



**Submission to the
Australian Human Rights Commission
Willing to Work: National Inquiry into Employment Discrimination
against Older Australians and Australians with Disability**

December 2015

Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability

SUBMISSIONS FORM

Name of person making submission: Cheryl Knight, Chairperson, School Council

Submission made on behalf of (if relevant): Acacia Hill School – School Council

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Please tell us who you are *(select all that apply)*

Other – School Council (Special School)

FORM 3: Organisation or Government Agency Submission

About you

What is your role within your organisation?

Other – School Council

If other, please tell us your role within your organisation

The 'parent' representatives who have contributed to this submission are all carers of Indigenous children, who have special needs, often of both a physical and intellectual nature. Our objective is to ensure the best possible options for the long term future of the children of the Acacia Hill School.

The Acacia Hill School Council appreciates the opportunity to provide some input into this very significant National Inquiry being conducted by the Australian Human Rights Commission. The 'parent' representatives on the Acacia School Council over the years have predominantly been carers of Indigenous students from remote communities.

This submission will focus on the perspective of Australians with disability – and in particular the experience of school leavers. The predominant focus of the submission is on broad systemic issues – in particular the lack of post school options in Alice Springs and Central Australia, rather than a focus on specific instances of discrimination against particular people. *Not all questions, therefore, have been responded to in this submission.*

We preface this submission with reference to the rights of children with disability

Article 23 of the 'Convention of the Rights of the Child' (hereafter referred to as 'The Convention') states: *"Children have the right to special education and care if they have a disability, as well as all the rights in this Convention, so that they can live a full life.*

We express concern that the lack of post school options, currently available to young people with disability are compromising some young people's ability to access a number of rights outlined in the convention."

We acknowledge that in some instances compromise is needed however we strongly assert that efforts be made to ensure that such compromise is kept to a minimum.

Post school options in Alice Springs are very limited for young people, with some day programs and a Australian Disability Enterprise, but there are very few paid employment options for young people with disability once they leave school.

When analysing the vocational opportunities for students with a disability in central Australia, we must take a number of crucial factors into account. These include; socio-economics, isolation, cultural diversity, health and social services, resource allocation. With this in mind, a number of Articles from the Convention of the

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Rights of the Child, that we believe need to be considered when providing education to students with a disability in Central Australia, are listed in the Appendix on page 7 below, and some are referred to, where relevant, at specific points in the submission.

What is your experience of providing work/services/advocacy for Australians with disability?

Acacia Hill School in Alice Springs provides an intensive and inclusive educational program for students identified as having moderate to severe intellectual and multiple/complex disabilities. In 2015, students ranged in age from three to nineteen years of age*, and came from across the Central Australia region: 78 % of students are Indigenous. The school comprises an Early Childhood Unit, seven primary units including four inclusive 'satellite classes' in local mainstream primary schools, a middle years class, and a secondary and transition to work sub-school.

There are no designated special schools in remote areas of central Australia; therefore Acacia Hill services a very broad geographical area (of approximately one million square kilometres). Some young people have had to leave behind their family and community in order to pursue educational opportunities. A number of students from remote communities north of Tennant Ck are enrolled at Acacia Hill, while others enroll at Tennant Creek Primary, which has a special education unit.

The values which underpin all learning activities at Acacia Hill are *Respect, Integrity, Adaptability, Collaboration* and *Understanding*, and dedicated staff work together to provide learning pathways for students to develop personal independence, increased communication and social competence with the ultimate goal of successful community inclusion when students graduate from school

At the time of the writing of this submission there were 72 students enrolled at Acacia Hill.

* Students can stay up until the age of 20, however the emphasis of the school is on working with young people and their families from the age of 15 to carefully plan for the implementation of appropriate post school options for when they reach the age of 18/19.

FORM 3: Submission regarding Australians with Disability

Do you have any case studies of the experience of Australians with disability working or looking for work?

Nil Available

What are the impacts of employment discrimination on Australians with disability working or looking for work?

The same as any other person looking for work and being discriminated against. Low self-esteem, low self-value, depression and the by-products of those conditions; substance abuse, self harm etc.

Barriers

Do you think Australians with disability face barriers when they work or are in a job?

Yes

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Please tell us more

Barriers are outlined here in relation to a lack of post school options for school leavers, when they transition from Acacia Hill Special School

Access to school/work/activity options at transition points

The focus here is on the transition point from school to workforce. The majority of students who exit Acacia Hill School at leaving age, are not in a position to work/live independently and will require significant and ongoing support and mentoring in order to be able to perform suitable work tasks.

Notwithstanding this, there is currently a significant lack of options for meaningful work/and or activities for students exiting Acacia Hill (which generally occurs when students turn 18 years old – but planning ideally commences three years earlier).

A significant amount of time is currently put into trying to create and invent opportunities for meaningful activities which are suited to the specific requirements and abilities of each graduating student. There are virtually no paid ongoing employment options for young people with high needs disability in Central Australia.

At present there are two main service providers in the community who provide post school options for students exiting Acacia Hill. Both services provide a day program, and one of the providers runs a sheltered workshop. There is also the issue that Alice Springs does not have a manufacturing industry offering factory work for example, which further limits opportunities for young people with high needs. The level of disability for a lot of the young people exiting Acacia Hills means that the majority of young people end up participating in a day program, rather than in a work role.

Some volunteer positions have been negotiated through the assistance of the Transition Support Officer (Disability & Engagement) employed by the Department of Education (NT Government). At present there are two young people who are engaged at the Alice Springs Hospital doing volunteer work in the laundry (who are register with the Hospital's Volunteer Drover Program). Volunteer programs offer a less pressured option for young people, and therefore may be more suitable for some. In the past, Woolworths has provided work experience for a young person.

There are some young people at Acacia Hill who will definitely be employable, but the options within the town at the moment appear extremely limited.

Is employment discrimination a barrier (please tick all that are relevant):

- While working in a job
- While looking for work
- While dealing with recruitment companies

Please tell us more

Any comments here?

These would all be barriers for people with a disability in Alice Springs.

It does not seem that the rate of employment of people with disability in Alice Springs is representative of the number of people with disability in the town. Certainly it is rare to see a young person with disability in a work setting. For people with disability, who do not have formal qualifications, obtaining paid work seems a major challenge. This is despite the fact that there is an abundance of employment opportunities in the town overall.

Northern Territory Government Employment Strategy (2012-15),¹

The Northern Territory Government's Employment Strategy (2012-15), has only one reference to people with disability, as part of strategies which are aimed to increase the engagement of under-represented groups in the workforce. The Territory Government has partnered with the following sectors to develop workforce strategies that meet each respective sector's needs:

- o transport and logistics
- o oil and gas (post construction)
- o construction
- o early childhood
- o manufacturing.

The strategies aim to increase the engagement of under-represented groups in the workforce such as youth, women, migrants, unemployed, people with a disability and Indigenous people. Assist with attracting and retaining suitable workers, and encourage workers to upskill or reskill. They also contain a number of initiatives specific to each sector aimed at reducing barriers to growing the sectors' workforce

Office for the Commissioner of Public Employment NT: "EmployAbility Strategy" for 2013-2017²

More specific to people with disability, the Office for the Commissioner of Public Employment in the NT has developed an "EmployAbility Strategy" for 2013-2017: A Strategy for the employment of people with disability in the Northern Territory Public Sector.

The overall goals of the EmployAbility Strategy are to:

- Increase the attraction and retention rates for people with disability
- Improve career opportunities in the NTPS for people with disability
- Raise awareness of the value that people with disability may bring to the workplace and increase disability confidence
- Create a workforce that better reflects the diversity of the community it serves.

The strategy assists all agencies in understanding issues that may arise when employing people with disability, and helps them develop strategies to assist people with disability to succeed in their work. The Northern Territory Public Sector (NTPS) has a stated aim of becoming an employer of choice for people with disability.

The strategy has as one of its guiding principles:

"Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities." (NT OCPE p. 16)

Interestingly, there is only one further reference to children in the document, where it is stated

¹ http://www.dob.nt.gov.au/employment/workforce-development/emp-strategy/documents/employment_strategy.pdf

² http://www.ocpe.nt.gov.au/building_capability/equity_and_diversity/disability_in_the_workplace/employability_strategy

Under the Sector-Wide Implementation Plan 2013-2017, Nurturing an inclusive workplace culture

One of the actions includes:

“On behalf of government develop and maintain relationships with key stakeholders: Student Services (Department of Education and Children Services) and specialist disability employment services to advise and provide knowledge on educational and employment pathways for the NTPS disabled workforce”

There are no references to young people or youth throughout the document. We believe that there is a real opportunity for more engagement with young people in the education system to facilitate pathways into meaningful paid employment in the public sector.

In addition, we believe that a target for employment of young people with disability in the public sector needs to be set, in an effort to drive employment opportunities for young people with disability.

There also need to be promotion of current incentives for employers for the employment of young people with disability – to ensure a broader awareness across the community – both in the private and community sector. Further incentives may need to be explored for private sector and community sector employers to employ young people with disability, to address current barriers.

What impact does employment discrimination have on Australians with disability gaining and keeping employment?

Same as outlined above - Low self-esteem, low self-value, depression and the by-products of those conditions; substance abuse, self harm etc.

Are there any practices, attitudes or laws which discourage or prevent equal participation in employment of Australians with disability?

Yes

Please tell us more

The lack of specific strategies around employment for people with disability

The disincentives for employers to take on young people with disability, because of the additional workload that will be required.

In terms of specific practices; inadequate time/resources/effort for a workplace orientation and induction program for a person with a disability at a new workplace inevitably means it will break down.

These specific challenges have been had at Acacia Hill School, in terms of setting students up with voluntary work. It has been up to Acacia Hill School to put the time into the organisation to ensure a successful transition to work.

What are the incentives and disincentives in employing Australians with disability?

Incentives

- Greater diversity in the workplace
- When a good transition has taken place, people with disabilities have a range of skills to offer workplaces.

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- Positive community perception as an equal opportunity employer

Disincentives

- Time and resource heavy
- Modifications to the work place and practice

Good practice

Are there examples of good practice in employing and retaining Australians with disability in work?

Not sure. There clearly must be, but we don't have examples on hand

Please let us know about practices you are aware of. Any suggestions?

This particular question is not Addressed by this Submission – very few Young People from Acacia Hill School have moved into paid employment in recent years, so hard to think of local examples.

Solutions

What action should be taken to address employment discrimination against Australians with disability?

This particular question is not addressed by this Submission.

What should be done to enhance workforce participation of Australians with disability?

How could work options be increased?

A coordinated community strategy is required to ensure that both student and employer are 'job ready' and appropriately resourced, when it comes time for the student to enter the post school options phase.

While there are some general incentive schemes in place for employers to provide intensive support for employees who may face significant barriers to employment, additional options and resources are needed.

There may well be a number of private and community based organisations prepared to employ and support a young person with high needs, but they may require additional resourcing and support to be able to sustain such opportunities on a long term basis. With some young people, organisations will need to provide very intensive and ongoing support to sustain a work situation. Barriers to making these options more available must be addressed as a matter of urgency.

Gaps in Post School Options/Services

- **Advocacy for post school options for young people with disability**

There does not currently appear to be an organisation with the capacity or specifically tasked to address the lack of suitable employment options for young people with special needs. Advocacy of this nature would assist in identifying and addressing the barriers to employment for these young people.

- **Resourcing issue for schools**

Planning for and facilitating appropriate post school options for young people with high needs is very time consuming and significantly stretches the resources of a school.

We therefore recommend the creation of a position which can act as a liaison between the school/community and private sector, which has the capacity to foster and develop new employment partnerships and possibilities. Over time this would mean that there were a range of employment options established and would help to create far more certainty for young people and their families than currently exists. At the moment young people and their families can experience high levels of angst as they worry about what the future holds for them.

- **Remote Communities and Outstations**

Access to post-school options for students with disability in remote areas are almost non-existent. A strategy needs to be implemented to put in place viable options so that students from remote areas have the opportunity, where appropriate, to return to their home community, and engage in meaningful employment and activities.

There does not appear to be any comprehensive information available about the numbers of young people with special needs in remote areas who would be suitable for work (paid or volunteer), if such options were available and supported. Sadly, for many young people in remote areas the only pathway currently available is the Disability Support Pension. We must do better than this.

As a start it would be important to map the employment needs of young people with special needs in remote areas, and to begin a process of engaging with potential employers and employment support agencies to develop a comprehensive plan to address the current gaps in appropriate options.

Appropriate Funding Levels are Critical

Article 4 of 'The Convention' of the Rights of the Child states *"The government has a responsibility to make sure children's rights are protected. They must help the family to protect their rights and create an environment where they can grow and reach their potential."*

And Article 26 states *"Children have the right to help from the government if they are poor or in need."*

In relation to post school options, we believe that adequate funding levels must be put in place across local communities, for the to ensure that students from special schools, as well as other students with disability transitioning from other education providers, have the maximum opportunity to reach their full potential, regardless of where they live or attend school.

What outcomes or recommendations would you like to see from this National Inquiry?

Recommendation 1

Resourcing of coordinated community strategies to ensure that both student and employer are 'job ready' and appropriately resourced, students enter the post school options phase.

Recommendation 2

Additional options and resources in place to provide intensive support for employees who may face significant barriers to employment

Recommendation 3

Specific resourcing of advocacy for post school options for young people with disability – to assist in identifying and addressing the barriers to employment for these young people.

Recommendation 4

Increase resources for special schools to enable them to adequately plan for and facilitating appropriate post school options for young people with high needs.

- Specifically, we recommend the creation of a position which can act as a liaison between the school/community and private sector, which has the capacity to foster and develop new employment partnerships and possibilities.

Recommendation 5

Develop a strategy to put in place viable post school options in remote areas so that students from these areas have the opportunity, where appropriate, to remain on or return to their home community, and engage in meaningful employment and activities.

As part of this, we recommend

- a mapping exercise regarding the employment needs of young people with special needs in remote areas
- A process of community engagement to identify potential employers and employment support agencies to develop a comprehensive plan to address the current gaps in post school options

Recommendation 6

That the Northern Territory Government set a target for employment of young people with disability in the public sector needs to be set, in an effort to drive employment opportunities for them

Recommendation 7

For the Commonwealth and Territory Governments to further promote current employer incentives for employing young people with disability.

Recommendation 8

For the Commonwealth and Territory Governments to provide further incentives for private sector and community sector employers to employ young people with disability

Concluding Remarks

Article 23 of 'The Convention' states *"Children have the right to special education and care if they have a disability, as well as all the rights in this Convention, so that they can live a full life"*. In addition, Article 29 states that *"Children's education should help them use and develop their talents and abilities. It should also help them learn to live peacefully, protect the environment and respect other people."* The reality is that for many young people with disability in Alice Springs (and the Central Australian region) do not have the opportunities to fulfil their talents and abilities when they leave the school environment at leaving age. This issue must be addressed as a matter of priority by Government, business, and the community – in order to create appropriate and sustainable employment opportunities for young people with disability.

Appendix: Excerpts from the Convention of the Rights of the Child

Article 4

The government has a responsibility to make sure children's rights are protected. They must help the family to protect their rights and create an environment where they can grow and reach their potential.

Article 23

Children have the right to special education and care if they have a disability, as well as all the rights in this Convention, so that they can live a full life.

Article 26

Children have the right to help from the government if they are poor or in need.

Article 29

Children's education should help them use and develop their talents and abilities. It should also help them learn to live peacefully, protect the environment and respect other people.