http://www.facs.gov.au/internet/facsinternet.nsf/vIA/cstda/$file/nsw.pdf) page 5