



**Inclusion Australia**

acting locally - representing nationally - connecting globally

Designing Evidence Based  
Transition-to-Work and  
Open Employment Support for  
People with Intellectual Disability

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#WeCanWork

*with*

#TheRightSupport

*We need the NDIS to provide —*

*Skilled Transition-to-Work Support*

*We need DES to provide —*

*Skilled Open Employment Support*

*We need NDIS and DES to —*

*fit together*

*so we get the right support to get a*

*paid job in the open workforce.*

## **A seamless pathway of evidence based support**

- Presumption of open employment capacity
- NDIS planning includes post-school transition-to-work
- Informed choice of transition-to-work providers
- Seamless link with specialist open employment providers
- Informed choice of skilled open employment providers
- Published provider *quantified* outcomes (i.e. job placements, job retention, hours of work) by type of disability
- A performance framework focused on rewarding sustainable jobs
- A funding model that is adequate and flexible to maintain quality support
- Training and technical assistance to support a skilled workforce
- NDIS responsibility for transition-to-work support; and DES responsibility for open employment support

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## We Can Work . . . With The Right Support

Few people with intellectual disability work in the open labour market. Yet with the right support, people with intellectual disability *can work* in the open labour market the same as any other Australian.

There are two main barriers that prevent youth with intellectual disability from getting jobs in the open labour market.

1. Low expectations
2. Lack of skilled support

Most youth with intellectual disability typically begin with low expectations about their ability to work, yet with the right support this can change. Initial job capacity assessments are almost always low, but have little to do with the level of job capacity they can achieve after skilled support. This is the key lesson from fifty years of research and demonstration.

The best way for youth with intellectual disability to develop expectations and learn about work is via work experience in real work settings together with the right training and support.

The opportunity to *try* work and get instruction gives youth with intellectual disability a "taste of success". This improves their self esteem and gives them an idea of what is possible. This support can change the views of others (e.g. teachers, family, employers, the community) about their capacity to work.

Even if youth have high expectations about work, they still need skilled support; just as a person with physical disability unable to walk still needs a lift to get to the second level of a building no matter how confident they are.

Youth with intellectual disability usually need higher support hours compared to other disability groups. The current lack of DES funding indexation, and the time lag between costs and payments to providers means that people with intellectual disability have become a financial risk to providers unable to carry funding shortfalls until outcomes are achieved.

Adequately funded skilled transition-to-work and open employment providers can address low expectations and break down barriers to achieve open employment outcomes. It is unlikely that youth will try work or succeed without access to this level of support because evidence based support is "what works".

The most successful Australian employment provider for people with intellectual disability — Jobsupport — achieves almost half of all open employment outcomes for youth with disability in Sydney in the Transition-to-work (NSW-TTW) program; and achieves more than half of the jobs that reach 26 week outcomes for people with moderate intellectual

disability in the Disability Employment Support (DES) program throughout Australia.

This outstanding performance record tells us much about *what works* for people with intellectual disability.

1. The manifest Disability Support Pension qualification for people with intellectual disability;
  - helps individuals try work without risk to pension eligibility; and,
  - wages increase total income and reduce pension costs.
2. Evidence based transition-to-work and open employment providers;
  - can address low expectations;
  - can provide a good chance of getting a job; and,
  - can demonstrate what is possible.
3. For transition from school to work, the right support means;
  - work experience and training in real work settings based on agreed goals;
  - skilled and experienced staff; and,
  - strong links with an effective open employment program.
4. For open employment, the right support means;
  - individual assessment as the basis of job search;
  - customised job search;
  - systematic on-the-job training; and,
  - ongoing support for the employee and employer.

If we are to change low expectations and increase open employment participation of people with intellectual disability it will be necessary to expand the right service support across Australia.

The frustration expressed by David Bowen of the NDIA in *The Australian*<sup>1</sup> regarding “perpetuating the old system” of sheltered workshops, and “The interface between the NDIS and Disability Employment Services is not working” is because there isn’t a comprehensive and skilled national transition-to-work and open employment service sector for people with intellectual disability.

The NDIS has modern principles of choice and control, and goals of social and economic participation, but it is without a modern service sector to provide NDIS participants with intellectual disability the necessary skilled transition-to-work and open employment support. A skilled provider market will not emerge unless there is a plan to develop such a market of support.

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<sup>1</sup> Outdated job service ‘defeating the NDIS’ *The Australian*, Rick Morton, Feb 10, 2015

According to Michael O’Sullivan, the National Disability **Investment** Scheme<sup>2</sup> will require **investment** in developing the right support for NDIS participants. Without skilled support there is no choice, control, or employment outcomes.

For people with moderate intellectual disability the DES evaluation found additional funding will not deliver better outcomes **in the absence of technical competency**, and that **if expectations are raised, outcomes will follow, given the right type of support**.

The evaluation emphasised that, **From the available literature it is clear that money alone is no guarantee of outcomes—outcomes are driven by positive conviction and specialist know-how**.<sup>3</sup>

The productivity commission identified the NSW-TTW program as a good example of post school transition to help youth with disability move from school to work<sup>4</sup>, and that transition-to-work programs can provide substantial savings for the NDIS from spending on more expensive alternative programs.<sup>5</sup>

The position of *Inclusion Australia* is this:

- People with intellectual disability can work . . . *with* the right support.
- The right support means;
  - Evidence based transition-to-work support; and,
  - Evidence based open employment support.

Our recommendations are;

1. Inclusion Australia and NDIS co-design the expansion and development of evidence based transition-to-work support for NDIS participants with intellectual disability to build a pathway to a paid job in the open labour market.
2. Inclusion Australia, NDIS and DSS co-design a DES sub program specifically designed to provide open employment support for NDIS eligible participants with intellectual disability— a DES sub program that can seamlessly interface with NDIS to achieve open employment outcomes.

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<sup>2</sup> Budget cuts could silence voices for the disabled such as Our Voice's Michael Sullivan. Sydney Morning Herald, Julia May,, Feb 15, 2015.

<sup>3</sup> Department of Education, Employment and Workplace Relations, Evaluation of the Moderate Intellectual Disability Loading, April 2013.

<sup>4</sup> Productivity Commission 2011, Disability Care and Support, Report no. 54, Canberra. p. 240

<sup>5</sup> Productivity Commission 2011, Disability Care and Support, Report no. 54, Canberra. p. 593

## Introduction

More than thirty years of research show that people with intellectual disability CAN work in the open labour market ***if they are provided with the right type of service***. Yet less than eight per cent of adults with intellectual disability work in the open labour market.

At the core of our challenge is to address the debilitating impact of low expectations regularly placed upon youth with intellectual disability. A presumption of employability in the open labour market must become a key principle of the employment service system.

Providing assurances to youth and families that their manifest eligibility to the Disability Support Pension will not be reviewed, if they attempt work, is critical. Making the decision to choose work must be “risk free”.

A new system will require a culture of expectation together with the expansion of evidence-based transition-to-work and open employment support which demonstrates employment outcomes.

We cannot continue with the current state of low expectations and poor outcomes.

Most people with intellectual disability do not participate in the open labour force (Fact Sheet 1) and rely heavily on the pension for income (Fact Sheet 2).

The number of people with intellectual disability entering open employment services year on year has stalled (see Fact Sheet 3).

National open employment outcomes for people with intellectual disability have remained the same despite a program change from DEN to DES in 2010 (Fact Sheet 4).

National employment outcomes for people with intellectual disability participating in VET are very low (Fact Sheet 7).

Tens of thousands of people with intellectual disability have little alternative but to participate in non-work day programs or ADEs (formerly sheltered workshops), (Fact Sheets 9 & 10), due to low expectations and lack of access to good transition-to-work and open employment support.

The prospect of open employment service reform and the roll out of the National Disability Insurance Scheme provides an historic opportunity to put in place an effective model of transition-to-work and open employment support.

## The challenge of reform

There is a growing discontent by many of the continued poor employment participation rates of people with disability despite billions of dollars spent on employment assistance programs.

The Commonwealth is currently engaging with the disability sector and the wider community to explore new ideas and solutions that may provide better employment outcomes and better value for money.

There is much hope that a new Disability Employment Services program in 2018 will provide people with disability an opportunity for better employment outcomes and a better interface with the National Disability Insurance Scheme.

Inclusion Australia (formerly the National Council on Intellectual Disability) believes that the current discussion provides an historic opportunity to design an open employment support pathway for youth with intellectual disability based on strong evidence of *what works*.

There are effective pathways of support that demonstrate high rates of open employment outcomes. These include a combination of evidence based transition-to-work and open employment support.

Our paper deliberately focuses on post school transition-to-work support and open employment support. It is silent on the secondary education years and earlier. We do not discount the importance of this developmental period nor its interface with post school programs. Our focus, however, is on developing a post school pathway of transition and open employment support that is currently underdeveloped.

Our submission is that reform to employment support programs must demonstrate robust evidence of outcomes. This means job placement rates, job retention rates, hours of work and wage rates for people with intellectual disability in the open labour market.

Unless we build on ‘what works’ — i.e. evidence of open employment outcomes — we are not going to improve the current poor employment participation rates.

We must be careful that reform is not a popularity contest or driven by well-meaning good intentions. We must ensure that reform clearly understands the particular employment support needs of people with intellectual disability to participate in the open labour market.

There is great risk in providing funds to a provider market without evidence of outcome achievement when assisting people with intellectual disability to get sustainable jobs. Serious questions have been asked by the parliament, the community, and the media about the performance and value of vocational, education and training programs (VET), and labour market assistance programs.

VET and employment service programs cost billions of tax payer’s dollars. To ensure that this budget expenditure is money well spent (i.e. value for money or good investment), proposals for reform must indicate evidence of positive employment outcomes.

We must also question *what we think we know*<sup>6</sup> and revisit research and demonstration findings so that we do not invest in support we know has relative poor outcomes.

— **The job capacity of people with intellectual disability** cannot be understood before the opportunity to try work together with explicit on-the-job training. This was one of the first research findings from the 1950s which found that people with significant intellectual disability have the capacity to perform many routine job tasks following explicit job training.<sup>7</sup> Job capacity testing, before job placement and training, will often result in a measure of low job capacity and exclude this group from labour market programs.

— **Work preparation/training in activity centres or classrooms** before job placement has poor evidence of open employment outcomes. The research indicates that placement in a job, then on-the-job training, results in higher rates of open employment outcomes.<sup>8</sup> This finding is directly due to the difficulty people with intellectual disability have with the generalisation and transfer of skills to new settings and tasks.

— **Skill learning in segregated environments as preparation for inclusive settings** has poor evidence of open employment outcomes. Research by the 1970s established that few people with intellectual disability progressed from sheltered employment to the open labour market.<sup>9</sup> This — as with work preparation in classrooms — is unsuccessful due to the poor capacity of people with intellectual disability to generalise or transfer skills to new settings and tasks.

The research findings led to the development of the “place, then train” model.

“This strategy requires a reconceptualisation of “readiness” for work that acknowledges that persons with severe disabilities need to learn tasks and skills in the places where they will perform them.”<sup>10</sup>

There is a distinctive set of support practices that correlate with high rates of open employment outcomes. The most efficient and effective form of employment support is to help an individual find a job, which provides benefits to the employer and the jobseeker,

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<sup>6</sup> Wehman, P. (1981). *Competitive Employment*. Paul H Brookes: Baltimore

<sup>7</sup> A.D.B. Clarke (1958). *The Abilities and Trainability of Imbeciles*. p. 309-333. In A.M. Clarke, & A.D.B. Clarke (Eds.). (1958). *Mental Deficiency. The Changing Outlook*. The Free Press.

<sup>8</sup> Nisbet, J. & Cllahan, M. (1987). *Assisting Persons with Severe Disabilities to Achieve Success in Integrated Workplaces: Critical Elements*. In Taylor, S, Bilken, D, & Knoll, J (Eds). Community Integration for People with Severe Disabilities. New York: Teachers College Press.

<sup>9</sup> Buckley, J., & Bellamy, G. T. (1985). *National survey of day and vocational programs for adults with severe disabilities: A 1984 profile*. In P. Ferguson (Ed.), *Issues in transition research: Economic and social outcomes* (pp. 1-12). Eugene, Oregon: University of Oregon.

<sup>10</sup> Nisbet, J. & Cllahan, M. (1987). *Assisting Persons with Severe Disabilities to Achieve Success in Integrated Workplaces: Critical Elements*. In Taylor, S, Bilken, D, & Knoll, J (Eds). *Community Integration for People with Severe Disabilities*. New York: Teachers College Press.

together with explicit on-the-job training so that the individual can meet the job standards required by the employer. Work placement with explicit training of actual job tasks is the basis of the highest performing transition-to-work and open employment outcomes.

Reform must address the need to increase employment participation rates via *what works*, and we must question why funds should be spent on support models with poor outcome evidence.

If we are to improve the employment participation rates of people with intellectual disability, reform will also require *a long view* so that we can develop and offer the right support to generations of youth with intellectual disability who have the right to inclusion in the open labour market as set out by the UN Convention on the Rights of Persons with Disabilities. The *long view* seeks to establish evidence based support as central to achieving employment outcomes for individuals and deliver savings for the taxpayer dollar.

## Post School Transition-to-work

Transition from secondary education to adulthood is a period when youth face significant changes as they begin to take on adult roles, relationships and responsibilities. The transition to the adult world is complicated.

For youth with intellectual disability this developmental stage will most likely require explicit training and support to experience success, and to overcome common barriers to work (e.g. travel skills, follow directions, stay on task, and work endurance) to actively participate in the workforce.

All too often, school leavers with intellectual disability — without intervention — default to a pathway of low work expectations, exclusion from the labour force, reliance on the pension, and participation in alternative programs (i.e. day programs, ADEs, or something other than work in the open labour market).

Transition-to-work support — as a form of early (adult) intervention — offers youth with intellectual disability the opportunity to “imagine work” as part of their lives and get support on a pathway to a paid job in open employment.

Post school transition-to-work support is currently the responsibility of State and Territory governments, but this responsibility will pass to the NDIS. Whereas most Australian states and territories offer post school support in some form for youth with disabilities, the NSW-Transition-To-Work (NSW-TTW) program is the only comprehensive state-wide, employment focused, post school program for young people with disabilities in Australia.

There is a substantive gap in skilled transition-to-work providers in Australia. There are some skilled providers in some areas of Australia, but in many locations individuals with intellectual disability do not have access to a skilled transition-to-work provider. A national plan to provide transition-to-work support via the NDIS will need to address this service gap for youth with significant disability to have the option of employment in the open labour market.

### — NDIS responsibility for transition-to-work support

The NDIS emphasises objectives of;

- economic participation;
- choice; and,
- an actuarial approach to funding supports to ensure long term financial sustainability.

Participation in paid work in the open labour market is a significant saving to the Commonwealth in reduced pension costs and reduced expenditure in alternative adult support.

Research and demonstration shows that many people with intellectual disability are capable of work in the open labour market when they are provided with evidence based transition-to-work support as a pathway to open employment.

The NDIS offers a unique opportunity to provide a pathway of skilled transition-to-work support to help youth with intellectual disability participate in the open labour market.

Evidence based post school transition-to-work (TTW) support as a pathway to open employment provides the best chance of;

- achieving the economic participation objective of the NDIS;
- improving future financial sustainability by reducing costs for alternative supports;
- achieving pension savings;
- reducing overall cost within the Commonwealth social services portfolio.

The NDIS should retain the NSW-TTW program structure, including its eligibility and funding model, *limited to providers that demonstrate employment outcomes*, and replicate this nationally to address the substantial gap in transition-to-work support for school leavers with significant disability in other States and Territories.

A preferred provider status should be granted by the NDIA based on demonstration of high performance of open employment outcomes. A set of criteria for new providers to enter the market should be developed to enable provider development and innovation.

An investment by the NDIA in providers with evidence of skill to assist people with significant disability get jobs in the open labour market is a critical capacity building initiative that can improve economic participation and reduce expenditure on non-work day support options.

### **— Helping NDIS participants achieve open employment makes economic sense**

The Productivity Commission Inquiry Report - Disability Care and Support 2011;

- Identified the NSW TTW program as a good example of transition-to-work; and,
- Used transition-to-work as an example of how savings could be achieved in the NDIS.

International and Australian research shows that open employment for individuals with intellectual disability results in greater benefits to taxpayers and individuals compared to alternative programs (i.e. Australian Disability Enterprises and non-work programs). This is mainly due to the higher wage outcomes achieved by open employment.

The Centre for International Economics (CIE) 2014 found that the annual cost to the taxpayer of Jobsupport, a DES open employment service for people with moderate intellectual disability, was \$4,206 per annum and that this was far cheaper than the alternate ADE program (\$12,908) and State government activity program (\$17,667-

\$23,844) alternatives for this population.

TTW services that move people through to open employment are an important means of achieving economic participation and minimising NDIS expenditure.

NSW is the national leader in TTW services, however, the quality of providers is highly variable. For example, the top TTW provider in Sydney, i.e. Jobsupport, achieves a 64% employment outcome, however, fourteen Sydney TTW services have never achieved an open employment placement.

An important lesson from the NSW-TTW is that if TTW services are restricted to services with a proven track record in achieving open employment for higher support individuals, outcomes will be achieved and expenditure waste will be reduced.

A key finding of the NSW-TTW evaluation is that service providers committed to achieving employment outcomes by providing young people with work-based opportunities in employment settings are considered by participants and families to be the most satisfying.

The evaluation also found that service providers almost universally acknowledged that without a program such as TTW, transition from school to open employment would not be a viable option for many TTW service users.

A critical success factor of services achieving significant TTW open employment outcome rates are those that also run Disability Employment Services (DES) for the same population.

This illustrates a seamless pathway from school — to transition-to-work support — to open employment support — to achieving a paid job.

### **— The need to address employment expectations**

A major barrier to work participation for people with intellectual disability are low expectations. Many falsely believe that aspirations for work in the open labour market are unrealistic.

Evidence shows that low expectations are overcome when competent services;

- demonstrate what is possible to people with intellectual disability and their families, and
- offer transition-to-work as a *risk free* opportunity to try open employment.

There is a strong relationship between the expectations of individuals with intellectual disability and their families, with the presence of skilled support that achieves outcomes.

Youth with intellectual disability will often have low expectations about their ability to work. Evidence based transition-to-work support can transform this low expectation

through work experience and systematic training. This provides a "taste of success" which changes a young person's view of themselves and changes the views of others about that young person's capacity to work.

The best way to learn about work and develop an understanding and expectation of work is via work experience itself with explicit instruction. If we are to change expectations we need to have a sector of skilled transition-to-work and open employment providers. This builds expectation and increased employment participation.

The evidence of what works points directly to skilled support as the critical component. Without this skilled support there are no fulfilled expectations, choice, or employment participation outcomes.

### **— The need to presume employment capacity**

Individuals, families and specialist intellectual disability providers have expressed concern about the use of Job Capacity Assessments (JCA) to determine future work capacity.

Research spanning more than fifty years<sup>11</sup> shows that the initial job capacity of people with intellectual disability has little relationship with the level of job capacity that can be achieved following transition-to-work, job placement and training in the open workforce.

The current job capacity assessment system of dividing people with disability between NDIS and DES is detrimental for people with intellectual disability.

If an individual is deemed to have a work capacity of less than eight hours per week, they are eligible for employment support funded by the NDIS. If an individual is deemed to have a work capacity of eight hours or more they are eligible for employment support funded by the Disability Employment Services (DES) program.

Whereas this is a neat and tidy method to separate the eligibility of participants between NDIS and DES, it is a criteria that creates substantial barriers for many people with intellectual disability who need to move from transition-to-work support to open employment support.

Best open employment outcome rates for people with significant intellectual disability have occurred when an individual is able to seamlessly and concurrently move from transition-to-work support to DES support when they are ready to find a paid job in the open labour market.

Research tells us that we must presume employability. Youth with intellectual disability

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<sup>11</sup> — A.D.B. Clarke (1958). The Abilities and Trainability of Imbeciles. p. 309-333. In A.M. Clarke, & A.D.B. Clarke (Eds.). (1958). Mental Deficiency. The Changing Outlook. The Free Press.

— Wehman, P.Inge, K.J., Revell Jnr, W.G., Brooke, V.A. (2007). Real Work for Real Pay. Inclusive Employment for People with Disabilities. Paul H. Brookes Publishing: Baltimore.

can benefit from a pathway of transition-to-work support to gain work experience, gain confidence and overcome barriers, and move to open employment support to gain paid work.

It is an evidence based pathway of support that has achieved high open employment outcome rates for people with intellectual disability.

It is critical that current Commonwealth program assessments (i.e. JCA and ESAt) are not used to prevent people with intellectual disability from an evidence based pathway of transition-to-work and open employment support.

### **– NDIS needs to be based on best practice**

Work experience provided by transition-to-work programs can overcome low expectations. This requires staff to be highly trained in transition-to-work and open employment supports for people with intellectual disability.

Transition-to-work programs that combine high expectations with specialist skilled staff make a substantial difference to achieving open employment outcomes.

The DES MIDL evaluation examined a population ( $IQ \leq 60$ ) comparable to the NDIS eligible population, and found only one DES provider achieving significant employment outcomes for people with an IQ of less than or equal to 60. This service (i.e. Jobsupport) uses a combination of transition-to-work and open employment support to achieve high rates of employment outcomes.

With only one service achieving significant open employment outcomes for people with moderate intellectual disability — twenty-eight years after the introduction of the Disability Services Act 1986 — it is critical that there is a close examination of this model of support to determine what works, and how we can replicate this practice throughout Australia for people with significant intellectual disability to achieve greater economic participation.

The importance of such an examination is to ensure that NDIS funding is used to support people with intellectual disability in transition-to-work support that has evidence of moving people towards an open employment outcome.

### **– Publish provider outcomes for both TTW and DES**

There is great variability of performance of transition-to-work and open employment providers. Some providers achieve very poor outcomes, some achieve average outcomes, and some achieve very high outcomes.

A choice between providers that can't provide skilled support and achieve employment outcomes isn't a real choice. People with disabilities need to be able to make an informed choice based on which provider is most likely to achieve an employment outcome. It is

important that choices are informed by published results rather than by which service has the slickest marketing.

Both DES and NSW-TTW programs currently publish provider outcome data. DES outcome data includes job placement and job retention rates by primary disability type. It is important that NDIS publish outcome data for transition-to-work and employment support for individual providers funded to assist NDIS participants. The outcome data should include commencement, job placement, job retention, hours of work, and wages by type of disability, and severity of disability where possible.

Outcome data;

- provides an *informed* consumer choice;
- improves outcomes because more people select higher outcome providers;
- puts pressure on poorly performing providers to improve;
- allows good performance to be identified and training design based on *what works*;
- improves economic participation and achieves savings.

The NSW-TTW program was established because DES programs alone were not succeeding with assisting many higher support individuals to move in employment. As a result TTW services since 2004 have increased the number of higher support individuals achieving open employment.

The NSW 2001 Disability Census reported that in year 2000 (prior to the establishment of TTW programs) there were 1,525 people in Post School Options programs and only 12 achieved open employment. The most recent 2013 outcome data from the NSW TTW program shows a significant improvement. For the 681 individuals who left school in 2010, 205 had achieved open employment.

### — Replicate the NSW-TTW program nationally with learnings

The NSW-TTW outcome data shows that only TTW providers that also run Disability Employment Services (DES-ESS) are achieving significant open employment outcomes for people with high support needs.

To achieve economic participation and savings, only services with a proven track record of placing and supporting the NDIS population in employment should be allowed to offer transition-to-work support for NDIS participants.

The evaluation of the NSW-TTW found that:

- individuals and families were most satisfied with TTW providers committed to achieving employment outcomes for young people, and,
- employment outcomes correlated with the provision of work experience opportunities and training in actual workplaces.

It is important that the NDIS considers *what works* from the evaluation of transition-to-work programs which have examined *what support* correlates with the achievement of employment outcomes for people with significant disability.

### – Adopt the NSW-TTW funding approach instead of billable hours

Successful TTW services rely on staff with specialist knowledge regarding transition-to-work and open employment support, including addressing skill barriers; job customisation; on-the-job instruction; behaviour development strategies; and review and adjustment of individual client support over time.

The expenditure of each individual is not easily predicted and can vary according to changing circumstances. It is unrealistic to expect NDIS assessors to be able to determine in advance what expenditure each individual will require overall or by line item.

Funding arrangements in the NSW-TTW program reflect real costs, allow individuals to move between services if they wish; and provide skilled staff with the flexibility to adjust each persons program as needed.

It is important that NDIS consider carefully the relationship between support and outcomes, and examine the costs involved in achieving open employment outcomes for people with high support needs.

### – Raise expectations of employment in open labour market

Low expectations are a significant barrier for youth with intellectual disability pursuing a goal of employment in the open labour market.

Jobsupport, a specialist transition-to-work and open employment provider for people with moderate intellectual disability, opened a self-funded service in Melbourne in 2008 but initially nobody came to the service for assistance. There was a belief by many that open employment was not possible for people with moderate intellectual disability. School teachers, students and post school planners funded by the Victorian Department of Human Services (DHS) felt that it was irresponsible to offer support for people with moderate intellectual disability to seek work in the open labour market.

It was only after Jobsupport organised for parents and teachers to travel to Sydney to see what was possible, and make the economic case to DHS for establishing a transition-to-work program in Victoria that attitudes changed.

The DES Moderate Intellectual Disability (MIDL) evaluation in 2013 found that, with the exception of Jobsupport, few people with moderate intellectual disability were achieving open employment. It is likely that outside of the areas where Jobsupport operates, NDIS clients, their families and assessors will readily accept that people with moderate

intellectual disability are not capable of work. NDIS assessors, without intervention, are likely to have the same expectations as the Victorian DHS planners.

It is important that we ensure that skilled transition-to-work and open employment support for people with significant intellectual disability is available for NDIS participants as a key strategy to change expectations and achieve the economic participation goals of the NDIS.

## **NDIS Transition-to-work Support Proposal**

1. Inclusion Australia and NDIS co-design the expansion and development of evidence based transition-to-work support for NDIS participants with intellectual disability to build a pathway to a paid job in the open labour market.
2. NDIS replicate the NSW-TTW program structure nationally to improve economic participation, to demonstrate what is possible, and address the substantial gap in transition-to-work support for people with intellectual disability in other States.
  - Limited to providers with a past record of achieving open employment outcomes
  - New providers subject to entry requirements including training in evidence based practices, and time to demonstrate implementation of practice and results.
3. Address low expectations of work participation by ensuring skilled TTW provider support for people with intellectual disability are made available to youth and families.
  - To demonstrate what is possible to people with intellectual disability and their families.
  - To offer transition-to-work as a risk-free opportunity to test the feasibility of open employment.
4. Adopt the NSW funding approach to support best practice transition-to-work outcomes.
  - Best practice transition-to-work outcomes have been achieved when funding is adequate and flexible to meet changing participant need.
5. Ensure consequences for poor provider performance and introduce training and technical assistance based on what works for specialist service staff.
6. Publish provider employment outcomes by primary disability for NDIS participants to make an informed choice of transition-to-work or employment support.

## The Open Employment Program (DES-ESS)

The employment participation of people with intellectual disability in the open labour market is highly dependent on access to competent support that can find jobs, and provide on-the-job training and ongoing support.

The open employment program has since the mid 1980s provided a generation of people with intellectual disability the opportunity to work in the open labour market that they otherwise would not have enjoyed.

The open employment program is of great importance for many people with intellectual disability who have benefited, and for those currently receiving assistance to find or keep a job.

While much has been achieved, there is much to be done to ensure all people with intellectual disability have access to good open employment support.

### Positive features of the current DES-ESS program

There are a number of positive features of the current program that should be recognised.

- National average employment outcomes are stagnant but comparable to international performance. There is, however, substantial room for improvement.
- A majority of funding (60%) is linked to employment outcomes
- The performance framework rewards job placement and job retention
- The publishing of provider outcomes by disability helps jobseekers make informed choices
- The program is uncapped and can respond to demand
- People with disability have the right to choose their provider, directly register with a provider, and change their provider<sup>12</sup>
- The higher support needs of people with moderate intellectual disability is recognised
- Long term ongoing support is recognised as part of the program
- Poor outcomes are subject to consequences. High outcomes are subject to advantages.
- The industrial system provides employees with disability with equal rights including access to the Supported Wage System.
- A training course on evidence based open employment support practices for people with intellectual disability is available.<sup>13</sup>

These are the current program features that could be retained in a reform of the DES

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<sup>12</sup> There are some conditions and/or exceptions to these rules.

<sup>13</sup> Funded with the assistance of the Commonwealth Innovation Fund. This is currently delivered by the Virginia Commonwealth University in partnership with Jobsupport and Inclusion Australia.

program rather than starting from a blank slate.

## Negative features of the DES-ESS program

Changes to the open employment program have, however, had some negative consequences for people with intellectual disability that need to be addressed. These issues are;

- The number of people with intellectual disability that access the program each year has stalled;
- The ESS program has not improved employment outcome rates; and,
- There is a major gap of specialist employment services for people with moderate intellectual disability in many areas of Australia.

### – Program Access

- The number of people with disabilities entering the DES program each year has increase by 153% since 2003-04.
- The number of people with intellectual disability entering the DES program each year has increased by just 3.6% since 2003-04.

The number of people with intellectual disability entering the program each year has stagnated. This has occurred over at least the last ten years despite a considerable increase in the overall number of people with disability accessing the program.

People with intellectual disability are part of the target DES population as defined by the Disability Services Act (DSA).

“The Disability Services Act 1986 defines the target group for disability employment and rehabilitation services as people with disability attributable to an intellectual, psychiatric, sensory or physical impairment, or a combination of such impairments, which results in substantially reduced capacity. This is a subset of the larger population of working-age people with disability along the spectrum from mild to profound. Part II of the Act identifies people with permanent disability who need ongoing support services as a distinct sub-group.” (p13)

The program has shifted, however, its focus to people with disability who are in the workforce - i.e. those employed or actively looking for work.<sup>14</sup> In contrast, people with intellectual disability frequently do not have a requirement to look for work and are most likely not actively looking for work.

The JCA/ESAt program assessment process exacerbates this difference as people with intellectual disability are likely to be judged as having no, or low, work capacity. This screening process may exclude many of this group from the open employment program.

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<sup>14</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

Furthermore, a culture of low expectations in the community about the capacity of people with intellectual disability to work in the open labour market means that few will assert that they want to work.

People with intellectual disability also require substantially more hours of support for job search, job training and job maintenance compared to other primary disability groups.<sup>15</sup> Other jobseekers with disability that can be matched to advertised jobs, and don't require much in the way of additional post placement support, are more attractive to providers. There is no benefit for a provider to recruit people with intellectual disability to the program when there are sufficient numbers of people with disability being referred by Centrelink.

The program needs to consider new strategies which engage more people with intellectual disability as a key part of the target population.

New strategies will need to:

- address low expectations,
- presume capacity to work,
- provide adequate funding, and,
- ensure providers directly engage this population.

We know this population has the capacity to work when provided with skilled support.

The program needs to consider an approach which directly engages this population by skilled providers who can demonstrate achievement of high outcome performance as an alternative to current low expectations and eligibility policies.

## – Program Outcomes

- DES-ESS did not achieve better average employment outcomes than DEN.
- DES-ESS achieved a 26 week employment outcome of 29% for people with intellectual disability. DEN achieved a 26 week outcome rate of 34%.<sup>16</sup>
- DES-ESS provider 26 week outcomes range for people with intellectual disability from 16.7% to 71.4%.<sup>17</sup>

The new ESS program has not resulted in better average outcomes for people with

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<sup>15</sup> Australian Healthcare Associates Case Based Funding Evaluation Chapter 7. 5th September 2002.

<sup>16</sup> In DEN Capped, participants who achieved 208 hours of work attracted a 26 Week Outcome Fee regardless of how long it took to accumulate those 208 hours and all participants defaulted to an eight hour Employment Benchmark. This makes the 26 Week Employment Outcome rate appear higher in DEN than in other programmes but the outcome being measured is not the same. These two effects combined are likely to result in overestimation of 26 Week conversion rates (26 Week Outcomes as a proportion of Job Placements) for DEN relative to other programmes.

<sup>17</sup> Department of Social Services, December 2013, DES Outcomes by Disability.

intellectual disability compared to the average outcomes of the previous DEN program.

The national average 26 week outcome for participants with intellectual disability of 29%<sup>18</sup> is creditable and comparable to international averages<sup>19</sup>, however, best practice indicates that higher performance is achievable. Higher outcome rates mean better value for individuals, and better value for money for the government.

There is a range of provider performance for people with intellectual disability. The ESS December 2013, 26-week outcome rates by organisation show a wide range from 16.7% to 71.4%. It should be recognised that there are high performing DES providers and these providers offer exemplars of best practice.

Consideration should be given to additional strategies, other than reliance on competitive tendering, to improve program performance.

New improvement strategies should include;

- training and technical assistance of provider staff linked to evidence based practices,
- payment incentives for high performance rates,
- developing communication strategies which inform jobseekers and employers of provider outcomes so that they may “vote with their feet” to drive sector improvement,
- consideration of a higher benchmark of hours of work linked to outcome payments similar to the MIDL,
- Setting benchmark outcome rates by disability that become targets of excellence,
- Developing a community of practice for providers and staff linked to excellence in performance outcomes.

## — Open Employment Service Gaps and People with Moderate Intellectual Disability

- People with moderate intellectual disability require the ***right type of service***.
- This **type of service** is currently available only in Sydney and a part of Melbourne.
- This **type of service** is cost effective and cheaper than alternative adult programs.

The DES evaluation identified a major gap in the availability of competent employment services for people with moderate intellectual disability across most labour market regions except for Sydney and more recently in part of Melbourne.

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<sup>18</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

<sup>19</sup> Rehabilitation Services Administration 911 (RSA-911) Database. Reported in Butterworth, J., Smith, F.A., Hall, A.C., Migliore, A., Winsor, J., & Domin, D. (2014). StateData: The national report on employment services and outcomes. Boston, MA: University of Massachusetts Boston, Institute for Community Inclusion.

Under the **Supporting Australians with an Intellectual Disability** programme, DES providers receive an additional funding on job placement and outcome payments when they place a job seeker with moderate intellectual disability in a job for 15 hours or more per week.

This additional funding recognises that this group of jobseekers require substantially more support to find a job and learn how to do a job to achieve an employment outcome compared to other disability groups.

The DES evaluation makes the following important points about this job seeker population.

There is no doubt that this is a group of job seekers with exceptionally high needs, who face considerable odds in the open labour market. What appears to set them apart is **the body of evidence of their potential to succeed given the right type of service.** (emphasis added)

...

Most importantly, the literature confirms that in spite of a poor overall track record of employment for people with significant intellectual disability **the technology to achieve much better outcomes for this group does exist.** (emphasis added)

...

The trial highlighted an uneven field of service delivery for the target group and the evaluation found **little evidence that an additional loading can deliver better outcomes in the absence of technical competency** . . . research that says **if expectations are raised, outcomes will follow, given the right type of support.** That one provider can assist 68 per cent of participants with moderate intellectual disability into lasting jobs of 15 hours per week indicates that government should not lower its expectations. (emphasis added)

The DES evaluation confirms that people with moderate intellectual disability (i.e.  $\leq 60$  IQ) can be successfully supported into jobs in the open labour market given **the right type of service.**

The DES evaluation makes this conclusion due to the demonstration by the sole specialist DES-ESS provider for people with moderate intellectual disability (i.e. Jobsupport.) This service is responsible for 72% of all employment outcomes for people with moderate intellectual disability for jobs of 15 or more hours per week.

As set out in Fact Sheet 5, Jobsupport's 26 week outcome rate is more than 5 times the rate of other DES providers in the achievement of jobs of 15 hours or more for people with moderate intellectual disability.

The DES evaluation team visited Jobsupport and a description of this model was provided in the MIDL evaluation report (see Fact Sheet 9).

The Jobsupport model highlights employer engagement strategies that work for this

group of jobseekers (i.e. job customisation and job analysis), and the need for explicit job training post placement, and ongoing support for the employee and employer. The model also recognises the need for staff with particular expertise. The DES Evaluation reported that:

“the Centre for Disability Studies acknowledged the need for staff to have special competencies if they are to help people with significant intellectual disability achieve and maintain substantial employment in the open labour market. . . . the review found that only Jobsupport had a systematic staff training programme to ensure competencies in job carving, job matching and on-the-job training and support. Peak organisations recognised that few DES providers had the specialist skill sets and competencies required to support participants with moderate intellectual disability and the consultations highlighted the need for specialist services to help these participants achieve and maintain substantial employment.”

The Jobsupport model is also relatively cost effective. The DES evaluation reported;

“ . . . the superior cost effectiveness of a specialist service for moderate intellectual disability is evident . . . At both Funding Levels of DES-ESS, Jobsupport outcomes were less expensive than outcomes achieved by other providers for participants with intellectual disability overall and for moderate intellectual disability in particular.”

The Jobsupport model is also cheaper than alternative adult programs. The Centre for International Economics (CIE) 2014 found the annual cost of Jobsupport was \$4,206 per annum and this was far cheaper than the Australian Disability Enterprise (ADE) (\$12,908) and state government activity program (\$17,667 - \$23,884) alternatives for this population.

People with moderate intellectual disability are (most likely to be) eligible NDIS participants and are about 20% (or about 15,000) of the working age intellectual disability population currently in receipt of national disability services.

We estimate that less than 1,000 people with moderate intellectual disability are currently accessing DES or in jobs in the open labour market. Jobsupport currently provides ongoing employment support to about 640 people with moderate intellectual disability in jobs in Sydney and some parts of Melbourne.

If we are to increase the low open employment participation rate of people with moderate intellectual disability, the most effective and efficient reform strategy will be to develop and expand specialist support throughout all labour market regions throughout Australia.

## **In Summary**

There are many positive features of the DES-ESS program, however, the number of people with intellectual disability accessing the program each year has stagnated, and national outcomes have not improved despite considerable policy and program changes

since 2010.

For people with moderate levels of intellectual disability (i.e.  $\leq 60$  IQ) there is a substantial gap in specialist open employment support in the program. People with this level of intellectual disability demonstrate the capacity to achieve open employment outcomes in jobs for 15 hours or more when provided skilled support.

The key message of our submission is that people with intellectual disability, including those with significant intellectual disability, have the capacity to work in the open labour market if they are provided with the right type of service. Our proposal is based on developing this quality support.

## **DES-NDIS Proposal**

That the DES program include a new sub-program which exclusively targets jobseekers with disability that are NDIS eligible — DES-NDIS.

DES-NDIS should offer specialist support in assisting people with significant disability to find jobs in the open labour market.

Features of this program would include:

- A presumption of employability based on the choice of NDIS participants to pursue a job in open employment
- Manifest eligibility to the Disability Support Pension is not effected by a decision to seek work
- Direct registration with a provider on the basis of participant choice informed by transparent provider outcome performance by disability type and severity
- A workforce proficient in assisting people with intellectual disability get jobs in the open labour market, including the skills of
  - Job customisation to engage employers
  - Post placement job training and support
  - Long term ongoing support for participant and employer
- Adequate funding - with indexation - which meets the pattern of expenditure of high support need participants
- Expectations of high rates of job placement and retention to ensure value for money
- A range of specialist services or units to better support job seekers with intellectual disability to obtain sustainable employment.

- Recognition that this target group will require linkages and cross-overs with other support programs
- Training and technical assistance for providers to develop and maintain workforce skills
- Program research and evaluation focused on the relationship between provider practice, outcomes, and cost.

# Appendices

## Fact Sheet 1: Labour force participation

The disparity in labour force outcomes between people with disability and other Australians is particularly stark for those with intellectual disability.

### Australian Bureau of Statistics (ABS)<sup>20</sup>

The ABS found that for people with intellectual disability<sup>21</sup>;

- Unemployment of 20% is more than double the rate for people with disability in general (9.4%); and more than four times the rate for people without disability (4.9%).
- The employment to population rate for people with intellectual disability is 31%; less than the rate for all people with disability (47.7%) and those without disability (78.5%).

**Table 1: Labour force status by disability 2012**

Disability Group	Population	Employment to Population Rate	Unemployment Rate
Intellectual Disability	317,900	31.0%	20.0%
All People with Disability	2,204,000	47.7%	9.4%
People without Disability	13,117,900	78.5%	4.9%

People with intellectual disability with profound or severe limitations<sup>22</sup> have a low 'employment to population' rate (23.7%) and a high rate of 'not in the labour force' (73.9%). People with intellectual disability with mild or moderate limitations<sup>23</sup> have a low employment to population rate (27.5%), a high unemployment rate (34.8%), and a high rate of 'not in the labour force' (58.8%).

**Table 2: Labour force status by intellectual disability by core activity limitation 2012**

	Profound / Severe	Rate %	Mild / Moderate	Rate %	Other Disability	Rate %
Employed	34,700	23.7%	28,700	27.5%	34,500	51.6%
Unemployed	4,100	10.3%	14,600	34.8%	8,300	20.2%
In Labour Force	40,000	27.3%	41,900	40.2%	41,000	61.3%
Not in Labour Force	108,400	73.9%	61,300	58.8%	24,800	37.1%
Total	146,600		104,300		66,900	

<sup>20</sup> Australian Bureau of Statistics (2013) 44300DO001\_2012 Disability, Ageing and Carers, Australia: Summary of Findings, 2012

— Australian Bureau of Statistics (2014) 4433.0.55.003 Intellectual Disability, Australia, 2012

— Australian Bureau of Statistics (2015), 4433.0.55.006 Disability and Labour Force Participation, 2012

<sup>21</sup> The ABS counts people with difficulty learning or understanding as people with intellectual disability. This is different from a diagnosis of intellectual disability. We suspect the ABS count is an overestimate and probably includes people without intellectual disability but who have a learning disability.

<sup>22</sup> Profound = always needs help; severe = sometimes needs help

<sup>23</sup> Moderate = needs no help, but has difficulty with tasks; mild = no help and no difficulty with tasks

## Fact Sheet 2: Labour force participation and disability support service participants<sup>24</sup>

In 2013-14, there were 68,653 people with intellectual disability aged 15-64 in receipt of disability support services in Australia.

- 4,695 reported work in the open workforce, significantly down from 8,595 in 2003-04.
- 14,389 reported work in ADEs (formerly sheltered workshops), slightly up from 13,823 in 2003-04.
- The unemployed population ratio is 21.8%, up from 12.7% in 2003-04.
- The number of people not participating in the work force (i.e. not working or looking for work) continues to be high at 46.2%, up from 44.8% in 2003-04

**Table 3: People with intellectual disability, users of national disability services, labour force status**

People with Intellectual Disability	2003-04	Labour Force Rate	2013-14	Labour Force Rate %
<b>Aged 15-64</b>	59,962		68,653	
<b>Employed (Open)</b>	8,595	16.3%	4,695	7.9%
<b>ADEs (formerly Sheltered Workshops)</b>	13,823	26.2%	14,389	24.1%
<b>Unemployed</b>	6,689	12.7%	12,985	21.8%
<b>Not in the Labour Force</b>	23,616	44.8%	27,527	46.2%
<b>Not Stated or Collected</b>	7,239	12.1%	9,057	

<sup>24</sup> Australian Institute of Health and Welfare 2014. Disability support services: services provided under the National Disability Agreement. Published reports for 2003-04 to 2012-13; and disability data cubes sourced from [aihw.gov.au](http://aihw.gov.au)

## Fact Sheet 3: Disability Support Pension

### How many people with intellectual disability receive the disability support pension?

101,631 individuals with intellectual and learning disability are in receipt of the Disability Support Pension (DSP).<sup>25</sup> This is 12.4% of the total DSP recipient population.

**Table 4: DSP Population 2001 - 2013**

Year	Total DSP Population	Intellectual & Learning Disability	% of Total DSP
2001	623,926	63,168	10.1%
2013	821,738	101,631	12.4%

### How many disability support pension recipients access open employment services?

There has been a gradual decrease in the number people in receipt of the DSP commencing in open employment services for people who need ongoing support.<sup>26</sup>

**Table 5: Income Support at Commencement in Open Employment (DEN & ESS programs)**

	Disability Employment Network			Employment Support Services			
	Dec 08	Jun 09	Feb 10	Nov 11	Nov 12	Nov 13	Nov 14
<b>DSP</b>	40.5%	40.1%	39.4%	38.1%	32.9%	30.4%	29.1%
<b>Newstart</b>	34.4%	37.7%	39.9%	41.6%	45.1%	52.1%	56.0%
<b>Non-Allowee</b>	15.4%	12.9%	12.5%	16.4%	18.6%	16.1%	13.4%
<b>Other</b>	9.7%	9.3%	8.2%	3.9%	3.4%	1.4%	1.5%

### How many disability support pension recipients earn income?

In 2013, only 8.3% of DSP recipients reported earned income. Almost half of those earn less than \$125 per week. The number of DSP recipients reporting earned income has gradually decreased over a 13 year period.<sup>27</sup>

**Table 6: Disability Support Pension Fortnightly Earnings**

Year	Reported Earnings	Nil Earnings	< \$250	>\$250
2001	9.1%	90.9%	7.1%	2.0%
2013	8.3%	91.7%	3.8%	4.5%

<sup>25</sup> Commonwealth DSP data does not separate people with intellectual disability from people with learning disability. Characteristics of Disability Support Pension Recipients. <https://www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/characteristics-of-disability-support-pension-recipients>

<sup>26</sup> DEN historical caseload data and ESS monthly caseload data. <http://lmip.gov.au/default.aspx?LMIP/DisabilityEmploymentServicesData> ; DEN = Disability Employment Network (2006-10); ESS = Employment Support Services (2010 - current).

<sup>27</sup> Characteristics of Disability Support Pension Recipients. <https://www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/characteristics-of-disability-support-pension-recipients>

## Fact Sheet 4: Participation in open employment services<sup>28</sup>

There has been a substantial increase (160%) in the number of people with disability using open employment services in the past eleven years. This increase is due to the program engaging people with disability other than those with intellectual disability.

- The proportion of people with intellectual disability in the open employment program has fallen significantly from 28.1% in 2003-04 to 10.5% in 2012-13.
- The number of people with intellectual disability entering open employment services each year has stagnated.
- Approximately 1 in 6 adults with intellectual disability using disability support services access open employment services.
- At 30 June 2012, 25.7% (approximately 3,092) of people receiving ongoing support in employment in the ESS program have intellectual disability.<sup>29</sup>

**Table 7: Open employment program access 2003-04 to 2012-13 by primary disability.**

Primary Disability	2003-04	% of Program	2013-14	% of Program
Intellectual	12,088	28.1%	11,704	10.5%
Specific Learning	4,165	9.7%	8,190	7.3%
Autism	890	2.1%	6,598	5.9%
Physical	8,708	20.2%	32,098	28.7%
ABI	1,568	3.6%	2,474	2.2%
Neurological	1,599	3.7%	5,142	4.6%
Deaf-blind	180	0.4%	216	0.2%
Vision	1,513	3.5%	2,203	2.0%
Hearing	1,871	4.3%	2,649	2.4%
Speech	174	0.4%	301	0.3%
Psychiatric	10,286	23.9%	40,256	36.0%
<b>Total</b>	<b>43,042</b>		<b>111,854</b>	

**Table 8: People with intellectual disability, open employment access, 2003-04 to 2012-13.**

Open Employment Program	2003-04	2012-13
People with intellectual disability	12,088	11,704
People with intellectual disability 15-64 years	59,962	68,653
Access Rate	20%	17%

<sup>28</sup> Australian Institute of Health and Welfare 2014. Disability support services: services provided under the National Disability Agreement. Published reports for 2003-04 to 2012-13

<sup>29</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

## Fact Sheet 5: Open employment service outcomes

### Disability Employment Service Evaluation Findings<sup>30</sup>

The outcomes of the Disability Employment Network (DEN; 2006-10) and Employment Support Services (ESS 2010-13) have changed little over the past 7 years (2006-2013).<sup>31</sup>

- The job placement rate of the DEN and ESS for people with intellectual disability was 52.7%<sup>32</sup> and 51.5% respectively. Approximately 1 in 2 people with intellectual disability who commence in open employment services get a job.
- The 26-week outcome rate of DEN and ESS for people with intellectual disability was 34% and 29% respectively.<sup>33</sup> About 1 in 3 people with intellectual disability, who remain in a service for at least 6 months, get a job that lasts for at least 26 weeks.

**Table 9: Open Employment Outcomes, DEN & DES for people with intellectual disability**

People with Intellectual Disability (IQ<70)	DEN (2006-10)	ESS (2010-13)
Job Placement	52.7%	51.5%
26 Week Outcome	34.0%	29.0%

### Employment Support Services (DES-ESS) Monthly Data<sup>34</sup>

The DES-ESS monthly data for participants with disability show that outcome rates have not improved and have remained fairly constant. From June 2012 to November 2014;

- About 1 in 3 participants that commence in ESS get a job.
- About 1 in 3 participants, in the program for at least 26 weeks, will get a job that lasts at least 26 weeks.

**Table 10: DES Montly Data, Job Placement, 26 Week Employment Outcome Rate**

ESS Monthly Data	Job Placement	26 Week Employment Outcome
June 2012	33.8	28.8
June 2013	27.2	29.9
June 2014	28.1	29.9
Dec 2014	27.8	29.1
May 2015	26.8	28.3

<sup>30</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

<sup>31</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report. p.66. "From these results we conclude that outcome rates for participants with ongoing support needs have been maintained, though not improved, under the tighter payment rules of DES."

<sup>32</sup> The DEN 4 Week Milestone for job placement is likely to underestimate the no. of job placements in DEN.

<sup>33</sup> In DEN Capped, participants who achieved 208 hours of work got a 26 Week Outcome regardless of how long it took to get 208 hours and all participants defaulted to an 8 hour Employment Benchmark. This makes the 26 Week Employment Outcome rate appear higher in DEN than in other programmes.

<sup>34</sup> Disability Employment Services Monthly Data; <http://lmip.gov.au/>

## Fact Sheet 6: Open employment service outcomes for people with moderate intellectual disability (IQ≤60)<sup>35</sup>

The specialist provider Jobsupport is responsible for the majority of open employment outcomes for people with moderate intellectual disability (i.e. IQ≤60) in Australia.

Jobsupport is accountable for;

- 33% of all participants with moderate intellectual disability;
- 59.4% of all jobs placed of 15 or more hours per week;
- 72.3% of all 26 week employment outcomes for jobs of 15 or more hours per week.

Of Jobsupport outcomes;

- 90% of jobs placed are for 15 or more hours per week;
- Job placement rate of 92% for all jobs, and 84% for jobs of 15 hours or more per week
- 26-week employment outcome rate of 76% for all jobs, and 68% for jobs of 15 hours or more per week.
- 80.1% of jobs placed achieve a 26 week employment outcome.

Other open employment service providers' outcomes in comparison;

- Job placement rate of 58%, and a 26 week employment outcome rate of 26% for all jobs,
- Job placement rate of 29%, and a 26-week employment outcome rate of 13% for jobs of 15 hours or more per week.
- Half of the jobs placed are for 15 or more hours per week. Less than half of these jobs go on to achieve a 26 week outcome.

**Table 11: DES Open Employment Outcomes, people with moderate intellectual disability (IQ≤60)**

<b>Moderate Intellectual Disability (IQ≤60) - All Jobs</b>	Jobsupport	Other Providers
Job Placement	92.0%	58.0%
26 Week Outcome	76.0%	26.0%
<b>Moderate Intellectual Disability (IQ≤60) - 15+hr Jobs</b>	Jobsupport	Other Providers
Job Placement	84.0%	29.0%
26 Week Outcome	68.0%	13.0%

<sup>35</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

## Fact Sheet 7: VET outcomes for people with intellectual disability

The National Centre for Vocational Education Research (NCVER) publishes data on participation, achievements and outcomes of students with a disability in vocational education and training (VET).

12,767 students with a primary or other intellectual disability participated in VET in 2012-13. This is 10% of the student with disability population in VET.<sup>36</sup>

**Table: VET students by disability status 2012-13**

<b>With a disability</b>	127,178	6.8%
<b>Without a disability</b>	1,567,424	83.5%
<b>Unknown</b>	182,909	9.7%
<b>Total</b>	1,877,511	100.0%
<b>Intellectual Disability (Primary and Other)</b>	12,767	10.0%

2,186 students with intellectual disability attained a VET qualification, 68.2% at certificate levels I and II; and 91% at certificate I, II, and III. This is a qualification achievement rate of 17.1%<sup>37</sup>

### Graduate Employment Outcomes

The Student Outcomes Survey found that 47.2% of graduates with intellectual disability were employed, compared with 52.7% of all graduates with disability, and 79.8% of graduates without disability.

**Table: Graduates with a disability, 2014**

<b>Disability Type</b>	<b>Employed</b>	<b>Unemployed</b>	<b>Not in labour force</b>
<b>No disability</b>	79.8	12.9	7.1
<b>All Disability</b>	52.7	26.1	20.2
<b>Intellectual</b>	47.2	31.0	21.1

### Estimated employment outcome of VET

Of 12,767 students with intellectual disability participating in VET, 17.1% (2,186) attained a VET qualification. NCVER report that 47.2% were employed 6 months after graduation.

The overall employment outcome of people with intellectual disability who commence in VET is approximately 8.1%.

<sup>36</sup> The National VET Provider Collection

<sup>37</sup> The National VET Provider Collection

## Fact Sheet 8: High performing services are value for money

### A comparison of open employment service performance

The DES Evaluation found that high performing outcomes for people with moderate intellectual disability by Jobsupport offered better value compared with other ESS providers.

“At both funding levels of ESS, Jobsupport outcomes were less expensive than outcomes achieved by other providers for participants with intellectual disability overall and for moderate intellectual disability in particular.”<sup>38</sup>

High support clients attract higher funding. A low performing provider for this population will have a high cost per participant and a high cost per 26-week outcome, and is relatively poor value for money. In comparison, a high performing service will also have a high cost per participant but a lower cost per outcome, and returns better value for money due to a greater number of outcomes.

**Table 12: Participants with intellectual disability and cost per 26 week outcome**

DES Evaluation	Provider	Cost per participant	Cost Per 26 Wk Outcome
Moderate Intellectual Disability	Jobsupport	\$30,111	\$39,620
	Other	\$12,359	\$47,534
Moderate Intellectual Disability Funding Level 1	Jobsupport	\$19,252	\$19,252
	Other	\$9,459	\$28,377
Moderate Intellectual Disability Funding Level 2	Jobsupport	\$30,564	\$40,752
	Other	\$13,697	\$61,637
ESS Intellectual Disability Funding Level 1	Jobsupport	\$19,252	\$19,252
	Other	\$7,619	\$24,282
ESS Intellectual Disability Funding Level 2	Jobsupport	\$30,239	\$39,543
	Other	\$12,450	\$45,430

“At both Funding Levels of ESS, Jobsupport outcomes are less expensive than outcomes achieved by other providers for participants with intellectual disability overall and for moderate intellectual disability in particular.”<sup>39</sup>

### A comparison of high performing open employment service with alternative adult programs

High performing open employment services are cheaper to fund than alternative adult

<sup>38</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

<sup>39</sup> Department of Social Services. Evaluation of Disability Employment Services 2010-2013. Final Report.

programs such as ADEs and day programs. The Centre for International Economics found that the annual cost to the taxpayer (after pension offsets for wages) for Jobsupport was \$4,206 per annum and that this was far cheaper than alternate ADE (\$12,908) and state government programs (\$17,667 - \$23,884) for this population.<sup>40</sup>

**Table 13: Comparative Funding of Adult Programs**

	<b>Jobsupport</b>	<b>Australian Disability Enterprise (ADE)</b>	<b>NSW (Community Participation) Program</b>	<b>Victorian (Individual Support Package) Program</b>
<b>Weekly Wage<sup>1</sup></b>	\$318	\$108	n/a	n/a
<b>Cost (before pension offset)<sup>2</sup></b>	\$10,498	\$13,740	\$23,844	\$17,667
<b>Cost (after pension offset)<sup>3</sup></b>	\$4,206	\$12,908	\$23,844	\$17,667

1. Most recent wages available for ADE are for 30/6/2008. Wage indexed to 30/6/2013 using minimum wage movements. 2. CBF funding and wage subsidy for 2012/13 year divided by the number of DES-ESS clients on 30/6/2013. 3. Pension offsets based on the March-June 2013 means test of \$0.50 per dollar of earnings above \$76 per week.

These findings are consistent with international research which also demonstrates that open employment for people with intellectual disability offers greater economic benefits to the individual and the government than alternative adult programs.<sup>41</sup>

<sup>40</sup> The Centre for International Economics. (2014). Transition-to-work concurrence. 6 March 2013.

<sup>41</sup> Robert E. Cimera. (2010). National Cost Efficiency of Supported Employees with Intellectual Disabilities: 2002 to 2007. *American Journal of Intellectual and Developmental Disabilities, 115, 1, 19-29*  
 — Robert E. Cimera. (2010). The national cost-efficiency of supported employees with intellectual disabilities: The worker’s perspective. *Journal of Vocational Rehabilitation, 33, 123-131*.

## Fact Sheet 9: Non-work day programs (Community Access programs)<sup>42</sup>

Many people with intellectual disability who are not in the workforce participate in non-work day programs, (classified as “community access” under the National Disability Agreement).

- In 2012-13, there were 24,557 adults with intellectual disability accessing state or territory funded community access programs in Australia.
- Adults with intellectual disability make up 42.8% of all people with disability participating in community access programs.
- There is slightly more than one-third (35.8%) of all adults with intellectual disability in Australia in receipt of disability support services accessing day programs.<sup>43</sup>

**Table 14: People with intellectual disability in non-work day programs (Community Access) 2012-13**

Community Access Programs	2012-13	2013-14
People with intellectual disability	23,461	24,557
All people with disability	55,403	57,393
% of Community Access Program with intellectual disability	42.3%	42.8%
People with intellectual disability aged 15-64	69,354	68,653
% of people with intellectual disability aged 15-64 in Community Access Programs	33.8%	35.8%

<sup>42</sup> Australian Institute of Health and Welfare 2014. Disability support services: services provided under the National Disability Agreement. Published reports for 2003-04 to 2012-13

<sup>43</sup> We suspect that participation is increasingly year on year at a small but gradual rate. We are unable to determine this trend with accuracy due to a major change in the reporting of Victoria community access data.

## Fact Sheet 10: Australian Disability Enterprises (ADEs, formerly sheltered workshops)

Many adults with intellectual disability participate in ADEs.

- 14,778 people with a primary intellectual disability are employed by ADEs.
- This population has increased slightly by 7% between 2003-04 to 2012-13.
- Approximately one-fifth of the adult population of people with intellectual disability receiving disability support services are employed in ADEs.
- The number of people with disability in ADEs who move into open employment is not published. It is estimated that this may be as little as 1%.

**Table 15: People with primary intellectual disability, ADEs, 2003-04 to 2012-13**

ADEs	2003-04	2013-14
People with primary intellectual disability	13,823	14,389
People with Intellectual Disability Aged 15-64	59,962	68,653
% of People with Intellectual Disability aged 15-64	23.1%	21.0%

## Fact Sheet 11: Jobsupport service model for people with moderate intellectual disability

Jobsupport is a specialist open employment provider which began as a demonstration project in 1986 for people with moderate intellectual disability. Jobsupport operates throughout Sydney and in the northern suburbs of Melbourne.

Jobsupport's approach to training people with intellectual disability is based on an applied behaviour analysis model developed in the United States. The early demonstration set out to show that with the right type of supports people with higher levels of intellectual disability could succeed in the open labour market.

Jobsupport's contemporary service is specifically designed for people with moderate or higher intellectual disability who require structured task analysis and instruction, and an individually customised job.

### Key elements of the Jobsupport model

**1. Structured job search**—it is rarely if ever possible to place a person with moderate intellectual disability through an advertised vacancy. Jobsupport targets large employers with sufficient volume of routine work to customise, or create, a job specifically for the person with moderate intellectual disability. Job creation is about building and selling a compelling business case to the employer. This provides a benefit to employers by addressing high staff turnover, job task avoidance, or releasing experienced staff from performing routine tasks. Structured job search draws on Jobsupport's extensive employer database built up over many years; 70 per cent of placements are achieved through initial telephone qualifying, 30 per cent through repeat business.

**2. Job analysis**—the consultant spends somewhere between a day and a week at the employer's site to establish the employer's needs and work out how to customise a job: tasks to be performed; standards to be met for tasks; and to determine supervision and occupational health and safety requirements. The resulting 'Support Agreement' between the job seeker, employer and Jobsupport is a written document that outlines the agreed tasks, standards and supports required for the job, and how this will be monitored to ensure job quality.

**3. Training**—employment consultants complete a Postgraduate Certificate in applied behaviour analysis and are mentored by Jobsupport managers with experience in practical application of the method. The training of people with moderate intellectual disability is delivered at the work site to the agreed criteria set out in the 'Support Agreement', i.e. the so-called 'place and train' model of support. On average, the initial assessment, job analysis and job customisation to achieve a good job/worker match takes 140 hours. On average, the onsite training over the first six months in a job takes 260 hours.

**4. Ongoing support**—even slight changes in the work environment (e.g. staff, equipment, or process changes) are a real threat to employment because the person with moderate intellectual disability lacks the ability to adapt. Ongoing support involves regular contact with the employer/supervisor and employee to ensure the job standards in the 'Support Agreement' are maintained, and onsite retraining provided when required. Ongoing support is provided to the employee and employer for the life of the job.

## Fact Sheet 12: The right to work is a human right<sup>44</sup>

The right to work is a fundamental human right.

The Universal Declaration on Human Rights recognises that everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

The right to work is essential for realising other human rights and forms an inherent part of human dignity.

Work usually provides a livelihood to the person and her or his family and contributes to the person's development and recognition within the community.

The human right to work has been codified in several international legal instruments.

The International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights guarantees the right of everyone to just and favourable conditions of work and safe working conditions.

The Convention on the Rights of Persons with Disabilities (CRPD) sets out the right to work of persons with disabilities in article 27. The Convention obligates nations to recognise the right of persons with disabilities to work, on an equal basis with others. It states that the right of persons with disabilities to work includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible.

According to the UN High Commissioner for Human Rights the focus of government efforts is to provide support for people with disability to be included in the open labour market. The High Commissioner states:

“... efforts often focus on creating jobs or training opportunities in separate settings and fail to respect the principle of inclusion provided for in the Convention. It is imperative that States parties move away from sheltered employment schemes and promote equal access for persons with disabilities in the open labour market.”<sup>45</sup>

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<sup>44</sup> Report of the Office of the United Nations High Commissioner for Human Rights. (December 2012). Thematic study on the work and employment of persons with disabilities

<sup>45</sup> Report of the Office of the United Nations High Commissioner for Human Rights. (December 2012). Thematic study on the work and employment of persons with disabilities

## Fact Sheet 13: Customised employment<sup>46</sup>

Many people with intellectual disability are unable to compete for jobs in the open labour market via the traditional advertised job vacancy process. This is because it is difficult for this group of jobseekers to match advertised job requirements.

The most successful employer engagement strategy to find jobs for people with intellectual disability in the open labour market has been via a customised employment strategy.

Customised employment is a process for individualising the employment relationship between a job seeker and an employer in ways that meet the needs of both.

It is based on a match between the strengths and interests of the job candidate with a disability, and the identified business needs of the employer.

This is a business deal.

Customised employment is based on identifying tasks that an employer needs done to effectively conduct business and matching those to the candidate's abilities and interests.

“Employers cited the value of competent disability employment professionals who helped identify operational improvements as a key reason for hiring and retaining employees with intellectual disability and multiple disabilities, in spite of the fact that their employment was contingent on significant customization of job duties and conditions of work...Continuing campaigns to ‘raise employer awareness’ will have limited effect on actual employer hiring behaviour without simultaneous improvements in connecting employers to actual applicants with intellectual disability.”<sup>47</sup>

Customised employment starts with the development of an employment assessment based on an individual's strengths and interests of the job candidate with a disability.

Once the candidate's goals are established, one or more potential employers are identified. A proposal is presented to a prospective employer which sets out the benefit to the employer, (e.g. addressing high staff turnover, providing a solution to job task avoidance, or releasing experienced staff from performing routine tasks), and which meets the strengths and interests of the job seeker.

Participation in this process by an employer is important. A disability service provider usually develops the plan, assists the job candidate throughout the process and provides follow up services when appropriate.

Potential employers can be identified by looking for a match between the job candidate's strengths and interests and the nature of an employer's business.

A customised job is a set of tasks that differ from a standard job descriptions but are based on tasks that are found within that workplace. A customised proposal unites the

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<sup>46</sup> Office of Disability Employment Policy, Department of Labor, USA. Customized Employment - Practical Solutions for Employment Success, June 2005.

<sup>47</sup> Luecking R.G. (2011). Connecting Employers With People Who Have Intellectual Disability. Intellectual and Developmental Disabilities: August 2011, Vol. 49, No. 4, pp. 261-273.

tasks that exist in a workplace and makes them available to be rearranged in a customised job description.

For example, the customised job may include only a subset of the tasks from one of the employer's job descriptions or a mix of tasks taken from several existing job descriptions. It may include new tasks that are not currently being performed but that fill a need for the employer. The process often causes the employer to think of existing tasks in a new way.

“This approach is designed to result in employment where job tasks are carved from an existing job, or created to match the skills and accommodation needs of the job seeker so that the employer's operation is helped in a specific way. Thus, the individual has a ‘customised’ job description that did not exist prior to the negotiation process, along with other negotiated conditions of work, such as productivity expectations or work schedules.”<sup>48</sup>

Job customisation is important because people with more significant intellectual disability are rarely able to fill advertised vacancies. It is a process which requires a much deeper level of interaction between disability employment support and employers. This is employer engagement at a local, often personal, level.

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<sup>48</sup> Luecking R.G. (2011). Connecting Employers With People Who Have Intellectual Disability. *Intellectual and Developmental Disabilities*: August 2011, Vol. 49, No. 4, pp. 261-273.

## Fact Sheet 14: Definition of intellectual disability<sup>49</sup>

Intellectual disability is a disability characterised by significant limitations in both **intellectual functioning** and in **adaptive behaviour**, which covers many everyday social and practical skills. This disability originates before the age of 18.

### Intellectual Functioning

Intellectual functioning—also called intelligence—refers to general mental capacity, such as learning, reasoning, problem solving, and so on.

Intellectual functioning is measured by an IQ test. An IQ test score of below 70<sup>50</sup> indicates significant limitations in intellectual functioning.

An assessment of IQ below 70 manifestly qualifies an individual for the Disability Support Pension in the Social Security guidelines.

### Adaptive Behaviour

Adaptive behaviour is the collection of conceptual, social, and practical skills that are learned and performed by people in their everyday lives.

Standardised tests can determine limitations in adaptive behaviour.

- **Conceptual skills**—language and literacy; money, time, and number concepts; and self-direction.
- **Social skills**—interpersonal skills, social responsibility, self-esteem, gullibility, naïveté (i.e., wariness), social problem solving, and the ability to follow rules/obey laws and to avoid being victimised.
- **Practical skills**—activities of daily living (personal care), occupational skills, healthcare, travel/transportation, schedules/routines, safety, use of money, use of the telephone.

### Age of Onset

This condition is one of several developmental disabilities—that is, there is evidence of the disability during the developmental period, i.e. before the age of 18.

### Additional Considerations

Additional factors must be taken into account, such as the community environment

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<sup>49</sup> This fact sheet is based on the American Association on Intellectual and Developmental Disabilities. 2010. *Intellectual Disability. Definition, Classification, and Systems of Supports*. 11th Edition. And informed by American Psychiatric Association. *Diagnostic and Statistical Manual of Mental Disorders (DSM-5)*, 2013.

<sup>50</sup> IQ tests, as with all standardised tests, contain a standard error of measurement. Whereas it is accepted that intellectual function of two standard deviations below the mean is a part of a diagnosis of intellectual disability (i.e. <70 IQ) - there can be a standard of error of up 5 points with such testing. - Source: AAIDD, 2010, *Intellectual Disability: Definition, Classification and Systems of Supports* 11th Edition.

typical of the individual's peers and culture. Professionals should also consider linguistic diversity and cultural differences in the way people communicate, move, and behave.

Assessments must also assume that limitations in individuals often coexist with strengths, and that a person's level of life functioning will improve if appropriate personalised supports are provided over a sustained period.

### **How does the definition of intellectual disability relate to NDIS eligibility?<sup>51</sup>**

There are five separate factual matters that must be established when determining whether a person meets the disability requirements set out in s.24 of the NDIS Act.

6. *A person meets the disability requirements if:*

- a. *The person has a disability that is attributable to one or more intellectual, cognitive, neurological, sensory or physical impairments or to one or more impairments attributable to a psychiatric condition, and*
- b. *The impairment or impairments are, or are likely to be, permanent, and*
- c. *The impairment or impairments result in substantially reduced functional capacity to undertake, or psychosocial functioning in undertaking, one or more of the following activities:*
  - i. *Communication*
  - ii. *Social interaction*
  - iii. *Learning*
  - iv. *Mobility*
  - v. *Self-care*
  - vi. *Self-management, and*
- d. *The impairment or impairments affect the person's capacity for social and economic participation, and*
- e. *The person is likely to require support under the National Disability Insurance Scheme (NDIS) for the person's lifetime.*

A person with a diagnosis of intellectual disability manifestly meets the first three criteria; **a**-(intellectual disability is diagnosed), **b**-(intellectual disability is permanent), and **c**-(diagnosis indicates significant limitation in academic, social and practical skills).

According to the current social security guidelines, a diagnosis of intellectual disability is the basis for manifest eligibility to the Disability Support Pension. It is also deemed that an individual with intellectual disability has - on a manifest basis - a continuing inability to work without support. This should be sufficient to meet criterion **d**.

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<sup>51</sup> NDIS Operational Guideline - Access - Disability Requirements (v3.2) 1 September 2014

Intellectual disability is a lifelong condition and an individual will need lifelong support. This meets criterion e.

On the basis of the above, evidence of a valid diagnosis of intellectual disability should be sufficient evidence for NDIS eligibility.

Upon the basis of this evidence of eligibility - the focus of assistance should turn to a discussion of support need.

### **The World Health Organisation's International Classification of Functioning, Disability and Health (ICF)**

The ICF is a classification of impairment and health. Its focus is on measuring functioning of individuals in society, no matter what the reason for one's impairments.

The ICF argues that diagnosis alone does not determine or predict support needs, outcomes, work performance or social integration as the diagnosis will often lack data about levels of functioning and disability.

The ICF argues that it is neither a medical or social model of disability.<sup>52</sup> It is a **bio-psycho-social** model. This takes into account an individual's body, thoughts, emotions and behaviours, and external social and environmental factors when assessing an individual's function.

The ICF is a model of how health conditions or impairments interact with contextual factors. In this model "disability" can involve (dys)functioning at one or more levels of:

- impairment (limitation of the body)
- activity (ability to do a task)
- participation (how society is constructed may or may not be a barrier to participation)

An example of this may be:

- a person is deaf (impairment)
- the person cannot hear the audio of the television (i.e. inability to do a task)
- TV programs may or may not have the option to turn on captioning (i.e. participation depends on availability of captioning)

The ICF notes that an impairment may or may not result in either an activity limitation or a participation barrier. In the example above, the hearing impairment can result in an activity

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<sup>52</sup> On their own, neither the medical or the social model of disability is adequate, although both are partially valid. Disability is a complex phenomena that is both a problem at the level of a person's body, and a complex social phenomena. Disability is always an interaction between features of the person and features of the overall context in which the person lives, but some aspects of disability are almost entirely internal to the person, while another aspect is almost entirely external. In other words, both medical and social responses are appropriate to the problems associated with disability; we cannot wholly reject either kind of intervention.

limitation but this may not result in a participation barrier. Facial disfigurement may not prevent an individual from performing any activity but participation in society may be difficult due to rejection and discrimination.

**What does this mean for people with intellectual disability and participation in open employment?**

A diagnosis of intellectual disability means that an individual has significant limitations in intellectual function and adaptive behaviours.

Without intervention this impairment and activity limitation will invariably result in a barrier to participate in the open labour market.

Research and demonstration has found that with the intervention of skilled support to find a job, get explicit instruction to learn a job, and get ongoing support for the term of the job, people with intellectual disability can work successfully in the open labour market.

Intellectual disability is not a barrier to open workforce participation when provided skilled support. Conversely, without skilled support, intellectual disability will invariably result in a lack of workforce participation.

The poor participation of people with intellectual disability in the open labour force is not due to impairment or limitation, but due to the lack of skilled support required for this group of people to participate in the open workforce.

Research, demonstration, the DES evaluation, and the ICF model strongly indicates that the most effective and efficient use of government funding is to develop a market of skilled support that more often than not helps to include people with intellectual disability in a job in the open labour market.