**Report of the Working Group to the Senior Officials Group**

**Purpose**

1. This report sets out our recommendations to improve existing Employment Services that would involve changes to both services and workplaces. We also suggest next steps in respect of this project.
2. This report is for your consideration and decision.

**Background**

1. In June 2012 you asked us to investigate and report back on improvements that could be made to improve Employment Services for disabled people.

*Framework of analysis and evidence base*

1. The United Nations Convention on the Rights of People with Disabilities (UNCRPD) provides a framework for reviewing how services are provided. Key principles include:

* disabled people and their organisations should be involved in policy and service development that impacts on their lives ( Article 4.3)
* denial of reasonable accommodations[[1]](#footnote-1) is discriminatory
* Mainstreaming[[2]](#footnote-2) first with access to appropriate accommodations and supports as needed..

1. Our recommendations are also informed by the findings of the following four reports (attached to this note). These reports include:

* an analysis of the Disabled Persons’ Survey and the Employment Support Provider’s survey. A summary of the findings of these surveys are attached in Appendix1.
* a paper entitled “Modernisation of Support Funds”
* a research paper on Work Experience prepared by the Disability Employment Forum and Ministry of Social Development; and
* Practice Guidelines for Employment Support

1. It has not been possible within the timeframe for this work to identify the cost implications of any suggested changes. The IEES Working Group has some concerns about putting forward recommendations when the implications are not fully understood and suggests further consultation with the Group, especially if implementation requires re-prioritisation of existing funding.

**Overview of Findings**

*Our findings are consistent with international research*

1. Our research as outlined in the attached reports provides further evidence of the barriers faced by disabled people in finding and keeping work. Our findings are consistent with UN Monitoring Reports produced by the Convention Coalition Monitoring Group; The World Report on Disability and Think Differently Campaign*,* “Exploring NZ Employers' Attitudes Towards Employing Disabled People Research” (2012). (Appendix 2). The reports reinforce the complexity of the current system. The issues raised are not new.

*Medium and longer-term work is needed*

1. In addition to identifying improvements that could be made in the short-term, the investigation identified medium and longer term pieces of work that would require further policy development before decisions could be made and additional resources if they were to be implemented.
2. The object of this longer-term work is to increase the efficiency and efficacy of a raft of employment support services thereby increasing long term sustainable employment opportunities for disabled people in a larger variety of jobs A complementary and contingent outcome is the creation of a more diverse workforce that respects and values the things that make people unique as individuals.
3. As the World Report states: “while there is a need for more services, there is also a need for better, more accessible, flexible, integrated and well-coordinated multidisciplinary services, particularly at times of transition such as between child and adult services. Existing programmes and services need to be reviewed to assess their perfor­mance and make changes to improve their coverage, effectiveness and efficiency. The changes should be based on sound evidence, appropriate to the culture and other local contexts, and tested locally.”
4. Developing workable solutions in partnership with the Disabled Peoples” Organisations and their allies is of the utmost importance. An expectation arising from the findings of this work is that it is circuit breaker and will significantly change the environment for employers, government agencies, disabled people and providers. Working with Maori and Pacific communities including Maori and Pacific employers. Disabled people and their organisations believe that investing in employment will provide important long-term savings and enable disabled people to become contributing citizens.

**Recommendations**

It is recommended that you:

***Short term (by 30 June 2014):***

1. note that the short term initiatives proposed are consistent with the longer term initiatives and the direction of signalled future work programs.
2. Note all the short-term changes are within your remit to make decisions on and not requiring additional funding

Building disability confidence amongst employers

1. agree that key messages are developed that can be communicated through a communication plan to employers by all stakeholders

Work Experience

1. agree that work experience is promoted at the earliest opportunity. Guidelines are developed to articulate what is meant by work experience

Support Funds

1. agree that the short term measures identified in the Support Funds report are implemented

* *Proposal* - clarify operational policy around equipment, using the partnership approach, and disseminate information for employers and disabled people.
  + .*Proposal* – Develop a tool that can be used to check what options there are for meeting the person’s transport needs, including considering use of public transport, training on use of public transport, car-pooling. The Support Funds would still be available for private transport when needed.
  + *Proposal* - Develop and disseminate information to disabled people and service providers about the use of the Support Funds for internships and work experience.
  + *Proposal* – Rename awareness training as building disability confidence.
  + *Proposal* - Update and disseminate information to raise awareness and understanding of the Support Funds and what it covers. Information needs to be available in alternative formats such as but not limited to audio, large print; braille’ sign language, Easy Read.
  + *Proposal* - Develop a process for “pre-approval” (similar to a pre-approved mortgage) before the person is interviewed for a job. The details of the funding would still be worked out/confirmed when the requirements of the particular job are known.”
  + *Proposal* – Review current processes and forms to determine how they could be simplified, ensuring they are accessible and can be independently completed by the applicant. .

Information

1. agree that any information developed is in accessible formats including Easy Read; Sign Language; Braille, on line and larger print, audio and different languages.
2. agree that accessible Information is developed which explains a persons’ rights and responsibilities in the workplace.

Contracts and funding

1. agree that current **C**ontracts recognise the importance of building relationships with employers to increase their confidence and achieve a broader range of employment opportunities. This is currently not funded.
2. agree that, given the increased casualisation of work, current contracts recognise casual employment as an employment outcome. Further contracts should not specify hours of opening thereby enabling flexible support to be provided especially where a person is involved in casual employment.
3. confirm the draft Guidelines for Employment Support Practice after a consultation process to engage employment support providers.
4. agree these Guidelines be part of existing contracts and more detailed practice material and training.

**Long term (after 1 July 2014)**

1. agree to recommend to Ministers that officials undertake further work to review how disabled people are supported into employment, what should be provided, when and by whom and that will cover the following matters:

* work experience
* cost of disability including Transport and Adaptive technology
* the changing labour market
* contractual/ procurement processes in employment and vocational services that match the intent of policy, encourage collaboration and high trust, enable flexibility and based on agile contracts with meaningful outcomes.
* self-employment
* skills development which recognises support required
* Employer support including subsidies, Minimum Wage Exemption Permits and Productivity Allowance
* the need for better data collection especially on disabled people in the labour force
* international best practice on the above matters.

1. agree that in developing the longer term work programme, Tertiary Education Commission needs to be involved
2. agree that implementation of the short term proposals and development of the future work programme will continue to be based on cross government collaboration and a partnership with disabled people and their allies and employers.

**Appendix1 – Summary of Key Survey Findings**

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| **Skills Development** | The survey indicates that for disabled people, qualifications do not necessarily equate to success in obtaining a job or progressing in employment. Disabled people commented that their skills were often overlooked because of their disability.  Both Providers and Disabled People have noticed increased demand in all areas of the key skills required by employers, and in particular Computer Literacy and Minimum Qualification levels.  Respondents to the Disabled People’s Survey indicated that they are least likely to be able to obtain supports for skills development. This included support to gain better work skills, supports for career development and tertiary level study, and work experience. Fewer Providers identified that they were contracted to offer supports related to career development and gaining a qualification. |
| **Finding and Keeping A Job** | Nearly a third of respondents to the Disabled People’s Survey indicated that they needed but could not access support to find, take up and keep a job. The Provider Survey shows that a reasonable number of providers do offer these supports, which indicates that supports may not be accessible to everyone who needs them.  25% of Disabled People indicated that they would like support to start up their own business. This was the support least likely to be available from any source.  Disabled people and providers commented on the lack of employment opportunities in rural areas.  Both Surveys indicated that there is greater competition for jobs than there was four years ago. |
| **Transport** | 40% of people indicated that they need support to get to and from work. 17% said they need support but could not access it.  Supports relating to transport and mobility were identified as being difficult to access. 74% of Providers indicated that they helped people overcome difficulties getting to and from work, and 18% said that the funding for this came from independent sources, i.e. providers funded it themselves or from philanthropic funding.  More employers are requiring people to work outside of usual business hours which creates problems for people who rely on public transport to get to and from work. |
| **Adaptive and Assistive Technologies** | Getting the right kind of equipment to help do a job was the biggest barrier identified by Disabled People. 24% of respondents said they needed this support but could not get it.  Disabled people commented that supports to access and learn to use adaptive and assistive technologies are needed, and that these supports need to be in place before a person starts a job.  A lower number of MSD funded providers than average in the Survey indicated that they offered this support, but a higher number of ACC providers. This could indicate that ACC clients are better able to access adaptive equipment and assistive technologies than others. |
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| **Attitudes and Awareness of Employers** | The Provider Survey showed that Providers see that they have a role to play in addressing barriers to employment, especially in terms of working with employers and negotiating flexible working conditions and workplace accommodations. They also indicated that they are spending time beyond what is contracted by funding this themselves or using philanthropic funding.  Nearly a quarter of disabled people said that they needed support to address the attitudes of employers and help them negotiate workplace accommodations. 20% of people said they needed but could not get support in the workplace to help them interact with the people that they work with.  Disabled people also commented on the difficulty of asking for support, particularly if the attitudes of employers, or support or agency staff, were unfriendly, or if they felt they were not believed or were considered a ‘nuisance’.  Both Disabled People and Providers raised the issue of the need for positive incentives to encourage employers to employ more disabled people. Suggestions included wage subsidies, tax subsidies and reduced ACC levies. |
| **Casualisation of Employment** | The most significant change in the labour market in the past four years was identified as the decrease in full-time employment and the increase in casual employment. This has had a number of impacts, including the requirement for people to be able to work changing shifts and flexible hours.  It raises issues for Providers in terms of being unable to count placing someone in casual employment as an outcome for Supported Employment, and in terms of offering support when it is needed.  Providers commented that disabled people are missing out on employment experiences because casual, short-term and seasonal work could not be counted as employment outcomes. |
| **Flexible Supports** | People wanted support that was relevant for them and their circumstances, rather than having to fit their needs to what a service offered. This included support being available when needed.  The processes and criteria for accessing support services were identified as barriers in asking for support.  Providers also called for changes to contracts that enabled them to work in more flexible ways. This included contracts that enabled, and funding that recognised, all aspects of service delivery needed to progress a person in their journey towards sustainable employment. |
| **Accessible Information** | Disabled people frequently commented on the lack of accessible communication, including forms and information, and suggested that this should be considered a support. |
| **Improved Inter-Agency Collaboration** | A consistent theme in the Provider Survey was that greater collaboration between government agencies, and between government agencies and Providers, was needed if employment outcomes for disabled people are to improve.  Providers suggested that contracts that enabled split/joint funding to encourage collaboration would help a person get the supports they require.  Disabled people emphasised that improving employment outcomes should be a partnership between the government, disabled people and providers.  Greater collaboration was seen as a way to develop more standardised processes to encourage information sharing, consistency and to avoid duplication. |
| **Funding** | Both Providers and Disabled People commented on lack of funding for employment supports.  Disabled People asked that Support Funds better reflect the real costs of employment related supports, including increasing funding caps.  The funding model was seen to incentivise Providers to work with people who could achieve employment outcomes more easily.  MSD funded Vocational Service Providers commented on the fact that many had not received a funding increase in up to ten years. |

**Appendix 2: Other key supporting documentation**

**UN Convention Coalition Monitoring reports**

1. Social attitudes are a major factor disabling people with impairments and these prevent disabled people from participating in society.
2. The experience of disabled people in the workforce offers a clear example of negative and disabling attitudes in our society.
3. Well-educated disabled people are unable to access employment - we need to change employers misinformed attitudes, have more flexible working conditions and enforce reasonable accommodations.
4. When disabled people are accommodated in the workplace they are often perceived to be receiving special treatment.
5. Many disabled people develop strategies to get the most out of the days. But rigid workplace policies make it difficult to execute these strategies. For example, working five days a week, 9-to-5, with a standardised work hours may not be a viable option for some.
6. Well educated and work skilled disabled people report giving up jobs or not taking up work because the work environment or pressure to work full-time makes employment untenable.
7. Occupational segregation occurs; disabled people often working at basic rates in casualised and part-time jobs, for minimal remuneration, with few opportunities for upward mobility.
8. Occupational health and safety regulations designed as a social protection are being used by employers to deny access to workplaces.

The Key Solutions that Disabled People suggested:

1. Overcoming the negative of attitudes of many employers towards disability and raising public awareness was the single most important issue to resolve.
2. We need to undertake a disability responsiveness campaign that focuses on the attitudinal barriers that cause social exclusion.
3. Better Government support to improve access to work for disabled people emerged as the second most significant recommendation to improve the situation in 2010

Think Differently Campaign*,* Exploring NZ Employers’ Attitudes towards Employing Disabled People Research (2012) showed that.

1. 48% of the employers didn’t have disabled people working in their organization.
2. 34% believed that discrimination, perceptions and stereotypes about disabled people are barriers to employment in NZ workplaces.
3. 97% felt that disabled people deserved a fair go.
4. Most thought that attitudes towards disabled people; such as the hassle of employing disabled people, lower productivity, higher absentee rates and additional costs; were barriers to employment in NZ.
5. Many employers felt that their staff and customers would not be comfortable working alongside or dealing with disabled people.
6. Respondents were asked, based on their experiences, what information or support could be given to employers to encourage them to hire disabled people.
7. They suggested information explaining the condition or disability, financial support for any changes or accommodations required, and awareness training for staff and employers.

The World Report on Disability identifies that the UNCRPD and the International Classification of Functioning, Disability and Health (ICF) both highlight the role of the environment in facilitating or restricting participation for people with disabilities. This Report documents widespread evidence of barriers, including the following.

* **Inadequate policies and standards**. Policy design does not always take into account the needs of people with disabilities, or existing policies and stand­ards are not enforced.
* **Negative attitudes.** Beliefs and prejudices constitute barriers to, employment. Misconceptions by employers that people with disabilities are less productive than their non-disabled counterparts, and ignorance about available adjust­ments to work arrangements limits employment opportunities.
* **Lack of provision of services.** People with disabilities are particularly vulner­able to deficiencies in services such as health care, rehabilitation, and support and assistance.
* **Problems with service delivery**. Poor coordination of services, inadequate staffing, and weak staff competencies can affect the quality, accessibility, and adequacy of services for persons with disabilities.
* **Inadequate funding**. Resources allocated to implementing policies and plans are often inadequate. The lack of effective financing is a major obstacle to sustainable services across all income settings.
* **Lack of accessibility**. Many built environments (including public accommoda­tions); transport systems and information are not accessible to all. Lack of access to transportation is a frequent reason for a person with disability being discour­aged from seeking work. Deaf people often have trouble accessing sign language interpretation: People with disabilities have significantly lower rates of information and communication technology use than non-disabled people, and in some cases they may be unable to access even basic products and services such as telephones, television, and the Internet.
* **Lack of consultation and involvement.** Many people with disabilities are excluded from decision-making in matters directly affecting their lives.
* **Lack of data and evidence.** A lack of rigorous and comparable data on dis­ability and evidence on programmes that work can impede understanding and action. Understanding the numbers of people with disabilities and their circumstances can improve efforts to remove disabling barriers and provide services to allow people with disabilities to participate. For example, better measures of the environment and its impacts on the different aspects of dis­ability need to be developed to facilitate the identification of cost-effective environmental interventions.

1. "Reasonable accommodation" means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms; [↑](#footnote-ref-1)
2. People with disabilities have the same needs for health and wellbeing eco­nomic and social security, to learn and develop skills and are entitled to the same access to mainstream support and services.

   Mainstreaming is the process by which governments and other stakeholders address the barriers that exclude persons with disabilities from participating equally with others in any activity and service intended for the general public. [↑](#footnote-ref-2)