

# **Improving Existing Employment Services for Disabled People in New Zealand**

## **Analysis of Disabled People and Provider Surveys**

**6 December 2013**

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## Summary of Key Findings

### Skills Development

The survey indicates that for disabled people, qualifications do not necessarily equate to success in obtaining a job or progressing in employment. Disabled people commented that their skills were often overlooked because of their disability.

Both Providers and Disabled People have noticed increased demand in all areas of the key skills required by employers, and in particular Computer Literacy and Minimum Qualification levels.

Respondents to the Disabled People's Survey indicated that they are least likely to be able to obtain supports for skills development. This included support to gain better work skills, supports for career development and tertiary level study, and work experience. Fewer Providers identified that they were contracted to offer supports related to career development and gaining a qualification.

### Finding and Keeping A Job

Nearly a third of respondents to the Disabled People's Survey indicated that they needed but could not access support to find, take up and keep a job. The Provider Survey shows that a reasonable number of providers do offer these supports, which indicates that supports may not be accessible to everyone who needs them.

25% of Disabled People indicated that they would like support to start up their own business. This was the support least likely to be available from any source.

Disabled people and providers commented on the lack of employment opportunities in rural areas.

Both Surveys indicated that there is greater competition for jobs than there was four years ago.

### Transport

40% of people indicated that they need support to get to and from work. 17% said they need support but could not access it.

Supports relating to transport and mobility were identified as being difficult to access. 74% of Providers indicated that they helped people overcome difficulties getting to and from work, and 18% said that the funding for this came from independent sources, i.e. providers funded it themselves or from philanthropic funding.

More employers are requiring people to work outside of usual business hours which creates problems for people who rely on public transport to get to and from work.

## **Adaptive and Assistive Technologies**

Getting the right kind of equipment to help do a job was the biggest barrier identified by Disabled People. 24% of respondents said they needed this support but could not get it.

Disabled people commented that supports to access and learn to use adaptive and assistive technologies are needed, and that these supports need to be in place before a person starts a job.

A lower number of MSD funded providers than average in the Survey indicated that they offered this support, but a higher number of ACC providers. This could indicate that ACC clients are better able to access adaptive equipment and assistive technologies than others.

## **Attitudes and Awareness of Employers**

The Provider Survey showed that Providers see that they have a role to play in addressing barriers to employment, especially in terms of working with employers and negotiating flexible working conditions and workplace accommodations. They also indicated that they are spending time beyond what is contracted by funding this themselves or using philanthropic funding.

Nearly a quarter of disabled people said that they needed support to address the attitudes of employers and help them negotiate workplace accommodations. 20% of people said they needed but could not get support in the workplace to help them interact with the people that they work with.

Disabled people also commented on the difficulty of asking for support, particularly if the attitudes of employers, or support or agency staff, were unfriendly, or if they felt they were not believed or were considered a 'nuisance'.

Both Disabled People and Providers raised the issue of the need for positive incentives to encourage employers to employ more disabled people. Suggestions included wage subsidies, tax subsidies and reduced ACC levies.

## **Casualisation of Employment**

The most significant change in the labour market in the past four years was identified as the decrease in full-time employment and the increase in casual employment. This has had a number of impacts, including the requirement for people to be able to work changing shifts and flexible hours.

It raises issues for Providers in terms of being unable to count placing someone in casual employment as an outcome for Supported Employment, and in terms of offering support when it is needed.

Providers commented that disabled people are missing out on employment experiences because casual, short-term and seasonal

work could not be counted as employment outcomes.

### **Flexible Supports**

People wanted support that was relevant for them and their circumstances, rather than having to fit their needs to what a service offered. This included support being available when needed.

The processes and criteria for accessing support services were identified as barriers in asking for support.

Providers also called for changes to contracts that enabled them to work in more flexible ways. This included contracts that enabled, and funding that recognised, all aspects of service delivery needed to progress a person in their journey towards sustainable employment.

### **Accessible Information**

Disabled people frequently commented on the lack of accessible communication, including forms and information, and suggested that this should be considered a support.

### **Improved Inter-Agency Collaboration**

A consistent theme in the Provider Survey was that greater collaboration between government agencies, and between government agencies and Providers, was needed if employment outcomes for disabled people are to improve.

Providers suggested that contracts that enabled split/joint funding to encourage collaboration would help a person get the supports they require.

Disabled people emphasised that improving employment outcomes should be a partnership between the government, disabled people and providers.

Greater collaboration was seen as a way to develop more standardised processes to encourage information sharing, consistency and to avoid duplication.

### **Funding**

Both Providers and Disabled People commented on lack of funding for employment supports.

Disabled People asked that Support Funds better reflect the real costs of employment related supports, including increasing funding caps.

The funding model was seen to incentivise Providers to work with people who could achieve employment outcomes more easily.

MSD funded Vocational Service Providers commented on the fact that many had not received a funding increase in up to ten years.

# 1. Introduction

Improving Existing Employment Services for Disabled People is an action point in the government's Disability Action Plan. To progress this work, the Ministry for Social Development (MSD) convened a group of representatives from the disability and mental health sectors, and officials from MSD and the Accident Compensation Corporation (ACC). This group is responsible for informing the process to improve employment outcomes for disabled people.

Sector Representatives of the group are:

- Frances Anderson, Te Pou
- Marion Blake, Platform
- Thomas Bryan, Royal NZ Foundation for the Blind
- Tess Casey, NZ Federation of Vocational and Support Services
- Grant Cleland, Workbridge
- Matt Frost, NZ Disability Support Network
- Cindy Johns, People First
- Lachlan Keating, Deaf Aotearoa
- Samuel Murray, CCS Disability Action
- Rachel Noble, DPA
- Helen Robertshaw, ASENZ
- Claire Stewart, IHC Advocacy
- Clare Teague, NZ Disability Support Network
- Rose Wilkinson, Association of Blind Citizens

The Improving Existing Employment Services (IEES) work is informed by New Zealand's commitment to the **United Nations Convention on the Rights of Persons with Disabilities**.<sup>1</sup> This means that the focus of the work is on all people with disabilities, including people with experience of mental illness. The group agreed that it was necessary to have a better picture of what is currently happening in employment services in order to address the wider brief of improving existing employment services. Two versions of a survey were developed.

- A survey for providers of employment services that asked about the types of employment services offered (both government contracted and non government funded) and their experiences and perspectives on barriers and trends
- A survey for disabled people that asked about types of employment services and supports they used and their experiences and perspectives on barriers and trends.

It is important to note that while there are parallels in the question areas in both surveys, it was beyond the scope of the work to develop or undertake the survey in a manner that would have enabled a direct comparison between service provider and disabled peoples' responses.

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<sup>1</sup> New Zealand ratified the United Nations Convention on the Rights of Persons with Disabilities on 25 September 2008.

## **2. Methodology**

### ***Survey for providers***

Questions areas for the survey group were initially identified by the Improving Existing Employment Services group. A subgroup formatted the questions and revised the survey from feedback respondents who trialled the survey. Agreement was then obtained from the wider group. The Provider Survey was conducted using the online survey tool, Survey Monkey.

Questions covered the types of employment services offered and where, how these services were contracted and funded, the age range of people services worked with, addressing barriers, labour market trends and changes noticed in what employers required, suggested changes to government contracts and processes to improve outcomes for people using employment services. Most questions asked respondents to select from a list of options with comment boxes in each section if they wanted to comment further.

### ***Survey for disabled people***

The Survey was written and developed by the representative group to ensure that it was relevant and accessible to everyone in the disability community. It was conducted in Survey Monkey, with both Easy Read and Screen Reader accessible versions. The Survey was also available in accessible formats, including Sign Language, Braille, and Easy Read.

As previously noted the question asked in this survey paralleled the areas in the provider survey. Respondents were asked about their experiences in areas that included their support needs, services used, barriers to accessing support and getting and keeping job, their current work situation and any changes. Most questions asked respondents to select from a list of options with comment boxes in each section if they wanted to comment further.

A copy of the Disabled People and Provider surveys are attached to this report.

### ***Confidentiality***

For both surveys people were not asked to provide information that would identify the respondent or organization unless they indicated that they were happy to be contacted. For service providers this was if they were happy to be contacted about any further details about innovative approaches they discussed in the survey. An independent contractor was employed to do the initial collation and aggregation of the raw data as a further assurance of confidentiality.

### ***Distribution***

The Survey was conducted using Survey Monkey and opened in mid-July 2013 and closed at the end of August 2013. Hard copies of the Survey for Disabled People were also available in Easy Read. The disability community was invited to participate through the various representative groups and networks, and through the Office for Disability Issues newsletter. 85 responses were received for the Provider Survey, and 110 responses for the Disabled People's Survey, including 15 Easy Read.

### ***Analysis***

The representative group agreed that it would be more appropriate to contract an independent analyst to draw findings, particularly given the large amount of qualitative data presented in both the user and provider surveys. The Ministry of Social Development therefore contracted the New Zealand Federation of Vocational and Support Services (VASS) to manage the survey analysis with the New Zealand Disability Support Network (NZDSN). There was a commitment from both VASS and NZDSN to ensure that the analysis would be conducted in the spirit of partnership with which the surveys themselves were developed. The Survey analysis was carried out by independent researcher, Chantelle McCabe.

### ***Stakeholder consultations***

The Researcher made preliminary findings for both the Disabled People's and Provider surveys. These findings were discussed in several stakeholder meetings which were held during October 2013. The stakeholders interviewed included:

- Representatives from DPOs
- Representatives from provider organisations
- Representatives from the Ministry of Social Development and Accident Compensation Corporation
- Representatives from the Disability Employment Forum.



### 3. Profile of respondents

#### (i) Disabled people

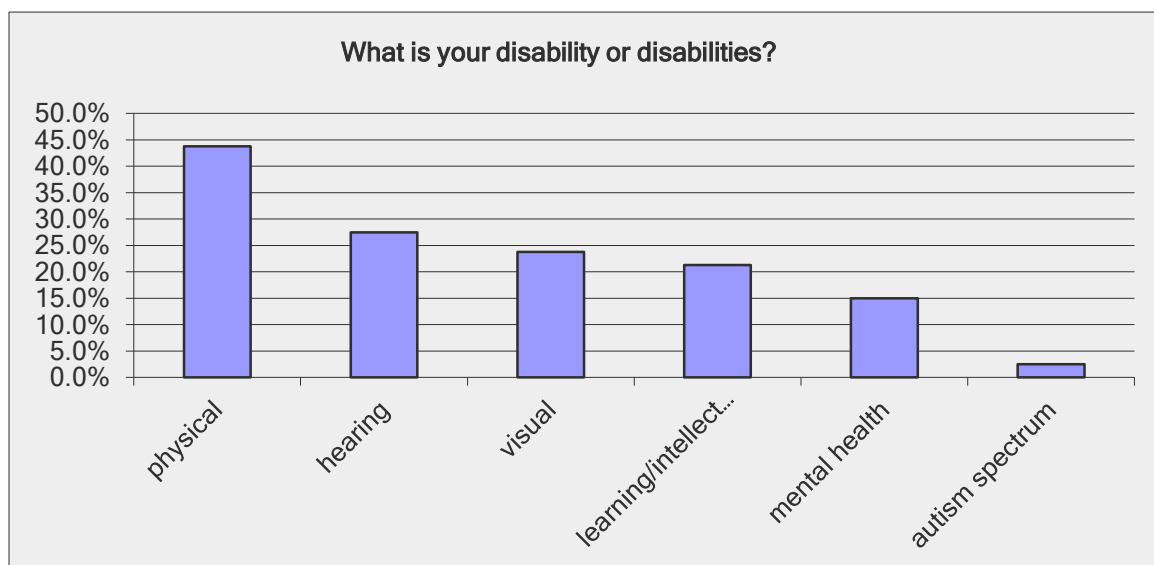
108 people responded to the Survey for Disabled People, including 13 people who responded to the Easy Read survey. The sample size is, therefore, very small in comparison to the total population of disabled people in New Zealand and results cannot necessarily be extrapolated to the wider population.

#### **Location**

Responses to the Survey were received from people living in all areas of New Zealand, with the exception of Taranaki. The highest response rates were from Auckland (28%) and Canterbury (28%), followed by Wellington (11%).

#### **Nature of Disability**

Half (51%) of the survey respondents identified that they have a sensory disability (27% with hearing impairment and 24% with visual impairment), followed by physical disability (44%), intellectual or learning disability (22%), experience of mental illness (15%) and Autism Spectrum Disorder (3%).



#### **Education and Qualifications**

Survey respondents were asked to state what level of secondary and tertiary education they had.

In terms of the highest secondary school qualifications gained Survey responses show that:

- 30% have National Certificate of Educational Achievement (NCEA) Level 3
- 33% have NCEA Level 2
- 13% have NCEA Level 1
- 19% have been to secondary school but do not have qualifications
- 4% have not attended a secondary school.

- 29% of respondents did not answer this question.

The 2006 Census shows that 30% of disabled people aged 25 - 44 had no qualifications compared to 13% of the non-disabled population (*Disability and Education in New Zealand in 2006, Statistics NZ*). The Survey shows that fewer respondents (23%) have no qualifications compared to disabled people in the Census data, but this figure is still higher than that for the non-disabled population.

42% of respondents have a tertiary qualification. Of those, a quarter have a Bachelor's degree and nearly a third have a post graduate qualification.

Survey respondents, therefore, have similar levels of tertiary qualifications as the total population. According to Ministry of Education information the percentage of the New Zealand population with a diploma level or higher qualification is 40%.<sup>2</sup> As data usually indicates that the disabled population has comparatively poor educational outcomes compared to their non-disabled peers this makes the Survey sample unusual.

## **(ii) Providers**

85 providers of employment support services responded to the survey. The survey was open to any organisation who offered services which contributed to employment outcomes for disabled people. Organisations were asked to respond to the Survey only once.

Those who responded were contracted to provide services by the following government funders (in descending order):

- Ministry for Social Development (including Work and Income)
- Accident Compensation Corporation
- Ministry of Health
- District Health Boards
- Ministry of Education
- Local Government

## **Location**

Responses to the Survey were received from providers in all areas of New Zealand, with the exception of Manawatu/Horowhenua. 8% of respondents provide services nationwide. The highest response rates were from Auckland (20%) and Canterbury (18%), followed Waikato (13%) and Bay of Plenty (13%) and Wellington (11%).

## **Age and Nature of Disability**

Most providers are working with people from ages 15-65, with many not specifying age criteria. Most respondents did not specify the nature of the disability of the people they serve. Those that did most frequently specified (in descending order):

- People with any or pan disability
- People with Intellectual Disability and ASD
- Mental illness

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<sup>2</sup> Ministry of Education, *Briefing for the Incoming Minister for Tertiary Education, Skills and Employment*, 2011, p 6-7.

- Neurological disorders
- Traumatic Brain Injury

Many mentioned that they worked with people who are in receipt of a Benefit.

It is important to note that the largest group of providers who responded to the Survey specified that they are funded to provide Vocational Services by MSD. This group of providers most often works with people who have an intellectual or learning disability and/or a mental illness. Only 22% of Disabled People who responded to the Survey said that they had an intellectual or learning disability, and 15% said they had experience of mental illness. It is not possible, therefore, to directly correlate disabled people's experience of employment supports with the Provider Survey.

## 4. Findings of the Survey on Improving Existing Employment Support

This section presents the main findings and analysis of the survey results, identifying areas of consensus between providers and disabled people, areas where there is a divergence of opinions, and presenting suggestions as to the way forward.

It is important to note that the findings and recommendations relate solely to the Survey responses.

### A. Employment supports currently available

#### *i. Context*

The Government currently contracts a range of employment supports for disabled people through several government agencies. The disability support system is complex with differing access criteria, funding levels and areas of responsibility. The table below provides an overview of the supports and responsibilities of Government agencies:

<b>Government Agency</b>	<b>Supports and Responsibilities</b>
<b><i>Ministry of Social Development</i></b>	<ul style="list-style-type: none"> <li>• Work and Income Direct Case Management for people receiving Income Support benefits</li> <li>• Vocational Services including Supported Employment, Employment Placement Business Enterprises, Community Participation, Very High Needs, Transition from School</li> <li>• Support Funds – administered by Workbridge</li> <li>• Mainstream</li> <li>• Office for Disability Issues</li> </ul>
<b><i>ACC</i></b>	<ul style="list-style-type: none"> <li>• Rehabilitation</li> <li>• Return to Work Supports</li> <li>• Home and community support</li> </ul>
<b><i>Ministry of Health</i></b>	<ul style="list-style-type: none"> <li>• Day Services</li> <li>• Local Area Co-ordination (New Model trial)</li> <li>• Residential Services (including Supported Living)</li> <li>• Environmental Support</li> <li>• Equipment and Modifications</li> <li>• Child Development Services</li> </ul>
<b><i>District Health Boards</i></b>	<ul style="list-style-type: none"> <li>• Home and Community Support</li> <li>• Mental Health Services</li> </ul>

<b>Ministry of Education</b>	<ul style="list-style-type: none"> <li>• Special Education (ORS)</li> <li>• Assistive Technology</li> <li>• Transport Assistance</li> <li>• Transition from School (Going Places Trial)</li> </ul>
<b>Tertiary Education Commission</b>	<ul style="list-style-type: none"> <li>• Equity Funding</li> <li>• Disability Support Services</li> <li>• Code of Practice (Kia Orite)</li> </ul>
<b>Ministry of Business, Innovation and Employment</b>	<ul style="list-style-type: none"> <li>• Labour Market Policy</li> <li>• Minimum Wage Exemption Permits</li> </ul>

The Survey asked providers about the supports they were contracted to provide by government agencies and those that they provide outside of contracts. Disabled people were asked to identify what type of supports, if any, they required and who provided this support. This section of the report discusses the findings from both Surveys.

## **ii. Contracted employment supports**

### **Contracts and Funders**

The largest number of respondents to the Provider Survey are contracted by the Ministry of Social Development, and the majority of these are contracted to provide Vocational Services (e.g. Community Participation; Transition from School; Very High Needs and Supported Employment.) A number of respondents did not specify a contract type but just stated that they were contracted by 'MSD'.

Notably fewer respondents are contracted by the Ministry of Health and District Health Boards. The percentage of DHB responses ranged from 3-8%, making DHB funded providers the smallest group of provider respondents.

A number of providers provide more than one type of service, and are contracted by more than one funder.

Providers were asked to identify which of a range of support services they provided:

Personal and social skills development (e.g. self-esteem, self-management, work expectations, etc.) <i>Main Funders: MSD Vocational Services (79%), ACC (22.9%), MoH Day Services (20.8%)</i>	86.7%
Community building (e.g. expanding person's networks, skills for participating in community, etc.) <i>Main Funders: MSD 71%, Other 24%, MoH 21%</i>	78.3%
Work experience (both paid and unpaid) <i>Main Funders: MSD 72%, ACC 20%, Other 17.5%</i>	71.1%
Employment skills development <i>Main Funders: MSD 70%, ACC 17%, DHB 12%</i>	69.9%

Support to take up and keep a job, e.g. transport, adapting to work, etc. <i>Main Funders: MSD 71%, ACC 24%, DHB 9%</i>	68.7%
Finding a job <i>Main Funders: MSD 77%, ACC 25%, Other 10%</i>	67.5%
Preparation for employment (e.g. CV preparation, interview techniques) <i>Main Funders: MSD 75%, ACC 19%, DHB 14%</i>	66.3%
Support in the workplace <i>Main Funders: MSD 79%, ACC 26%, MoH 8%</i>	61.4%
Career development <i>Main Funders: MSD 71%, ACC 25%, Other 14%</i>	49.4%
Support for self-employment <i>Main Funders: MSD 68%, ACC 21%, MoH 11%, Other 11%</i>	45.8%
Working with Families <i>Main Funders: MSD 77%, Other 23% ACC 13%</i>	43.4%
Support to gain a qualification <i>Main Funders: MSD 62%, ACC 25%, Other 17%</i>	38.6%
Other <i>Included: PATHS (MSD), Adaptive Technology Training, Community Mental Health</i>	20.5%

### **iii. Non-contracted Supports**

There were a number of providers who stated that they self fund or rely on philanthropic funding to support service delivery. The services that had the highest percentage of self funding or philanthropic funding include the following:

- Working With Families – 18%
- Community Building – 16.5%
- Work Experience – 15%
- Support to Gain a Qualification – 12%
- Support for Self-Employment – 11%
- Career Development - 11%.

### **iv. Types of Support Required by Disabled People**

Disabled people were asked to identify whether they needed this type of support, and if so where they obtained this support from.

When considering the responses it is important to note that people often obtained the support from a variety of sources, e.g. a Disability Support Service, Work and Income, Another Provider or Family and Friends. It is also important to consider the Profile of survey respondents in considering the types of supports people find most difficult to access.

The questions about supports can be divided into three main areas:

- Personal and community supports
- Supports for skills development
- Supports for finding and keeping a job

### ***Personal and community supports***

The respondents to the Disabled People's Survey indicated that these types of supports were the ones that they found easiest to access. This is consistent with the responses from the Provider Survey, where the largest number of Providers indicated they provide these types of supports. Disabled People were least likely to say that they need this support but cannot get it. The exception is Support in the Workplace, which 20% of respondents said they needed but could not get.

The support that people said they need the least is Support to Talk with Families To Increase Employment Expectations, with 73% of people saying that they do not require this. Fewer Providers also offer this support.

Disability Support Providers and Friends and Family are the most common sources of support. Work and Income is also indicated as a significant source of support, with 17% of people saying that Work and Income provides them with Support to Look After Myself.

### ***Supports For Skills Development***

Disabled people indicated that they are least likely to be able to obtain this type of support. This is significant considering that the profile of the people who responded to the survey shows that they have a higher than average level of education and qualifications. This indicates that for disabled people qualifications do not necessarily equate to success in obtaining a job or progressing in employment.

32% of people said that they need but could not get Support to Get Better Work Skills. This corresponds with the Provider Survey which shows that fewer Providers offer supports for Career Development. Support to Study at Polytech or University and Support to Get Work Experience were also areas of support that a significant number of people said they need but cannot get.

Fewer people indicated that they could obtain these supports from a Disability Support Service. They were more likely to report that they could access them from Another Provider, but the level of support was still relatively low. The Provider Survey, however, indicates that a significant number of providers do provide Work Experience and Employment Skills Development. This indicates that not everyone who requires this support is able to access it from either a specialised support service or a mainstream one.

### ***Supports for finding and keeping a Job***

Disabled people indicated that supports to both find a job, and take up a job and keep it were not easy to access. 29% of people indicated that they needed, but could not get, these supports. The Provider Survey shows that a reasonable number of providers do offer these supports, but again they may not be accessible to all those who need them.

Fewer people, indicated that it was difficult to get Support for CV Preparation and Job Interviews.

Many of the comments people made also relate to this area of support. The most frequent comments were:

- Supports relating to transport and mobility were difficult to access.
- Access to reliable home support and personal care impacts on a person's ability to take up and keep a job.
- Better support to access and learn to use adaptive and assistive technologies are needed, and this needs to be in place before a person starts a job.
- Accessible communication, including forms and information and Sign Language, should be considered a support.
- Increasing the funding cap for Support Funds would help people sustain employment.

The support that people said they need the least is Support to Help Start My Own Business. 61.5% of people said they don't need this. However, 25% indicated that they do need this support and cannot get it. It was also the support least likely to be available from any source.



## B. Addressing Barriers to Employment

Both Surveys asked similar questions about barriers to employment. Providers were asked to identify what supports they provided that help address barriers, and disabled people were asked if they needed and/or accessed support to address barriers to employment.

This section presents the main findings and analysis of the survey results, identifying areas of consensus between providers and disabled people, areas where there is a divergence of opinions.

### i. Funded Supports to Address Barriers

MSD funded providers responded highest in terms of seeing that they have a role in breaking down employment barriers, but more ACC funded providers said that they provided supports in this section than in the previous section. Notably fewer Ministry of Health and DHB providers responded in this section.

Providers were asked to identify which services, both Government funded and unfunded, they offered that addressed the following barriers:

Flexible Working Conditions <i>Main Funders: MSD (71%), ACC (29%), Other (20.8%)</i>	84%
Attitudes and Awareness of Employers <i>Main Funders: MSD 60%, ACC (20%) Other 20%</i>	82%
Attitudes of other employees <i>Main Funders: MSD 62%, ACC 20%, Other 17%</i>	79%
Difficulties Getting to and from work <i>Main Funders: MSD 74%, ACC 26%, Other 18%</i>	74%
Lack of natural supports in the workplace. <i>Main Funders: MSD 80%, ACC 27%, Other 11%</i>	71%
Workplace Accommodations <i>Main Funders: MSD 74%, ACC 39%, Other 9%</i>	63%
Access to Adaptive Equipment/Technology <i>Main Funders: MSD 61%, ACC 43%, Other 13%</i>	63%
Attitudes of medical professionals about work capabilities <i>Main Funders: MSD 31%, ACC 31%, Other 25%</i>	45%
Personal costs related to taking up equipment <i>Main Funders: MSD 62%, ACC 31%, Other 25%</i>	45%
Other <i>Main Funders: MSD 68%, ACC 21%, MoH 11%, Other 11%</i>	8%

### ii. Non-funded Supports

A higher number of providers than in the previous section stated that they rely on 'Other' sources of funding in order to address barriers to employment. These sources were specified as self-funding, philanthropic funding and Australian Federal Funding.

The supports that had the highest percentage of 'Other' funding include:

- Attitudes of medical professionals about work capabilities (25%)
- Personal costs related to taking up employment (25%)
- Attitudes and awareness of employers (20%)
- Difficulties getting to and from work (18%).
- Attitudes of other employees (17%)
- Flexible Working Conditions (16%)
- Attitudes and awareness of employers (13%)
- Access to adaptive equipment/technology (13%)

This suggests that Providers are spending time, beyond what is contracted for, to build relationships with employers to ensure that workplaces can confidently employ disabled people.

Organisations are also providing resources to ensure that people can get to and from work, and to support people with personal costs to help them take up employment.

### ***iii. Types of Support Required by Disabled People***

Disabled people were asked to identify whether they needed support to overcome barriers to employment, and if so where they obtained this support from. Most people (between 60% and 79%) felt confident to address most barriers on their own.

People were most confident about talking to medical professionals about their capability to work. Only 6% of people indicated that they needed support in this area and couldn't access it, and 79% of people said they could do this themselves.

#### ***Access to adaptive equipment/technology***

Getting the right kind of equipment to help do a job was the biggest barrier identified by Disabled People who responded to the Survey. Only 37% of people said that they were able to do this themselves, and 24% said that they needed this support but did not get it. Of those that could access support most received it from a Disability Support Service.

A lower number of MSD funded providers than average in the Survey indicated that they offered this support, but a higher number of ACC providers. This could indicate that ACC clients, who have acquired a disability through accident, are better able to access adaptive equipment than others.

#### ***Attitudes and Awareness of Employers***

Nearly a quarter of disabled people said that they needed support to address the attitudes of employers, and help negotiate reasonable accommodations in the workplace. 17% of disabled people said they needed support to negotiate flexible working conditions. Disability support providers and family were the most likely to assist those who said they could access support.

When considered alongside the response from Providers this would suggest that greater acknowledgement from funders about the importance of relationship building with employers and building their disability confidence would help address this barrier.

### ***Getting to and from work***

40% of people indicated that they needed support to get to and from work. Half of these people received this support from their families. 17% said they need support but could not access it.

### ***Asking for Support***

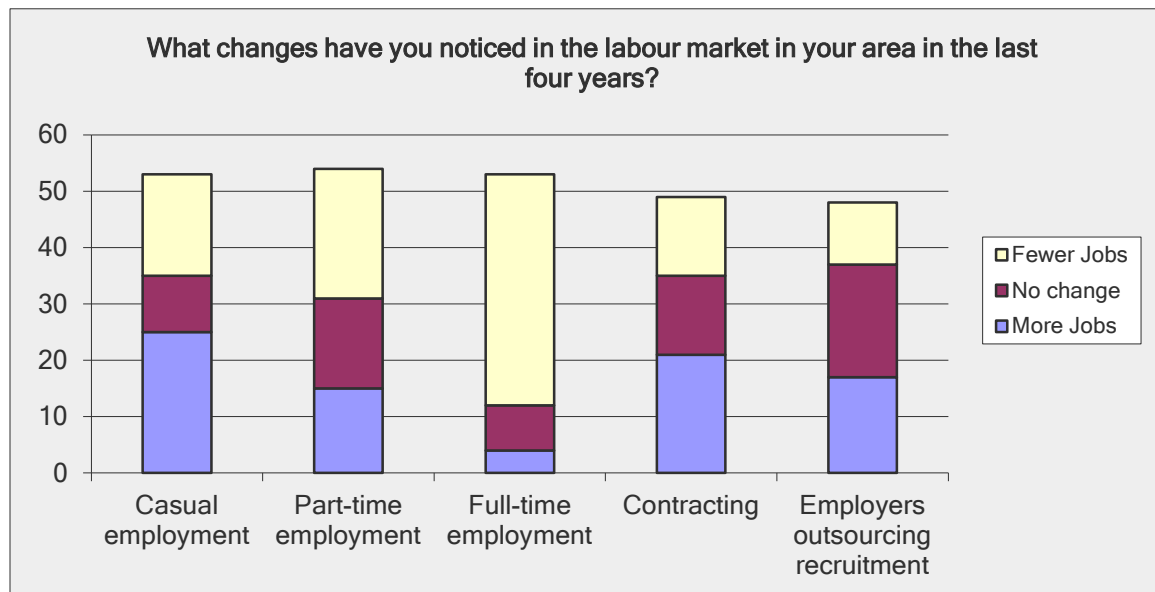
The difficulty in asking for support was a strong theme in the comments section of this part of the Survey. People said that they were self-conscious about asking for support from employers and support agencies, and sometimes did not seek support when they needed it or were eligible for it. This was compounded if the attitudes of employers or support/agency staff were unfriendly, or if they felt they were not believed or were considered a 'nuisance'.

The processes and criteria for support services were also identified as a barrier in asking for support. People mentioned that that supports were often not flexible or relevant. One person said, *"I do not fit a mould. Services are designed for mould fitters."*

## C. CHANGES IN THE LABOUR MARKET

Both disabled people and providers emphasised the nature of the current **labour market** as more geared towards part time, fixed term, or casual work.

Both surveys asked respondents to indicate the changes they have noticed in the labour market in their area in the last four years. A significant number of respondents to the Disabled People's Survey said that they did not know. Those who did respond, however, had noticed similar trends to Providers.



The most significant trend is the decrease in full-time employment and the increase in casual employment. 41% of Providers said that there are fewer full-time jobs available now.

The impact of casualisation was commented on by both Providers and Disabled People, including:

- It is now harder for people to earn a living wage
- Increased stress arising from a lack of financial security
- An expectation from employers to work weekends and evenings
- Changing shifts and having to work outside of usual business hours creates problems for people who have to rely on public transport to get to and from work.
- It is more difficult for providers to meet Supported Employment targets because they cannot count placing someone in casual employment as an outcome.

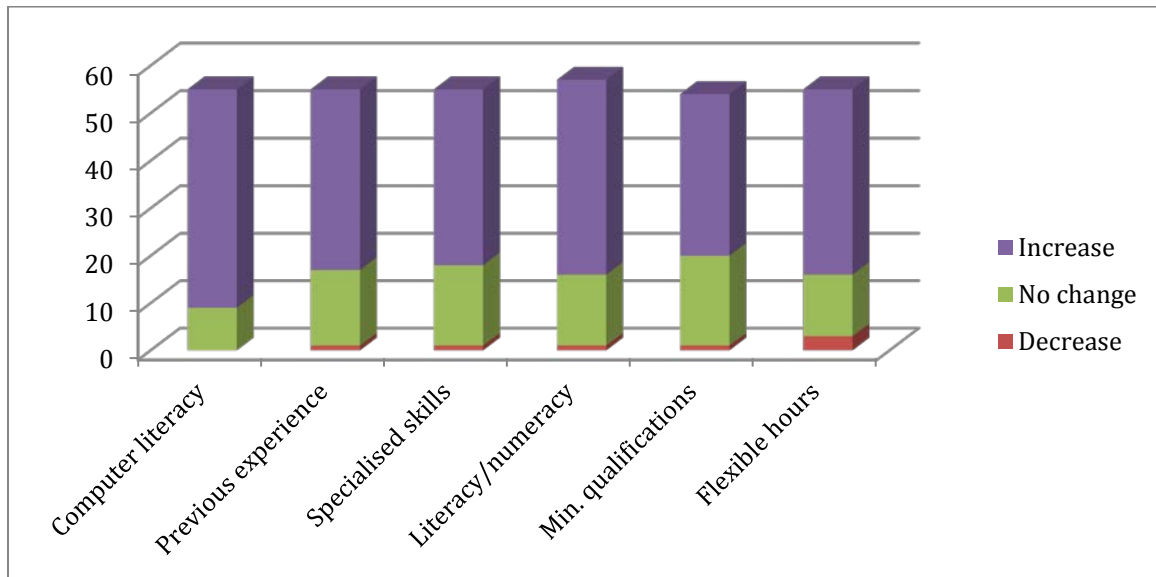
Comments from both Surveys also highlighted that there is more competition for jobs than there was four years ago.

The lack of employment opportunities in rural areas was also commented with one Provider noting, *"In the last four years 28% of the people we work with have moved to larger centres or enrolled in further education to improve their employment opportunities."*

**i. Skills and Experience**

Both the Provider and Disabled People’s Surveys noted that there is higher demand in all areas of the skills and experience most commonly required by employers. Responses were very similar in both Surveys.

**Table: What changes have you noticed in the types of skills and experience most commonly required by employers?**



Increased demand for Computer Literacy and people who were able to work changing shifts and flexible hours were the most noted changes in both surveys. Providers also noted that Minimum Qualification levels were now more in demand.

Disabled People commented that their skills were often overlooked because of their disability, and that employers did not appreciate the skills gained from having lived experience of disability.

Both Providers and Disabled People commented that employers often asked for higher skills and qualifications than a job actually required. The requirement to have a Drivers’ Licence was the most often cited example.

Providers also noted that an increasing number of employers are requiring Police Checks and drug tests. Those providers who were working with people with experience of mental illness and drug and alcohol issues found this a barrier to people being given a chance at employment.

## **D. CHANGES TO GOVERNMENT CONTRACTED EMPLOYMENT SERVICES**

The Provider Survey asked respondents to comment on the changes to government contracts that would help them achieve greater employment outcomes for people. The Survey for Disabled People asked people to comment on the changes that needed to be made to Disability Support Services. Although the questions had slightly different foci the responses from both Surveys highlighted similar issues.

It should be noted that the term 'Disability Support Services' covers a broad range of services, that could include direct employment supports, funding, equipment services and home support. Respondents did not always specify what services they were referring to in their comments.

### ***i. Flexible and Personalised Supports***

A dominant theme in the comments from both disabled people and providers was the need for personalised support. People wanted support that was relevant for them and their circumstances, rather than having to fit their needs to what a service offered. This includes flexibility in when support is available, e.g. outside of usual business hours.

Disabled people suggested increased support for:

- work experience
- addressing potential barriers with employers before starting a job
- accessing adaptive equipment before starting a job
- post-placement and on the job support.

Providers also called for changes to contracts that enabled them to work in more flexible ways which better reflected the support people needed. This included:

- Enabling split/joint funding to encourage collaboration so a person gets all the supports they need
- Recognising outcomes achieved in progressing a person towards work
- Funding all aspects of service delivery including:
  - Workplace education
  - Pre-employment support, including work experience
  - Recognise support hours required per person
  - Adaptive Technology training
  - Provision of transport support
  - Career Development
- Support for micro-enterprise that recognises the realities of starting up a business
- Longer timeframes to achieve outcomes (especially for ACC contracts).
- Acknowledging the difficulties arising from lack of transport in different geographical areas.

### ***ii. Changing Attitudes***

Disabled people commented most frequently about the need for a change in attitude from employers. They saw that Providers had a role to play in this, especially in terms of focusing on the skills of job seekers rather than their disability.

### ***iii. Funding***

Both Providers and Disabled People commented on lack of funding for the sector. A number of respondents to the Disabled People's survey recognised that Disability Support Services could do more if they had more staff and more funding.

Disabled people also asked that Support Funds better reflect the real costs of employment related supports. This included increasing funding caps.

Providers frequently commented on the limitations placed on them by contributory funding. MSD funded vocational services also commented on the fact that many had not received a funding increase in up to ten years.

The funding model was also seen to incentivise providers to work with people who could achieve employment outcomes more easily. Those working with people with high and complex needs felt disadvantaged in terms of achieving outcomes and meeting milestones. Respondents were divided as to whether bulk funded contracts or milestone based contracts were better.

### ***iv. Recognition of labour market conditions***

As noted in Section C: Changes in the Labour Market, Providers felt that current contracts did not reflect changes in the labour market. They said that disabled people were missing out on employment experiences because casual, short-term, part-time and seasonal work could not be counted as employment outcomes.

## **E. CHANGES TO GOVERNMENT AGENCIES' PROCESSES**

The Survey for Disabled People asked people to comment on any changes the government could make so that getting and keeping a job was easier. It specifically mentioned Workbridge and Work and Income and so a large number of comments focused on suggested changes to Support Funds. As another piece of work being undertaken by the Improving Existing Employment Services group is focusing on Modernising Support Funds, it is more appropriate to share this feedback directly with those undertaking this work. The comments are consistent with those already stated in this report, and largely focus on making Support Funds more flexible and individualised.

The Provider Survey asked people about the changes to government agencies' processes that would help them to achieve greater employment outcomes for the people they support. These comments aligned with other comments made in the Disabled People's Survey.

### ***i. Improved Inter-Agency Collaboration***

A consistent theme in the Provider Survey was that greater collaboration between government agencies was needed if employment outcomes for disabled are to improve. This included better co-operation between agencies and NGO employment services, and a call for the sector to work together.

Specific suggestions included:

- Improve access to information. This included ensuring forms and processes were accessible for everyone, and that people had easy access to information when they needed it.
- Standardise processes to avoid duplication and increase consistency and understanding between agencies and across regions.
- Encourage collaboration by using a Lead Agency concept.

Both disabled people and providers recommended that the government seek more consultation of both disabled people and providers regarding employment issues. Disabled people in particular emphasised that improving existing employment services should be a partnership between the government, disabled people and providers.

Both also suggested that it would be good if the government included disabled people and providers in future consultations regarding any planned adjustments to the contracting model.

Providers said there needs to be better data collection regarding disabled people to see whether policies are actually getting more disabled people into work.

### ***ii. Focus on Employers***

There were a number of suggestions about how employers could be encouraged to employ more disabled people. This included facilitating more workplace education, providing more training for Health and Safety Officers so that disabled people were not perceived to be a 'risk', and increasing awareness of what reasonable accommodations are and how they can be made.



There were a number of suggestions from Providers about offering positive incentives for employers. These included:

- Wage subsidies
- Tax subsidies if employing someone who has been out of work for 2+ years
- Reduced ACC levies

### **iii. Work and Income/Benefit Processes**

Well known issues such as abatement levels being a disincentive to employment, and Secondary Tax applying to any income people earn over and above their benefit were raised in both Surveys. Both Providers and Disabled People felt that Work and Income frontline staff did not always understand issues relating to disability, and that some systems and processes caused undue stress for people.

Providers commented that Work and Income are not referring people to specialist services and felt that they are now competing with NGO employment services. They also commented that disabled people did not always have equal access to W&I posted jobs.

### **iv. ACC**

Providers contracted by ACC had specific suggestions relating to changes that ACC could make to improve employment outcomes. These included:

- Extending the work trial period
- Simplifying the range of services available, e.g. Job Search and Job Brokerage

### **v. Education**

Both Disabled People and Providers reiterated the link between education and employment. This included a focus on improving general education attainment so that more disabled people leave school with qualifications. Other suggestions focused on employment related training, including:

- Improved access to tertiary education
- more post-school learning opportunities linked to employment
- support for retraining
- more employment related training for disabled people.

## 5. Appendices

### Appendix One: Disability Sector Context

#### A. Law and policy context

##### (i) *United Nations Disability Convention*

New Zealand agreed to be bound by the **United Nations Disability Convention** in 2008.<sup>3</sup> This means that the New Zealand Government is obliged to progressively implement its provisions. The Disability Convention is relevant for people with all different types of impairment, including physical, sensory, mental, and intellectual impairment.<sup>4</sup> The Disability Convention protects the right of disabled people to work.<sup>5</sup> This means that disabled people have the right to earn a living through work they freely choose and in workplaces that are accessible and inclusive.

The Disability Convention also sets out general principles to guide its implementation, including participation and inclusion of disabled people in society, non discrimination, respect for dignity, individual autonomy and the freedom to make one's own choices, and equality of opportunity.<sup>6</sup> In other words, the Disability Convention emphasises the social model of disability, which is based on creating an enabling environment which fulfils the rights of disabled people. The focus is not on the disabled person's impairment. Rather, the focus is on removing barriers in society to the fulfilment of the rights of disabled people. It is important to make reasonable accommodations so that disabled workers have the same opportunity as everyone else to work in mainstream workplaces, including in the public sector. Reasonable accommodation is a term used to describe the creation of an environment that will ensure equality of opportunity for disabled people. Failure to provide reasonable accommodation is discrimination.

##### (ii) *The national legal context*

Although there is no single piece of enabling legislation in New Zealand as there is in some other countries,<sup>7</sup> some provisions of the Disability Convention are given effect in various pieces of national legislation. Non discrimination provisions in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993 make it unlawful to discriminate on the basis of disability. However, denial of reasonable accommodation is not an explicit ground for discrimination.<sup>8</sup> Disabled people notionally have the same access to legal safeguards as all other workers, including in terms of harassment, unfair dismissal, and trade union rights. Affirmative action measures taken to redress disadvantage experienced by disabled people are not considered discriminatory. In addition, health and safety laws require employers to take all practical steps to eliminate hazards, which could include harm arising from bullying or harassment, whether by the employer, employees or otherwise.

Both public and private sector employers are subject to particular duties towards disabled people. Within the public sector, the State Sector Act 1988, the Crown Entities Act 2004 and the

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<sup>3</sup> New Zealand ratified the United Nations Convention on the Rights of Persons with Disabilities on 25 September 2008.

<sup>4</sup> Article 1, Disability Convention.

<sup>5</sup> Article 27, United Nations Convention on the Rights of Persons with Disabilities.

<sup>6</sup> Article 3, United Nations Convention on the Rights of Persons with Disabilities.

<sup>7</sup> E.g. United States of America has the Americans with Disabilities Act 1990, Australia has the Disability Discrimination Act 1992.

<sup>8</sup> This has been recommended by the United Nations Committee that oversees the implementation of the Convention on Economic, Social and Cultural Rights in New Zealand.

Local Government Act 2002 require the promotion of equal employment opportunities. More broadly, public sector employers are subject to a specific duty to act as a “**good employer**”, in particular by:

- Providing good and safe working conditions for all;
- Ensuring impartial selection of suitably qualified personnel for appointment; and
- Recognising the aims, aspirations and employment requirements of disadvantaged groups, including disabled people.

Private sector employers are subject to less specific duties of good faith and mutual trust and confidence, which reflect similar principles.<sup>9</sup>

There is a limited scheme for individually assessed exemptions that allows reduced wages to be paid, on the basis of Minimum Wage Rate Exemption Permits issued by Labour Inspectors from the Ministry of Innovation, Business and Employment. Approximately 1,200 individual workers have such Permits.<sup>10</sup> The Permit system has, however, been criticised as both discriminatory and inconsistent with New Zealand’s obligations under the Convention.<sup>11</sup>

The United Nations Committee on Economic, Social and Cultural Rights expressed its concern about the insufficiency of legislative and other measures to help disabled people get and keep a job. It also called upon New Zealand to introduce incentives and other special measures to promote the employment of disabled people, and recommended that New Zealand explicitly regard denial of reasonable accommodation as a form of discrimination against disabled people.<sup>12</sup>

### **(iii) New Zealand Disability Strategy**

New Zealand’s Minister for Disability Issues, together with the disability sector, disabled people and their organisations developed the New Zealand Disability Strategy in 2001. The Strategy sets out a vision of a non-disabling society and 15 objectives in order to achieve that goal. One of the objectives is to provide opportunities in employment and economic development for disabled people.

The Strategy sets out a series of actions to help disabled people get and keep a job. It specifically talks about:

1. Providing education and training opportunities to disabled people
2. Educating employers about the abilities of disabled people
3. Providing information about career options, ways to generate income, and the various types of assistance available for disabled people
4. Incentives to increase work opportunities for disabled people
5. Non discrimination in the workplace
6. Making reasonable accommodations for disabled workers, such as flexible workplace options, communication services, and other resources

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<sup>9</sup> New Zealand Government, *Initial State Party Report to the Committee on the Rights of Persons with Disabilities*, 2011, p 45.

<sup>10</sup> According to the Initial State Party Report for the Committee on the Rights of Persons with Disabilities, nationally, there were 1,242 exemptions at 30 June 2008, 1,250 exemptions at June 2009 and 1,236 at the end of June 2010.

<sup>11</sup> New Zealand Government, *Initial State Party Report to the Committee on the Rights of Persons with Disabilities*, 2011, p 45.

<sup>12</sup> United Nations Committee on Economic, Social and Cultural Rights, *Concluding Observations: New Zealand’s implementation of the Convention on Economic, Social and Cultural Rights*, 2012, paragraph 13.

7. Developing more flexible income support benefits to make access to work and training easier for disabled people.<sup>13</sup>
8. Fostering an aware and responsive public service.<sup>14</sup>

**(iv) Disability Action Plan**

In 2009, the Government established a Ministerial Committee on Disability Issues. The Minister for Disability Issues leads this group, which is made up of representatives from various government ministries, including education, labour, education, health, ACC, transport, and so on.

The Committee aims to provide leadership and accountability for implementing the Disability Convention and the New Zealand Disability Strategy. The latest Disability Action Plan runs from 2012-2014. One of its three focuses is on employment and increasing the number of disabled people in paid employment. One of the ways in which the Government aims to do this is by improving existing employment support for disabled people and employers. The Disability Action Plan sets out five ways to do so:

1. Supporting employers to include disabled workers in the workplace
2. Connecting employers and disabled workers to get them into work
3. Providing better information for disabled workers and employers
4. Increasing the capability of existing work placement and support services
5. MSD being an exemplar employer and sharing their experience with other government departments.<sup>15</sup>

**B. Statistics and data collection**

The Disability Convention requires that information be collected, disaggregated as appropriate, and used to help implement the Disability Convention, and to identify and address barriers faced by disabled people in the exercise of their rights.<sup>16</sup>

A fundamental barrier to any assessment of the rights of disabled people in New Zealand is the lack of relevant data to measure outcomes for disabled people in key areas. The position of disabled people in relation to key social and economic outcomes is most comprehensively measured on a national basis once every five years in the New Zealand Household Disability Survey (the Disability Survey).<sup>17</sup>

The latest Disability Survey was in 2006 and showed that:

- 17% of New Zealanders identify as disabled
- 12% of adults have physical impairment, 8% have hearing or visual impairment
- Less than half (45%) of disabled adults are in the labour force, compared with 77% of nondisabled adults
- 35% of disabled people have no formal qualifications, compared with 19% of people who are not disabled
- 46% of disabled children have special education needs

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<sup>13</sup> Objective 4, New Zealand Disability Strategy 2001.

<sup>14</sup> Objective 6, New Zealand Disability Strategy 2001.

<sup>15</sup> New Zealand Disability Action Plan 2012-2014.

<sup>16</sup> Article 31, Disability Convention.

<sup>17</sup> New Zealand Human Rights Commission, Monitoring Report 2012, p 90.

- There are 96,600 disabled Maori, 24,800 disabled Pacific people (out of 660,300 disabled people).

Statistics New Zealand carried out another Disability Survey in 2013.

Disabled people are less likely to seek work and, if seeking work, are less likely to be employed than non-disabled people and tend to be employed in lower-paid work.<sup>18</sup> Several surveys over the last few years have found that disabled people want to work,<sup>19</sup> but employers' lack of knowledge and discrimination are barriers to this goal.<sup>20</sup> Recent Human Rights Commission research among employers and current and potential employees found:<sup>21</sup>

- An unwillingness on the part of employers to give opportunities to disabled people;
- Incorrect assumptions about what employing a person with a disability might entail and about health and safety concerns; and
- Concerns that disclosing mental health issues would exclude job applicants from consideration.

Disability is the most frequent ground of enquiry and complaint to the New Zealand Human Rights Commission in the area of disabled people. Disabled people are estimated as having at least twice the level of unemployment as their non-disabled peers. The Commission has recommended combating this through active employment policies addressing attitudes, access to work and reasonable accommodation.<sup>22</sup> In 2011, the "Enabling Good Lives" report recommended changes to the whole system of supports for disabled people. The report emphasizes the need for facilitation-based support; individualized, self-directed planning and facilitation; portable funding; and community building.<sup>23</sup>

<sup>18</sup> New Zealand Government, *Initial State Party Report to the Committee on the Rights of Persons with Disabilities*, 2011.

<sup>19</sup> Ministry of Social Development, Working Paper 07/04: *Wellbeing, Employment, Independence: the Views of Sickness and Invalids' Benefit Clients*, 2004 and 2007 Royal New Zealand Foundation of the Blind survey.

<sup>20</sup> Peterson, D. *I haven't told them and they haven't asked: the employment experiences of people with experience of mental illness*, Mental Health Foundation of New Zealand, 2007. Te Pou o Te Whakaaro Nui, *The employment of disabled people in disability support services: research report*, 2013.

<sup>21</sup> Human Rights Commission, *What Next? National Conversation about Work*, 2010.

<sup>22</sup> Human Rights Commission, *Tracking Equality at Work for Disabled People*, 2011, p 5.

<sup>23</sup> <http://www.odt.govt.nz/what-we-do/improving-disability-supports/enabling-good-lives/index.html>

## **Appendix Two: Copy of Disabled People’s Survey**

Attached with this report.

## **Appendix Four: Copy of Provider Survey**

Attached with this report.

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