

Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability

The Disability Royal Commission is interested in understanding how Australia's laws, policies and practices can support the participation of people with disability in employment.

About Life Without Barriers

Life Without Barriers is a charitable organisation supporting approximately 23,000 people in over 400 communities across Australia. We provide people with the services and assistance they need so they can achieve their goals and maximise their opportunities to participate in the community. Life Without Barriers partners with communities, elders, governments and other stakeholders to support people so they can achieve positive long-term change. We offer services to people with disability; children, young people and families; people with mental health needs; refugees and people seeking asylum; and people who are homeless.

Life Without Barriers was established almost three decades ago by a determined group of community members with a clear vision – to partner with people with disability to improve their lives. Our purpose carries us forward today as a national provider of social services. Life Without Barriers directly supports around 4,000 people with disability through the National Disability Insurance Scheme (NDIS). The majority of our disability clients have intellectual disability, and many have high and complex needs.

Life Without Barriers employs over 8,000 staff and is responsible for annual funding of approximately \$700 million. As an organisation whose legacy began on forging services for people where they simply did not exist previously, we are deeply committed to assisting people with a disability to have equal access to all the same life choices as people without a disability, including employment.

Our commitment to providing and promoting jobs and careers for people with disability

The right to work, free from discrimination, is a fundamental human right and is protected under the *International Convention on the Rights of Persons with a Disability*.¹

The Convention on the Rights of People with Disability also states that parties must take appropriate steps to “prohibit discrimination on the basis of disability”, and to protect the rights of persons with disability to access fair and favourable conditions of work “on an

¹ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

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equal basis with others”, including in regard to “equal opportunities” and “equal remuneration for work of equal value”. Such rights are enshrined in Australian industrial legislation, including in the *Fair Work Act (2009)* and in health and safety legislation.

Despite these rights, people with disability in Australia still experience barriers to employment disproportionately to the rest of the population. Individuals who are denied the right to work are equally denied the independence, dignity, sense of purpose and financial benefits that work brings.

Life Without Barriers and the Disability Royal Commission are aware of the statistics relating to the employment levels in Australia for people with disability. These statistics highlight the critical difference in employment outcomes for people with disability when compared with the general population. People with disability are under-represented in ‘open’ employment, have longer periods of unemployment and lower levels of job retention. Employment brings significant social and wellbeing benefits and assists in forming part of a person’s identity, contributing to a sense of belonging.

Designing a new career By Dom

From the day of my first interview with Life Without Barriers to when I was offered a job, I knew I had found an employer who saw me for my true value and not my disability. I joined Life Without Barriers as a graphic design intern over two years ago and I can certainly say it was a defining moment in my career.

Before a diving accident left me with quadriplegia, I was working as a Ground Support Equipment Fitting Engineer for the Royal Australian Air Force. I had to say goodbye to that career and start over. I literally had to design a new career.

I am a creative person, so I completed a Bachelor of Visual Communication Design. My biggest challenge, however, was finding an employer who judged me on my skills and not my appearance.

Life Without Barriers offered me that opportunity and continues to challenge and engage me on a variety of interesting projects including designs for print, digital and even TV commercials.

With the right workplace adjustments, I can do my job just as well as any able-bodied person. What I love most about working for Life Without Barriers is the opportunities I get to enhance and improve people’s lives in meaningful ways, which I find personally fulfilling.

I was pleased that Life Without Barriers had set an employment target for people with disability. Just hearing that Life Without Barriers was actively seeking people with disabilities to employ made me feel super comfortable - I knew I wasn’t going to roll into an interview where people were shocked to see someone with a disability.

My advice to potential employers of people with disability is to understand that disability and work to make the workplace suit that person’s needs. Don’t be afraid to ask the person about how the workplace can better suit their needs as this will only benefit both parties - we can get on with the job we were hired to do and the employer can enjoy the benefits of the skills we bring to an organisation.

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The purpose of this submission is threefold:

1. To highlight how Life Without Barriers is addressing this issue in our own business operations, primarily through the development and implementation of our Accessibility, Inclusion and Employment Plans.
2. To highlight how this type of commitment could also be undertaken more broadly across community services.
3. To call for this sector to take a leadership role in the Australian community, alongside people with disability and representative groups, to support better community responses to the need for enhanced employment outcomes for people with disability.

Life Without Barriers' Accessibility, Inclusion and Employment Plans

As a leading community sector agency we believe we have a responsibility to implement and practice inclusion. Creating a culture that is welcoming and supportive of employees of all abilities not only harnesses diversity of experience and perspective, but also provides greater insight into the needs of the people trusting us to provide their disability services. This in turn helps us offer relevant services informed by the people we support.

Accessibility, Inclusion and Employment Plan 2016-2018

With this objective Life Without Barriers developed our first *Accessibility, Inclusion and Employment Plan* (AIEP) in 2016 with the challenge of making our organisation truly inclusive. The underlying principle is that we respect and appreciate the differences of our employees and the people we support, and are enriched by the diversity of their gender, sexual orientation/identity, age, ability, cultural and religious beliefs, perspectives, life experiences and ideologies.

A key component of our first AIEP was to employ people with disability into meaningful roles within Life Without Barriers' business operations.

Three key areas of focus were:

- i. Ensure employees and managers are 'disability aware' so that recruitment and workplace practices encourage the employment of people with disability.
- ii. Ensure our premises, digital and communication platforms and vehicles are accessible to people with disability.
- iii. Provide leadership in the community to encourage accessibility and inclusion for all.

The major targets of the Life Without Barriers plan was, at a minimum, to welcome 4% of new appointments as people with disability the first year and to increase this to 10% in the second year.

In 2017, Life Without Barriers met its 4% target and increased our number of employees who identify as having a disability to 153.

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Life Without Barriers participated in the Australian Network on Disability (AND)² - Access and Inclusion Index. This index measures and evaluates an organisation's performance and ranks them against other organisations.

The average Access and Inclusion Index score for participating organisations was 47 overall. Life Without Barriers scored 54/100 in the Access and Inclusion Index in 2016 which ranked 7th overall.

The following year Life Without Barriers achieved a score of 64 which placed us well above that year's average score of 44. This helped reaffirm our responsibility as a leader in providing inclusive employment.

Partnering Towards Inclusion - Accessibility, Inclusion and Employment Plan June 2019 to 2022

Our second AIEP was developed in 2019. In this AIEP we developed targets for new hires of people with disability to reach:

- 8% in 2020
- 10% by 2021
- 12% by 2022.

We also set retention targets to retain people with disability in our workforce. These are:

- 4.5% in 2020
- 7.5% in 2021
- 9% in 2022.

Presently, 9% of Life Without Barriers' total workforce is people with disability. This is encouraging.

Disability Confident Recruiter Status³

In 2019 Life Without Barriers was granted 'Disability Confident Recruiter' status by the Australian Network on Disability. This was reconfirmed in 2020. The process of achieving this status, in the context of our AIEPs, provides clear examples of the changes that we have made in our business operations. Overall, we undertook detailed reviews of 26 of our recruitment practices. Key activities included:

- Redesigning our careers webpages to meet the Web Content Accessibility Guidelines 2.0 Standard
- Having clear information and messages in our recruitment information and website welcoming candidates with disability and advising that they can request adjustments, including for the recruitment process

² Life Without Barriers is a proud member of and supports the Australian Network on Disability (AND) (www.and.org.au), an organisation that assists other organisations with attitude, cultural and practical resources and strategies to provide employment opportunities for people with disability.

³ Disability Confident Recruiter status is conferred by AND to organisations that demonstrate they have systems in place to appropriately employ people with disability.

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- Seeking feedback from employees with disability about their adjustment process once they were employed with the organisation
- Having an experienced 'go-to' person for all workplace adjustments in the organisation
- Ensuring that pre-screening questions relate only to the essential requirements of the role
- Developing training and guidelines for staff involved in recruitment
- Ensuring that any assessments relate only to the essential requirements of the role and take into consideration how roles can be undertaken **after** adjustments are made.

Corrina's Story

When Corrina first started working at Life Without Barriers in 2012, she never expected to have so many opportunities over the following eight years.

Born with autism, Corrina knows how important it is to have a supportive employer who understands some of the many daily challenges she faces. Challenges such as anxiousness and being misinterpreted and compared to 'neurotypicals'.

"To the lay-person I can come across as disorganised, rude or strange. This is because sometimes I can take things out of context or don't respond in ways considered appropriate, like not smiling or knowing when it is my turn to speak," she explains.

"My past employers haven't offered the same flexibility I've found at Life Without Barriers."

Starting as a disability worker, Corrina has worked across multiple functions and different roles and is currently working as a Community Engagement Planning Officer.

"Life Without Barriers has been incredibly supportive, giving me the opportunity to work across many functions and roles," she said.

Our Experience

The barriers to employment faced by people with disability are often complex. Among a range of issues, we highlight three key experiences.

1. Disclosure

The question of whether a person should disclose their disability is a difficult and very personal issue for an employee or potential employee. A disability may be obvious, but it is more complex when a disability is not obvious to others, sometimes referred to as an 'invisible disability'.

As employers we want to ensure that everyone is safe in the workplace and any necessary adjustments are made to allow a person with a disability to do their job effectively. To do this, we need to know about a disability. However, we recognise that some potential employees may be reluctant to disclose their disability in light of the discrimination many people with disability face. It may also be that people do not want their disability to be considered in their employment or allocation of work and respect and consideration needs to be given to this.

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Life Without Barriers believes that an enquiry from an employer about a person's disability should be limited to anything that impacts only on the requirements to do the job and not of a more personal nature. Therefore, information obtained should be limited to that which is needed to ensure any necessary adjustments are made in providing a safe workplace.

Life Without Barriers has found it helpful to carry out an anonymous survey among employees to determine more accurately the number of people with disability. This is a very useful step as many people with disability do not feel comfortable with disclosing to their employer.

Hiring Managers are trained about how to offer workplace adjustments and support at interview stage and again at hiring stage in order to create a more welcoming environment for a person to share their requirements if they choose.

2. Benevolence Bias

An issue that needs to be addressed is the necessity to avoid assumptions about a person with disability, even when it stems from a position of benevolence.

Assumptions that a person's abilities are limited, or that they require assistance that is not welcome, can negatively impact on an employee with disability. Attention needs to be given, especially in community service organisations, to guard against always viewing people with disability as service recipients and clients. People with disability must be seen as employees, colleagues and managers.

Furthermore, people with disability, like everyone else, should be accessing not just jobs, but careers.

3. Organisational Culture

Life Without Barriers has made progress in tailoring our culture to optimise accessibility to employment for people with disability. However, sustained vigilance is required. Our Board, Chief Executive and senior executive team have provided strong leadership on this issue through the entire organisation.

Our partnership with the Australian Network on Disability (AND) has greatly assisted us to better understand and address inherent barriers to employment. Life Without Barriers recommends that other interested organisation should also consider engaging with AND.

We have established our Disability Ability Wellness Network (DAWN). DAWN is a Life Without Barriers employee network which supports staff with disability to come together and share ideas about how we can support people with disability, chronic health conditions and mental health conditions. This group is able to speak directly to our executive team and the whole organisation and is supporting our growing positive culture in this area.

Life Without Barriers also supports efforts designed to change community attitudes towards people with disability in the workplace. We support programs of organisations

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such as the Nudge Unit⁴ in the UK and, locally, the Behavioural Insight Unit⁵ and the Attitude Foundation⁶. These organisations and programs seek to change broader community attitudes regarding people with disability.

4. Sector Challenge

Life Without Barriers primary role is to provide services to assist people with everyday needs. This support enables people to access the community and the opportunities available. These services are crucial. However, these services alone will not provide the outcome of engagement in community life. A change in community attitude is as important as the services provided by the NDIS.

Life Without Barriers as part of the community services sector believes that we have a key leadership role in promoting and enhancing employment opportunities of people with disability. This sector expects high employment growth over the next few years which will present it with greater opportunities to provide jobs and careers for people with disability.

In addition to the broad community services sector recognising the opportunities to address this issue and using its expertise to lead and drive community attitudes and change, funders and the sector could consider a range of other measures. This includes the potential of social purpose provisions in funding contracts or organisations working together for better employment outcomes in local communities.

The growth of the community sector will continue to highlight the opportunity for a leadership role on this issue by the sector in the broader community. In such a leadership role, the community services sector could proactively work with private industry, governments and others in addressing systemic issues and barriers.

Creating Employment Without Barriers

In 2019, Life without Barriers created a campaign titled 'Employment Without Barriers'⁷ aimed at creating open and positive conversations with employers in Australia to challenge what they know about their own workforce including; how inclusive their recruitment practices are; how many people in their workforce have disability; and what practices they need to embed to be more inclusive.

Life Without Barriers has provided a clear policy statement of our intentions and commitments to strengthen our own practices as well as offering support to any employer that wants to converse with Life Without Barriers about our experiences.

⁴ The Nudge Unit: <https://www.instituteforgovernment.org.uk/explainers/nudge-unit>

⁵ The Behavioural Insight Unit: <https://www.nsw.gov.au/projects/behavioural-insights-nsw>

⁶ Attitude Foundation: <https://www.attitude.org.au/>

⁷ For more details on Employment Without Barriers see: <https://www.lwb.org.au/social-policy/employment-without-barriers/>

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The campaign also includes simple accessible resources and materials employers and influencers can use to immediately start their journey to create employment opportunities that welcome people with disability.

Our campaign was ignited following a series of roundtable events that we held in 2018 and 2019. These were called *Ideas Without Barriers* forums and brought together policy makers, senior executives, academics and others from the business community, service providers and government to discuss the barriers people with disability face, and the role of employers to address these barriers.

Overall, we held four *Ideas Without Barriers* forums on this topic, involving 60 participants. In addition to awareness raising and sharing of ideas and resources, a small number of the participants are now working together to develop a more detailed project which will provide detailed tools and resources for the community services sector to use.

Strategy 2025

In December of 2020, Life Without Barriers released our five-year Strategy which recognises our role in influencing systemic barriers faced by people with disability. Through this strategy we have mapped our appreciation that complex, long-standing challenges can rarely be solved by one individual, organisation or group alone. Real and lasting change requires trusted partnerships, collaboration and a purpose that unifies people to a collective ambition.

Life Without Barriers is making an additional commitment in our Strategy to improve employment opportunities for people with disability beyond the doors of our own organisation through positive and inclusive advocacy.

Considerations for the Disability Royal Commission

1. The broad community services sector is well positioned to offer jobs and careers to people with disability.
2. Life Without Barriers wishes to highlight our journey with the creation of our two Accessibility, Inclusion and Employment Plans, which have been beneficial in challenging our organisation, creating an improved culture and processes, and, most importantly, creating jobs and careers for people with disability.
3. Life Without Barriers believes that the Disability Royal Commission and we can help share our experience with the community services sector so that it may learn and be encouraged to promote fair access for people with disability to the many benefits that employment offers.

Attachments:

1. Life Without Barriers' Accessibility, Inclusion and Employment Plan 2016-2018
2. Partnering Towards Inclusion - Accessibility, Inclusion and Employment Plan June 2019 to 2022
3. Life Without Barriers Strategy 2025