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Disability Employment Policy Section
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17 May 2021

RE: PUBLIC CONSULTATION FOR THE NATIONAL DISABILITY EMPLOYMENT STRATEGY

I am writing on behalf of the University of Technology Sydney (UTS) to offer our feedback on the consultation paper on the National Disability Employment Strategy.

At UTS, social justice is at the heart of our mission and role in the community – we are committed to driving positive social change in the world beyond our campus. As a university, UTS has social justice and inclusion at its heart. They are central to its UTS 2027 Strategy

With an estimated one in five Australians, or about 4.3 million people, living with disability it is critical that universities work in partnership with people with disability, governments and advocates to address the disability that arises as a result of a complex interactions between people, the physical environment, social structures and attitudes.

Our key aims, articulated through our UTS Social Impact Framework, are to:

- contribute to increased public good, social mobility and equity;

- support the creation of enabling environments for communities to thrive; and

- positively influence and impact the public, the individual, and the systemic forces that shape justice.

These are ambitious goals, reflecting our belief that universities have a significant role to play in driving change through education, research and practice.

Please find following our feedback on the proposed Strategy that most relate to UTS's areas of expertise.

We strongly encourage the Commonwealth to work with the State and Territory Governments to use insights from the well-developed body of evidence to ensure the new National Disability Employment Strategy delivers improved socioeconomic outcomes for people with disability. These are important, not just to improve the financial security and wellbeing of people with disability and their families, but the Australian community more broadly by improving labour force participation, decreasing social isolation, accessing a broader talent pool, boosting innovation and increasing GDP.

Please feel free to contact the Centre should you require any further information or clarification about out feedback.

Yours sincerely

Verity Firth

Executive Director, Social Justice

Inclusive Education

Equitable access to education is a central component in the Strategy's Proposed priority area: *Building employment skills, experience and confidence of young people with disability and ensuring young people with disability are supported to obtain meaningful work and careers of their choice.*

UTS is determined to meet our legal and ethical obligations under the *Disability Discrimination Act 1992* and the *Commonwealth Disability Standards for Education 2005* which require us to provide reasonable adjustments for students with disability to allow them to access and participate in education on the same basis as their peers. In addition to our statutory obligations, as education providers UTS is required to comply with the TEQSA Higher Education Standards Framework (Threshold Standards) 2015 (HES Framework) which refer broadly to the creation of equivalent opportunities for access and success in Australian higher education for historically disadvantaged or underrepresented student populations, groups protected in equal opportunity and anti-discrimination legislation, and those covered by the Higher Education Participation and Partnerships Program (HEPPP) including students with disability.

Attaining a higher level of education is generally associated with better employment outcomes and higher income, which are key factors in attaining economic security and independence. An estimated 1 in 10 (10%) school students (aged 5–18) in Australia have disability, and almost 1 in 18 (5 .4%) have severe or profound disability. Almost all (89%) children with disability go to primary or secondary school—the same proportion as children without disability. Most (89%) school students with disability go to a mainstream school.[1] However, people with disability are more likely than people without disability to leave school early and to have a lower level of education.

People with disability who left school in more recent years are less likely to have left school before age 16, consistent with improvements in school retention for people with disability over time. In 2018, around 1 in 10 (11%) people aged 15–24 who acquired disability before age 15 left school before age 16, compared with 3 .6% of those without disability . Whether a person has completed Year 12 varies by age, with those in the older age ranges less likely to have done so. Among people aged:

- 20–24, 68% of people with disability had completed Year 12 or equivalent, compared with 85% of people without disability
- 50–54, 38% compared with 56%
- 85 and over, 15% compared with 20%[2].

This disparity in educational attainment further widens in higher education – 17% of people with disability aged 20 years and over had obtained a bachelor degree compared with 35% of those without disability.[3]

The challenges of studying at university while living with disability are not insubstantial. While only around one quarter of non-school students with disability report difficulties at their educational institution (26%) the most commonly experienced difficulties are:

- learning difficulties (32% or 16,800)

- fitting in socially (25% or 13,000)

- communication difficulties (20% or 10,500).

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[1] Australian Institute of Health and Welfare (AIHW), 2020, *People with disability in Australia 2020: in brief*. Cat. no. DIS 77. Canberra: AIHW.

[2] AIHW, Ibid

[3] AIHW, Ibid

However, it is important to emphasise that the challenges are far more substantial for students facing psychosocial disability. More than two-thirds (68.9%) of all students with psychosocial disability reported experiencing difficulties at their school or educational institution due to their condition. This compared with 41.5% of people studying with a disability other than psychosocial. The main difficulties reported by people with psychosocial disability were difficulty fitting in socially (45.2%) and learning difficulties (39.2%). Over half the students with psychosocial disability reported that they received educational support or special arrangements (60.9%). Almost one-third (30.5%) received support from a counsellor or disability support person and 29.2% received special tuition[4]

This is significantly higher than the support required by students with other types of disability. 77% of non-school students with disability do not receive any support from their educational institution, but where additional support is required the most common types are:

- special assessment procedures (38%) and

- a counsellor or disability support person (31%)[5].

The UTS Accessibility Service is the University's central contact point for all students living with one or more disabilities, medical or mental health conditions, to request assistance and support, access services, assessment arrangements and reasonable adjustments to enable an accessible and inclusive learning environment.

Of students registered for support with the UTS Accessibility Service, close to half (45%) are registered with a mental health condition. In addition to those students who are registered with the Accessibility Service based on a primary psychological disability, there are also a significant number with a secondary diagnosis of a psychological disability - approximately, 40% of registered students have been diagnosed with a secondary mental health condition. This represents both a large cohort and significant increase in the proportion of students presenting with a documented mental illness. Such additional supports are designed to counteract the well-documented detrimental impacts of mental health disorders on the wellbeing, functioning and development of young people,[6] particularly in relation to their academic achievement, employment prospects.[7]

Research indicates[8] an extremely high prevalence of mental health problems in university students, providing evidence for this being an at-risk population. Tertiary students have been found to

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[4] ABS, 2020, *Disability, Ageing and Carers, Australia: Psychosocial Disability, 2018*. Accessed at: https://www.abs.gov.au/articles/psychosocial-disability#education

[5] ABS, 2019 *Disability, Ageing and Carers, Australia: Summary of Findings, 2018*, Cat. No. 4430.0. Accessed at: https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release

[6] Scott, J, Fowler, D, McGorry, P, Birchwood, M, Killackey, E, Christensen, H & Hickie, I 2013, 'Adolescents and young adults who are not in employment, education, or training,' *BMJ*, Vol. 347.

McGorry, P D, Goldstone, S D, Parker, A G, Rickwood, D J, & Hickie, I B 2014 , 'Cultures for mental health care of young people: an Australian blueprint for reform,' *The Lancet Psychiatry*, Vol. 1 No. 7, pp. 559-568.

[7] Kessler, R C, Foster, C L, Saunders, W B & Stang, P E 1995, 'Social consequences of psychiatric disorders, I: Educational attainment,' *American Journal of Psychiatry*, Vol. 152 No. 7, pp. 1026-1032.

O'Connell, M E, Boat, T & Warner, K E 2009, *Preventing mental, emotional, and behavioral disorders among young people: Progress and possibilities,* Washington DC: National Academies Press.

McGorry, P D, Goldstone, S D, Parker, A G, Rickwood, D J, & Hickie, I B 2014 , 'Cultures for mental health care of young people: an Australian blueprint for reform,' *The Lancet Psychiatry*, Vol. 1 No. 7, pp. 559-568

Scott, J, Fowler, D, McGorry, P, Birchwood, M, Killackey, E, Christensen, H & Hickie, I 2013 *Adolescents and young adults who are not in employment,education, or training BMJ*, Vol. 347.

[8] Stallman, H M 2010 'Psychological distress in university students : A comparison with general population data' *Australian Psychologist* Vol. 45 No. 4, pp. 249-257.

experience a greater prevalence of moderate distress than non-students - financial factors increase the risk of high distress and are likely to take on more importance as the participation rate of socio-economically disadvantaged students increases.[9]

Higher education institutions across Australia have experienced significant growth in the number of students with disability. Between 2013 and 2019, the enrolment of undergraduate students with disability grew by 58.6% compared to 12.7% growth in undergraduate enrolments nationally.[10]

Enrolments of students with disability at UTS reflects this growth. In 2019, UTS had close to 1,900 students with disability registered with the UTS Accessibility Service. This has increased significantly over the past decade, reflecting national trends in the participation of tertiary students with disability.

However, it is important to note that the number of students registered with the UTS Accessibility Service is also significantly higher than the number of students who are identified through national data: 1,333 in 2019. Concerns about disclosure of disability, results in a situation where Government funding to universities to assist with additional support for students with disability fails to accurately reflect the actual number of these students UTS or the levels and complexity of need among those students. In 2021, the Accessibility Service currently supports approximately 2000 students with disability.

The Australian Government's equity programs in higher education - the *Higher Education Disability Support Program* (DSP) and *Higher Education Participation and Partnerships Program* (HEPPP) – are the second avenue for funding of disability in the tertiary sector.

The DSP consists of two components: funding for the Australian Disability Clearinghouse on Education and Training (ADCET) and the Disability Support Fund (DSF) which provides supplementary funding to higher education providers to assist them to attract domestic students with disability to participate in higher education, and to assist providers to deliver appropriate support for them to succeed. The DSF – through which universities nationally receive approximately $7 million per annum of funding - allows universities to allocate funding to deliver support to students with a disability on receipt of supporting medical documentation. An evaluation of this program by KPMG in 2015[11] found:

- More students were presenting to university disability services with mental ill-health.

- Staff were unsure how to support these students and the bulk of funding continues to support the needs of students with physical disabilities.

- A lack of awareness of the implications of mental health conditions and learning disorders within universities also meant that disability support workers reported spending more time working with academic staff raising awareness and developing learning plans.

The DSF grant payable to universities is calculated based on disability data available to the Commonwealth in the Higher Education Information Management System during the second half of each calendar year.

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[9] Cvetkovski, S, Reavley, N J and Jorm, A F 2012 'The Prevalence and Correlates of Psychological Distress in Australian Tertiary Students Compared to Their Community Peers.' *Australian & New Zealand Journal of Psychiatry* Vol. 46 No. 5, pp. 457–467.

[10] National Centre for Student Equity in Higher Education, National Data. Accessed at https://www.ncsehe.edu.au/national-data/ 15 May 2021, Curtin University.

Koshy, P 2019, Equity Student Participation in Australian Higher Education: 2013 to 2018. National Centre for Student Equity in Higher Education (NCSEHE), Perth: Curtin University.

[11] KPMG 2015, *Department of Education and Training Evaluation of Disability Support Program: Final Report*, KPMG.

However, shortfalls in funding persist as a consequence of the fact that many students with long term health conditions do not consider themselves or identify as people with disability, and yet access the services of university Accessibility Services (or equivalent). UTS has previously urged the Commonwealth to take this into account in developing a funding formula and rely on data which indicates the numbers of students with disability registering for support services at universities. These are both a more accurate reflection of the level of need at universities, and more robust as verifying documentation is required. While the Commonwealth has funded a recent project under the HEPPP National Priorities Pool to enhance ways students with disability are identified and to encourage more to indicate they have a disability when enrolling, this situation persists and only addresses one element of the funding problem.

Current funding formulas further fail to take into account a number of other important variables including:

- the actual costs of providing adjustments for individual students, which can vary considerably,

- variations in costs between different delivery modes e.g. face to face courses as opposed to distance education;

- the size of institutions; and

- issues in relation to students who develop illness, injury or disability during the year.

UTS is of the view that current funding support for higher education institutions needs overhauling. There is a clear and acute need to further develop improved support that reflects the support needs of students with disability and the broader university student cohort who are at risk of developing mental ill-health – in particular Aboriginal and Torres Strait Islander students and those from low socio-economic backgrounds. In the context of the clear need for this work to be undertaken, expanding the pool of funding available to universities is critical.

Inclusive Employment

UTS has both an academic and organisational interest in issues of inclusive employment for people with disability. Our university is determined to meet our legal and ethical obligations to provide an equitable workplace for our staff, as well as students and visitors to our campuses. We actively foster an inclusive environment for people with disability working or studying at UTS through a program of continuing actions set out in our Access and Inclusion Plan 2020-2024 which aim to provide an open, inclusive, and supportive environment that enable students, staff and members of the wider community to fulfil their potential and facilitate their full contribution to society. UTS first initiated disability action planning in 1997 and our 2020-2024 Plan is UTS's fifth Disability Action Plan. It builds on past progress to enhance our provision of inclusive education and employment opportunities, in world class campus and digital facilities that are accessible for people of all abilities.

UTS staff in 2021, 2.7% of permanent and fixed-term contract employees at UTS (93 people) identified as living with a disability (this figure excludes casual staff members and honorary appointments). We have committed to work to match the NDIS initiative of improving the employment rates of people with disability at UTS by 6% by 2024. We recognise that this will be particularly difficult in the constrained financial environment currently facing the tertiary education sector, but believe that such targets are an important part of attracting and retaining staff with disability.

Addressing the barriers to employment and professional development for current and future staff with disability means focusing on continual improvement of our systems and processes to better support staff with disability.

One area that has been a particular focus over the last couple of years has been concerted efforts to embed a culture that supports workplace flexibility across UTS and makes flexible working an option

for all staff. Flexible Work Guidelines to support such arrangements were introduced at UTS in 2019 to consist of an agreement between an employer and employee to change existing work arrangements including in relation to the hours, pattern and/or location of work. Historically, flexible work arrangements have generally been accessed by staff with family responsibilities (as parent, partner, child or carer); staff members undertaking professional development or further study; and to a lesser extent, staff members managing illness, mental health issues or a disability. Developing easy to understand Guidelines and clarifying processes and procedures for flexible working has proved very successful in normalising flexible working across our organisation for all staff. Although, clearly the impact of COVID-19 cannot be understated. In line with the experience of remote working during the pandemic globally, demand at UTS for flexible working has increased substantially.[12] Ensuring this momentum is maintained, UTS is currently working to consolidate the advantages offered, especially for staff with disability, of hybrid working across our organisation as one of the key pillars of our UTS 2027 Strategic Plan.

In such an environment of much greater take up hybrid and flexible working arrangements, it will be particularly important that the Commonwealth supports employers – particularly SMEs – to provide these conditions in a way which ensures equity and wellbeing for vulnerable cohorts of employees – in particular people with carer responsibilities and staff with disability/health issues who may be more restricted in their ability to work in the office.

It is vital that flexible working does not become a barrier to career progression in a post-COVID hybrid working environment. Opportunities for career development, training, promotion (and indeed actions related to recruitment, dismissal and redundancy) must be provided fairly and the Commonwealth has an important role to play in ensuring that employers are aware of their legal obligations to ensure that staff working remotely must not be treated less favourably than other staff.

Supporting employers more broadly to meet their obligations to employees with disability is a crucial area of activity for the Commonwealth as suggested by the Strategy's proposed priority area: *Lifting employer engagement, capability and demand.*

At UTS we have been working to build capability, particularly of supervisory staff to better support employees with disability by introducing training about unconscious bias in recruitment for all hiring managers and working to ensure all UTS supervisors/managers undertake Disability Confident Manager training. This is a substantial piece of work, and it is important for the Commonwealth to ensure that smaller employers have the support to undertake similar training.

UTS supports the proposals outlined in the Strategy consultation paper to develop and promote information, tools and resources for employers.

Advancing Inclusive Employment Research

Among UTS' current priorities is to ensure that we are sharing and developing research on international best practice in improving employment outcomes for people with disability.

UTS has an extensive history in disability research. It was a founding member of the Social Relations of Disability Research Network in 1995, which over the next decade fostered a generation of disability studies scholars.

This work has continued with the recent launch of UTS Disability Research Network, a group of close to 100 scholars working in issues related to disability research. Through this endeavor, UTS is bringing to bear its strength in interdisciplinary research – in fields such as business, design, health, law, science and technology – to address real-world contemporary and future "wicked problems" facing people with disability.

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[12] Barrero, JM, Bloom, N and Davis, SJ, 2021, *Why Working from Home Will Stick, Working Paper No. 2020-174* April 2021. Ronzetti Initiative for the Study of Labor Markets, Becker Friedman Institute for Economics University of Chicago. Viewed at: https://nbloom.people.stanford.edu/sites/g/files/sbiybj4746/f/wfh_will_stick_v5.pdf

At UTS, our inclusive disability research agenda goes beyond health to include consideration of education, employment, housing and community living, freedom of movement, freedom from abuse and the upholding of dignity and respect in all services.

Current active collaborations include:

- accessibility, access and inclusion

- social participation and citizenship

- law, justice and human rights

- assistive and enabling technology

- data visualisation

- disability health

- youth and sport

- liveable communities

- transport and personal mobility

- environment, space and place

One recent project, led by Professor Jock Collins and Professor Simon Darcy from the UTS Business School, focused on disability entrepreneurship in Australia

While people with disability face considerable economic and social exclusion in Australia, one innovative response to this is private and social entrepreneurship, and people with disability have a relatively high rate of entrepreneurship in Australia.

The Entrepreneurs with Disability report—the first study of its kind in Australia— was supported by the Australian Research Council Linkage Program and industry partners Settlement Services International (SSI) National Disability Services and BreakThru People Solutions. It aimed to better understand the pathways of people with disability to entrepreneurship, in order to increase Australia's capacity for developing evidence-based policy initiatives to increase the number of, and success of, entrepreneurs.

The research generated the first detailed insights into disability entrepreneurs in Australia – their experiences, including their motivations, the barriers and "enablers" to being an entrepreneur, the benefits they receive and the wider contributions they make to society. It illustrated how entrepreneurs, when provided with the right support and education, can overcome barriers and be set on a path towards meaningful self-employment and, importantly, the security and stability that comes with it.

The research led to a pilot program called IgniteAbility Small Business Start-ups, run by research partner SSI which connected participants with an ecosystem of support, advice and resources to build capacity, facilitate networking and address obstacles. Insights from the program are helping develop a robust model that supports entrepreneurship, increases social inclusion and creates successful businesses that provide job opportunities for others. The research has informed the 2020 NDIS Participant Employment Strategy, which for the first time recognised self-employment and entrepreneurship.

Further investment in longitudinal research, as well as measuring the social impact created by such evidence-based programs, is of paramount importance if Australia is serious about moving the needle and deepening the value of national innovation.

The Centre for Social Justice and Inclusion has also undertaken recent work aimed at understanding best practice in employment programs for people with disability. In 2020 the Centre published a [literature review](#) and [monograph](#) as part of our Shopfront Research Monograph Series published by UTS ePRESS, which consists of refereed research which is relevant to communities of interest or practice beyond the University. This community engaged research, is academically relevant work that simultaneously meets campus mission and goals and community needs, contributing to the public good. The project examined the characteristics of current good practice in employment programs for people with disabilities in the open market.

The project, was led by Ebru Sumaktas, a scholar and Churchill Fellow with lived experience of disability and 20 years experience working in the disability sector as a leader and advocate.

The literature review on *Facilitators of Meaningful and Sustainable Employment for People with Disabilities* (undertaken by Sophie Hopkins) found that being employed does not inherently equate with good employment outcomes. For employment to be meaningful and sustainable, people with disabilities must be employed in roles where they are socially included and have equal career and employment opportunities to people without disabilities. Integral to this is job satisfaction, opportunities to utilise skills and competencies, and being valued in the workplace.

Meaningful and sustainable employment should be the goal of employers and workplaces when designing and implementing programs for employment of people with disabilities. People with disabilities are the experts of their own experience and are ideally placed to determine if their employment is meaningful and sustainable, and, ultimately, if employment programs are successful according to these criteria.

The review explored, in detail, current good practice that facilitates meaningful employment of people with disabilities and identified eight good practice characteristics:

1. consultation with people with disabilities
2. focus on capabilities
3. senior management support
4. inclusive recruitment and hiring practices
5. workplace adjustments/customised supports
6. mentoring/natural support
7. reducing bias
8. increasing knowledge.

These good practice characteristics (listed in no particular order) taken together can provide a pathway, not just to employment, but to meaningful and sustainable employment.

Sumaktas' research with leading disability employment organisations globally, further revealed that leading disability employment programs had much in common when it came to approaches to successfully and meaningfully employing people with disability in the open labour market. Motivators for success were person centred rather than systemic, and focused on:

• attraction, retention and career progression
• job preparation, internships and on-the-job training
• innovation—creating new industries
• workplace adjustments
• changing the narrative through disability employee networks.

The report recommended that based on the success and sustainability of leading global programs, implementation of five key recommendations (together) would see meaningful and sustainable employment of people with disability in Australia. These were:

1. **Adopting a holistic approach to the life cycle of employment** that focuses not just on simply placing an individual into a role but investing in ongoing development and training to enhance employee skills and capabilities and career progression of employees with disability

2. **Developing employment pathways for people with disability** by:
   - providing people with disability with exposure to the workplace, identifying what their strengths and weaknesses are through job preparation, internships and on-the-job training and
   - further exploring existing leading disability employment programs and how they can be adapted and adopted into the Australian context with the aim of providing Australians with disability an opportunity to gain on-the-job skills and experiences.

3. **Exploring opportunities for innovation** such as through recruitment processes and development of new industries that use the particular skills and talents of people with different types of disability.

4. **Removing barriers through workplace adjustments** by ensuring tailored approaches, critically important for the attraction, retention and career progression of people with disability.

5. **Changing the narrative through the power of disability employee and people networks**