

Submission to the Consultation on the Disability Royal Commission Response

January 2024

Contacts

UnitingCare Australia

Level 3, 42 Macquarie St.

Barton ACT 2600

Phone (02) 6249 6717

Email ucaremail@nat.unitingcare.org.au

Website unitingcare.org.au



About UnitingCare Australia

UnitingCare Australia is the national body for the Uniting Church's community services network and is an agency of the Assembly of the Uniting Church in Australia.

We give voice to the Uniting Church's commitment to social justice through advocacy and by strengthening community service provisions.

We are the largest network of social service providers in Australia, supporting 1.4 million people every year across urban, rural, and remote communities.

We focus on articulating and meeting the needs of people who are most vulnerable, at all stages of life.

UnitingCare Australia welcomes the opportunity to provide feedback in response to the findings of the Disability Royal Commission Final Report (Final Report). This submission focuses specifically on the recommendations in the Final Report that relate to Australian Disability Enterprises (ADEs), including Recommendations 7.30, 7.31 and 7.32. Our submission has been prepared in collaboration with organisations in the UnitingCare Network that run ADEs, also termed, “supported employment services”.

UnitingCare Australia notes that one of the General Principles of the Convention on the Rights of Persons with Disability¹, which Australia signed onto 2007, is “Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons”. It is not surprising that Volume 6 of the Final Report focusses on enabling autonomy and access including significant recommendations around supported decision making.

It follows that people with disability should have choice and control over their career pathways and job opportunities and that ADEs should remain a valid and positive option for them. Removing this alternative limits choice by providing only one avenue for employment—namely, open employment. As stated in our submission to *The Future of Supported Employment Discussion Paper* (Supported Employment Submission)², “any measures aimed at evolving the supported employment sector must simultaneously recognise its value in delivering accessible, safe and supportive employment opportunities for people with disability. This is particularly through the provision of specialised workplace support, the opportunity it facilitates to develop strong social connections within and outside the workplace, and the extent to which it provides individuals with job and income security³.”

Our Supported Employment Submission goes on to state that ADEs play a critical role in creating open employment transitions for people with high support needs. This role is one that Disability Employment Services (DES) and Workforce Australia Employment Services are currently not equipped or resourced to deliver. A number

¹ Convention on the Rights of Persons with Disability available at: <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd>

² UnitingCare Australia submission to The Future of Supported Employment Discussion Paper, August 2023, available at <https://unitingcare.org.au/submission/discussion-paper-response-to-the-future-of-supported-employment/>

³ See, for instance, findings from Public Hearing 22 (The experience of people with disability working in Australian Disability Enterprises) of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, available at: <https://www.nds.org.au/news/royal-commission-hears-mixed-views-on-supported-employment>

of partnership programs with ADEs described in our submission have delivered positive employment outcomes for people with high and complex support needs and subsequently deliver an important tailored service⁴.

Accordingly, UnitingCare Australia supports Recommendation 7.30 which states that the Department of Social Services should develop a plan to support people with disability working in ADEs to move to inclusive, open employment. It goes on to state that the plan should include the option for people with disability to continue to work in ADEs and be provided with strong and appropriate safeguards, if that is their free and informed choice.

UnitingCare Australia supports Recommendation 7.31 to introduce a scheme to raise wages for people with disability and the provision for the Australian Government to subsidise employers for the gap between award wages and the Australian minimum wage. It is essential that employers, including ADEs, are viable and therefore have the financial resources available to provide adequate and appropriate supports for the people they employ.

We also support a five-year review of the scheme and, informed by the review, the development of a model and pathway to lift the minimum wage paid to employees of ADE's to 100% of the Australian minimum wage by 2023. However, we reiterate that this can only be achieved by the Government ensuring adequate financial resourcing of the funding gaps for employers, including ADEs.

UnitingCare Australia does not support Recommendation 7.32 from Commissioners Bennett, Galbally, Mason and McEwin which recommends the phasing out of ADEs by 2034. We believe that this would remove vital employment options and pathways to open employment for people with disability.

We acknowledge that Recommendation 7.32 does discuss the concept of ADEs operating in accordance with the social firm model. In our Supported Employment Submission we supported the establishment of social enterprises that adopt blended workforce models and recommended the consideration of tax and procurement

⁴ UnitingCare Australia submission to The Future of Supported Employment Discussion Paper, August 2023, available at <https://unitingcare.org.au/submission/discussion-paper-response-to-the-future-of-supported-employment/>

incentives particularly through the Social Enterprise Development Initiative⁵ which has significant potential for ADEs.

We look forward to the Government's response to the Final Report and would welcome the opportunity to provide any further comment or information on the points raised in our submission.

⁵ Department of Social Services. 2023. *Budget 2023-24: Entrenched Disadvantage Package*. https://www.dss.gov.au/sites/default/files/documents/05_2023/entrenched_disadvantage_package_budget_fact_sheet_fa.pdf