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**Sent:** Friday, 22 July 2022 2:32 PM

**To:** Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

**Cc:** Mary Walsh <marywalsh6@bigpond.com>

**Subject:** SUPPORTED EMPLOYMENT SERVICES AWARD 2010 – FWC [2019]FWCFB 8179 AM2014/286

**Associate to VP Hatcher**

**Fair Work Commission**

Dear sir/madam

Please find attached our submission to the Supported Employment Services Award 2010 FWC deliberation. Our submission is tendered in conjunction with and supplementary to that submitted by Our Voice Australia.

Regards

Janette Gee, Heather Shaw, Amy Clark and Leeann Murphy

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**Activ Action Team**

*Advocating for and with those affected by  
the proposed closure of Activ worksites*

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Associate to VP Hatcher

Fair Work Commission

By email: [Chambers.Hatcher.VP@fwc.gov.au](mailto:Chambers.Hatcher.VP@fwc.gov.au)

**SUPPORTED EMPLOYMENT SERVICES AWARD 2010 – FWC [2019]FWCFB 8179 AM2014/286**

We thank you for the opportunity to provide this submission and file evidence to the Fair Work Commission (**FWC**) in the outstanding contested matters in the four-yearly review of the *Supported Employment Services Award 2020 (SES Award)*.

Our advocacy group, the Activ Action Team, is the Western Australian representative of Our Voice Australia.

Paras 359, 360 and 361 of the full bench decision issued in Sydney on 3 December, 2019 have now become a substantive outstanding matter in this decision (**Appendix 1**). **Importance of the Supported Employment Services Award**

Increases to wages for supported employment will greatly challenge the viability of large-scale Australian Disability Enterprises (**ADEs**). The SES Award enables ADEs to remain financially sustainable, able to compete with commercial enterprises who provide similar services and don't employ people with a disability. Any significant increase in minimum wage will greatly impede their ability to continue operating, jeopardising the 47.8% of the 2.1 million Australians<sup>1</sup> (age 15-64) with disability currently employed (34% employed within the NDIS work in ADEs<sup>2</sup>).

ADEs play an essential role in the spectrum of employment opportunities for people with disability and currently represent the only viable option for people with significant, complex needs. The latest summary report on the *Employment outcomes for NDIS participants*<sup>2</sup> (**[Employment Summary Report](#)**) outlines various major positive drivers of success in securing mainstream employment including 'primary disability is hearing or other sensory disability', 'does not need support for daily living' and 'has a graduate degree'.

Noting these positive drivers, people with higher needs are disadvantaged in the mainstream labour market. This is reflected in recent NDIS employment data which shows only 43% of people with a disability are in open employment<sup>2</sup>. Further, while 73% of people with physical disabilities find open employment, this declines to 27% for most survey responses who have a broad spectrum of intellectual disabilities<sup>2</sup>.

It becomes salient that, without ADEs, the alternative for many people with disability is unemployment – a fact noted in the [FWC 2019 full bench decision](#)<sup>3</sup>, (page 132, [361]).

*“...the experience in the UK after a policy decision was made to close down supported employment in favour of the disabled working in open employment. The result, as we have earlier recounted, was that the vast majority of disabled persons formerly in supported employment were left without any employment at all. That is not an outcome which we are prepared to contemplate.”<sup>3</sup>*

### **A wage system without prejudice**

Just as the SES Award was designed for employees with disability who are not able to perform jobs at the same capacity as any other employee, ADEs predominantly employ those who lack the capacity to work in “mainstream” environments.

ADEs do not operate as a “standard” Australian business or employer. Traditional business concepts around revenue growth and generation, productivity and workforce are at absolute odds with the purpose of ADEs – a distinction well-outlined in [Greenacres’ response to the Disability Royal Commission Employment Paper](#)<sup>4</sup>:

*“ADEs operate in a different paradigm. The purpose of their existence is to provide employment opportunities for disabled persons who have restricted work capacity, typically on a not-for-profit basis. Accordingly, they seek only those business opportunities which will generate jobs capable of being filled by disabled persons, which necessarily limits the types of commercial activity they can engage in. Further, they do not arrange their workforces simply on the basis of a job structure that will allow the necessary work to be performed in the most productive and efficient fashion, and then recruit persons to fill those jobs. Rather, they create or tailor jobs in such a way that they are capable of being performed by a particular person with a particular disability or by persons with a class of disability.”<sup>4</sup>*

Accordingly, ADEs are restricted in how they can respond to significant increases in minimum wages. Where an ordinary business could charge more for its goods and services or diversify into more profitable revenue streams, ADEs are limited due to the inherent low productivity levels of its workforce and inability to compete in the “open” contract market. Commercial clients are unlikely to tolerate a price increase when they can automate the work or have it completed offshore at a cheaper rate (as was Activ’s anecdotal experience). Where an ordinary employer may consider a workforce restructure to streamline service delivery, ADEs cannot take steps to reduce employment and increase productivity without contravening their core purpose as a disability service provider.

The FWC must consider the disadvantaged operating position of ADEs – particularly those providing employment to those with higher needs – and the essential role the SES Award plays

in bridging the gap between maintaining a low-capacity workforce and remaining financially viable.

Further, packaging / assembly line work is one of the most common business lines for ADEs as it's an activity many people with a disability can participate in and they can employ a large number of people for the role. However, there are very low barriers to entry for this market and, as a consequence, significant levels of competition. This usually results in low margins and low levels of profitability, meaning any significant increase to the minimum wage will greatly jeopardise the viability of these services in particular.

Other common ADE business lines, such as cleaning, hospitality work, gardening, and property maintenance, are generally more commercially viable, with scope to compete in the open contract market. However, these jobs are often unsuitable for those with higher support needs as evidenced in the **Hear Us | See Us Report (Appendix 2)**. Any decision regarding the minimum wage should ensure that people with significant, complex needs are not prejudiced in their ability to find suitable employment within ADEs.

### **The financial viability of ADEs**

In May 2022, Activ announced that they would close seven large-scale industrial worksites as they were no longer financially viable, affecting the employment of 756 supported workers (predominantly people with intellectual disability).

Activ stated in personal communication (26 May 2022):

*"The decision to close our large-scale sites has been difficult, but it was also unavoidable and reflects what is happening across disability services nationally. With the shift to NDIS funding, along with likely reforms to the Supported Wage System, Activ is facing losses of more than \$6.5 million per year. This is clearly unsustainable and puts the future of Activ at risk."*

On June 19 2022, the State and Federal Government announced funding packages to keep Activ open for an additional eighteen months, providing the supported workers time to transition to "alternative" employment options.

Owing to changes in the funding model, ADEs are already experiencing financial difficulties. According to the NDS State of the Disability Sector Report for 2021<sup>5</sup>, ADEs are already experiencing financial difficulties: *sixty-five per cent of providers say that operating conditions are getting worse, up from 61 per cent in 2020 and 38 per cent in 2019. Only around a half (57 per cent) of those that recorded a profit in 2021 expected to make a profit in 2022.*<sup>5</sup>

Although grateful for the extended transition period, we remain concerned about the viability risks impacting the ADE sector. As evidenced by Activ's closure, a significant increase of the supported wage will likely lead to other ADEs shutting down, leaving the most vulnerable members of the disability community with nowhere to go for work.

### **Valuing the role of ADE supported workshops**

If choice and control is the hallmark of Australia's current disability strategy, then we ask the Fair Work Commission to consider the findings from our **Hear Us | See Us Report** which shows that over 90% of respondents (260+) want to continue working at a supported worksite such as Activ's.

As noted in the report, the supported employees we surveyed primarily valued the safety, inclusivity, companionship and purpose provided by Activ. These benefits are unique to the ADE model – unlike mainstream workplaces, employees are surrounded by like-minded individuals, carers who understand their unique physical, mental and emotional needs, as well as additional services such as behavioural support, transport, "life skills" training, and vocational pathways.

When considering the experiences of people who have tried open employment but returned to ADEs, the unique benefits of the supported model are reinforced.

The Disability Royal Commission states in its summary of the employment paper<sup>6</sup>, *"Several responses noted that ADE employees who have tried work in open employment often experience harassment, discrimination and social isolation and tend to return to the ADE"*<sup>6</sup>. One such response was from Greenacres<sup>4</sup>, which noted a variety of reasons their supported employees had returned to the ADE following open employment including *"feeling excluded and unsupported"*<sup>4</sup> and *"missing the ADE environment where they had friends and trusted relationships with their support workers"*<sup>4</sup>.

Similarly, Activ observed in its response to the Department of Social Services Discussion Paper: Ensuring a strong future for supported employment, that many supported employees who transition to open employment return to a supported environment within 12 months. Activ said: *"Supported employees share experiences of isolation, lack of acceptance and lack of support by their employer"*<sup>8</sup>.

These findings also speak to the special sense of belonging ADEs provide for supported employees, who can work alongside other people with disability.

In a journal article published in the Journal of Applied Research in Intellectual Disabilities<sup>9</sup>, Professor Robert Cummin and Professor Anna Lau explore community integration for people with an intellectual disability. In considering findings that *"when people are given free choice they evidence a preference for integrating with their own kind, not with the community in general,"* Cummin and Lau challenge the assumption that people with *"intellectual disability are somehow different from other groups in society, such that integrated rather than segregated experience is necessarily of benefit to them."*<sup>9</sup>

Cummin and Lau made the following conclusion: *"For many people with an intellectual disability, the primary community from which a sense of community may be derived is unlikely to be the general community. It is far more likely to be found within families or groups of people who are intellectually disabled."*<sup>9</sup>

The debate around the SES Award is tied to a broader movement around 'mainstream employment' being the only suitable option for people with disability. National advocacy groups say 'sheltered workshops' are segregation. We would argue the opposite. As outlined in the **Hear Us | See Us Report** and the witness statements accompanying the Our Voice Australia submission, being the only person with a disability in the workplace is isolating and distressing, driving many to return to the camaraderie, acceptance and inclusivity of the ADE.

Building on the findings of Cummin and Lau, forcing workers onto the 'real living wage' and into mainstream employment with limited to no choice — away from their community — is not integration.

*"If integration is being pursued to benefit the individual, the essential goal of service provision should be to achieve a sense of community connectedness, rather than being concerned with physical integration within the general community."*<sup>9</sup>

**We ask the FWC to acknowledge that ADEs not only provide a workplace, but a community. One which cannot be replicated in mainstream employment. As such, any decisions regarding the minimum wage should consider the broader, intangible benefits provided by ADEs around connection, belonging and psychological safety.**

### **Are supported workers better off on the national minimum wage?**

According to the Employment Summary Report, 30.5% of NDIS participants who are 25 and older work over 30 hours a week<sup>2</sup>. In researching the annual income of supported workers employed by Activ (**Appendix 3**), most employees working over 30 hours a week currently receive a higher annual income through the combined Disability Support Pension (**DSP**) and current SES Award.

Further, those who work less than 30 hours under the current system, will only "earn more" under the National Minimum Wage Award (**NMWA**) if they continue to receive the DSP. Without this additional support and the associated benefits, they could be earning below the poverty line. As mentioned within the NDIS Employment Participation Outcomes Report<sup>2</sup> not all those who work less than 30 hours receive DSP:

*"For participants working in an ADE, the percentage receiving DSP is relatively constant by hours worked, at around 95-96%. For those in non-ADE employment, the percentage receiving DSP increases from 55.7% for those working less than 8 hours per week<sup>1</sup> to 60.7% for those working 8 to 15 hours, before declining to 43.7% for those working 15 to 30 hours, and 12.4% for those working 30 or more hours per week."*<sup>2</sup>

This highlights the financial risk the NMW poses to part time workers if their situation changes and DSP is discontinued.

In addition, those that work for 31 hours per week or more are not eligible for the Low Income Health Care Card after their initial extension runs out. This is despite the recent increase to the NDIS Supports for Employment funding and the ADE wage structure set down in the FWC ruling 2019. A review of the current wage structure needs to take these factors into account.

It is also important to note that the SES Award was put in place because those receiving it require significant support to work and their capacity assessments show that their productivity can be from 10-90% below the standard. For an ADE to have to accept the cost of a wage increase with no commensurate increase in productivity, is not sustainable and unrealistic.

Our case studies are further supported by the Greenacres modeling<sup>4</sup> in its submission to the Disability Royal Commission, which showed that the net income its employee currently exceeds the minimum wage.

We are now living in the shadow of the detrimental outcome from the threat of increased wage burden to the ADEs, if they are forced to pay the minimum wage without extra financial support. This is for no advantage to the supported employee. The Greenacres modeling<sup>4</sup> also notes this.

As Activ acts to minimise the risk to the sustainability of their organisation, an added financial strain will force them to leave supported employment and many of the 756 supported employees will be the ones to pay the price.

This was foreshadowed in the Keogh Bay report<sup>10</sup> and the Australian Disability Service Sector National Performance Benchmark Project 2019<sup>11</sup>. It was further confirmed in the NDS State of the Disability Sector Report for 2021<sup>5</sup>.

### **Considering the unique personal leave implications for the supported worker**

According to the summary report from the NDIS on the *Health and wellbeing of NDIS participants and their families and carers*<sup>12</sup>, the baseline for NDIS participants who rate their health as “excellent”, “very good” or “good” averages 48.5%, (43% for females, 54% for males). In contrast, the Australian baseline for people who rate their health as “excellent”, “very good” or “good” averages around 87%. Further, the NDIS baseline for visiting the hospital within the last twelve months ranges from 55% for females to 61% for males, whereas the baseline for the Australian population is around 92%.

These findings reinforce the reality that many supported workers have complex medical conditions in addition to disability, which has significant implications on the amount of sick leave they are likely to use when compared to the average Australian.

With the current system they accrue personal leave days. If they run out of personal leave the only income they lose is the extra that the supported wage gives them. The Disability Support Pension continues with all the wrap-around entitlements and no red-tape to address.

If they are forced into a wage system without the immediate safety net that the Disability Support Pension gives them, we will have people on extended leave without pay as their personal leave runs out.

It will also be very hard for many of them to navigate bureaucracy to work out how to access extra benefits in time for them to be helpful.

### **The future supported workers and their families are facing**

Activ supported employees and their families want their voice to be heard by government bodies and they want choice in employment options, which includes ADEs under the SES Award.

For the majority of people in ADEs, there are limited options outside of the supported worksites and, arguably, specific business lines such as packaging which is suitable for most people with disability. A scan of other ADE opportunities shows there are definitely not enough jobs available in Western Australia to accommodate the 756+ supported employees affected by the closure. Further, as outlined above, those who have tried alternatives such as open employment were left feeling distressed, unsafe and disconnected from their own community.

We also predict that the smaller regional centres will close based on past history. Most small regional towns have limited service and contractual offerings and recent regional closures supply evidence to suggest that many of the supported employees will be left without work. Speaking to people who had previously been employed in regional workshops, many are struggling to find work and don't have support to do so. One lady, who lives independently with support, has been struggling to make ends meet without the extra income from the supported employment she used to have. She is forced to prioritise food and medicines and can't always afford both. She said there is never any money left for treats or presents and she used to manage fine before the workshop closed. In another regional centre, a father recounted how when their workshop closed, the council employed many of the displaced male employees in property care, but most of the females, including his daughter, are left without options.

Fear and insecurity now dominate the lives of the ADE employees and their families (many of whom are Our Voice Australia members).

Whilst we appreciate the funds from the federal and state governments are providing an interim measure – it is not a long-term solution.

Projected future wage costs and NDIS funding mechanisms have, we believe, created financial unsustainability for ADEs like Activ.

The reality is very few of the 756 supported employees will ever work again. The jobs aren't there, and the Remploy<sup>13</sup> experience in the UK adds weight to our concerns. Three in four displaced supported workers were still not employed after twelve months<sup>14</sup>. The potential wage increase exacerbates this issue for ADEs in Australia.

### **Please hear us**

Support workers and their families are asking that decision makers, such as the Fair Work Commission, "*Hear Us – See Us*".

We want you to know that ADEs like Activ are a community, more so than a workplace. They are communities that give supported workers a sense of purpose, pride and camaraderie, more so than financial remuneration.

They are also communities that exist now and will need to exist for generations to come – for people with intellectual disabilities who are yet to reach the age of employment.

A long-term solution is needed to sustain ADEs.



In response to this need we provide their voice and vision as a part of the substantive matters to be addressed by the Fair Work Commission in forthcoming Hearings.

The attached document **Hear Us | See Us Report** is a “living document” as the reality of future opportunities and choices is starting to sink in after the original shock.

**Please see us**

We would welcome the opportunity to speak to the document for the ADE workers represented in it and are prepared to travel to provide that for them.

It is important this is not seen as just a Western Australian problem – this issue is national and has far reaching implications.

The final appendix assists with the locality (**Appendix 4**) and reality of what is happening for these ADE employees, and their families who are their primary advocates.

Yours faithfully



**On behalf of the Activ Action Team**

Janette Gee

Heather Shaw

Leeann Murphy

Amy Clark

20 July 2022

## References:

1. Australian Bureau of statistics 2018, *Disability, Ageing and Carers, Australia: Summary of Findings* (Accessed July 21 2022, <https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release#disability> )
2. *Employment outcomes for NDIS participants as at 31 December 2020 – full report* (Accessed July 20, 2022 <https://data.ndis.gov.au/media/2815/download?attachment>)
3. *Full decision of the Fair Work Commission [2019] FWCFB* (Accessed July 10 2022 [https://www.fwc.gov.au/documents/decisionssigned/html/2019fwcfb8179.htm#PI098\\_135016](https://www.fwc.gov.au/documents/decisionssigned/html/2019fwcfb8179.htm#PI098_135016) )
4. Greenacres Disability Services Response“Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability” Issues Paper – Employment. (Accessed 5 July 2022 [https://disability.royalcommission.gov.au/system/files/response\\_issue\\_paper/ISS.001.00359.PDF](https://disability.royalcommission.gov.au/system/files/response_issue_paper/ISS.001.00359.PDF) )
5. NDS State of the Disability Sector Report 2021 (Accessed July 14, 2022 [https://www.nds.org.au/images/State\\_of\\_the\\_Disability\\_Sector\\_Reports/SoTDS\\_2021\\_single.pdf](https://www.nds.org.au/images/State_of_the_Disability_Sector_Reports/SoTDS_2021_single.pdf) )
6. Disability Royal Commission states in its summary of the employment paper (Accessed July 21 2022 <https://disability.royalcommission.gov.au/system/files/2022-03/Overview%20of%20responses%20to%20the%20Employment%20Issues%20paper.pdf> )
7. Department of Social Services Discussion Paper: Ensuring a strong future for supported employment. (Accessed July 20 2022 [https://engage.dss.gov.au/wp-content/uploads/2017/12/discussion\\_paper\\_-\\_ensuring\\_a\\_strong\\_future\\_for\\_supported\\_employment.pdf](https://engage.dss.gov.au/wp-content/uploads/2017/12/discussion_paper_-_ensuring_a_strong_future_for_supported_employment.pdf) )
8. Activ's response to the DSS Discussion Paper: Ensuring a strong future for supported employment. (Accessed June 20 2022 [Activ's-response-to-the-DSS-Discussion-Paper\\_Ensuring-a-strong-future-for-supported-employment-002.docx \(196.7 kB\)](#) )
9. Cummins, R.A and Lau, A.L.D. 2003. *Community Integration or Community Exposure? A review and discussion in relation to people with an intellectual disability. Journal of Applied Research in Intellectual Disabilities*, 16, pp 145-167.
10. *Keogh Bay Supported Employment Pricing Transition Project Report* (Accessed June 20 2022 <https://www.ndis.gov.au/media/2986/download?attachment> )

11. *Australia's Disability Services Sector 2019 The National Performance Benchmark Project – Report 3: Summary of Key Findings May 2019* (Accessed July 14 2022  
<https://www.uwa.edu.au/schools/-/media/Not-for-profits-UWA/NDIS-and-Disability-Services/2019-NDS-Performance-Benchmark-Report-4.pdf> )
12. *NDIS Summary Report Health and wellbeing of NDIS participants and their families and carers* (Accessed July 21 2022  
<https://data.ndis.gov.au/reports-and-analyses/outcomes-and-goals/health-and-wellbeing-ndis-participants-and-their-families-and-carers> )
13. Ramesh, R., 2012. *35 of 1,000 sacked Remploy workers have found new jobs, says Labor.* The Guardian. (Accessed 11 July 2022:  
<https://www.theguardian.com/society/2012/nov/23/remploy-workers-new-jobs-labour>)
14. Henderson, E., 2018. *Three in four left jobless by betrayal of disabled.* [online] Express.co.uk. (Accessed 11 July 2022:  
<https://www.express.co.uk/news/uk/920466/disabled-jobs-workers-remploy-factories-shut-down>)
15. *Gilchrist, D., 2019. Australia's Disability Services Sector 2019 The National Performance Benchmark Project – Report 3: Summary of Key Findings May 2019* (Accessed July 14 2022  
<https://www.uwa.edu.au/schools/-/media/Not-for-profits-UWA/NDIS-and-Disability-Services/2019-NDS-Performance-Benchmark-Report-4.pdf> )

## **Appendix 1**

[FWC 2019 full bench decision](#), page 132.

*“[359] We consider, having regard to our earlier findings concerning the social value of supported employment in ADE’s, that the loss of employment which would occur consequent upon the mandatory use of the SWS would be a calamitous outcome. Numerous disabled persons and their carers have given uncontradicted evidence that the loss of supported employment would result in social isolation, boredom, financial detriment, a loss of skills development opportunities and a diminished sense of self-worth amongst disabled persons, with a significantly greater burden being placed on their carers and other family members. There is no evidence that this would be ameliorated by any compensating increase in open employment for disabled persons.*

*[360] It must be said that some of those in the AEDLC’s camp did not appear to fully share our level of concern about the future of the ADE sector should it have a very significant wage adjustment forced upon it. Mr Cain accepted that the ADE sector had a role to play, but he perceived this as being only to act as a transitional pathway for disabled persons to be placed in open employment. Mr MacFarlane opposed the ADE model outright, which he regarded as “segregated employment”. His views aligned with those of PWDA, which publicly advocates for a plan to close all ADEs and transition all ADE workers into open employment or, in the case of older workers, progressive retirement.*

*[361] We do not share these views. We have paid very close attention to the evidence of Ms Powell, who described the experience in the UK after a policy decision was made to close down supported employment in favour of the disabled working in open employment. The result, as we have earlier recounted, was that the vast majority of disabled persons formerly in supported employment were left without any employment at all. That is not an outcome which we are prepared to contemplate.”*



# HEAR US, SEE US

LISTEN LOUDLY to the combined voices of those affected by the closure of Activ worksites  
Activ Advocacy Action Team - June 2022



# GLOSSARY

**Person living with intellectual disability (PWID):** A person living with an intellectual disability has a lifelong condition that affects their intellectual skills and behaviour in different situations. It can include difficulties in communication, memory, understanding, problem solving, self-care, social and emotional skills and physical skills.

**Person living with disability (PWD):** A person who has any or all of the following: impairments, activity limitations (difficulties in carrying out usual age-appropriate activities), and participation restrictions (problems a person may have taking part in community, social and family life).

**Intellectual disability:** Intellectual disability involves problems with general mental abilities that affect functioning in two areas: Intellectual functioning - such as learning, problem solving, judgement. Adaptive functioning - activities of daily life such as communication and independent living.

**Supported employment:** Supports in employment for NDIS participants who need extra help to pursue their employment goals. Generally, these supports are greater than what may be reasonably provided by an employer. Supported employment is a job where people with disability can receive extra support while they are at work. Supported employees often receive help to: do their job, learn and develop new skills, make work goals.

**Australian Disability Enterprises (ADEs):** ADEs are generally not-for-profit organisations that play an important role in providing supported employment opportunities to people with moderate to severe disability across Australia. ADEs offer similar working conditions to other employers and an opportunity for people with disability to contribute and connect to their local community. ADEs provide a wide range of employment opportunities including packaging, assembly, production, recycling, screen-printing, plant nursery, garden maintenance and landscaping, cleaning services, laundry services and food services.

**National Disability Insurance Scheme (NDIS):** The NDIS is Australia's first national scheme for people with disability. The NDIS provides funding to eligible people based on their individual needs. Every NDIS participant has an individual plan that lists their goals and the funding they have received. NDIS participants use their funding to purchase supports and services that will help them pursue their goals.

**Choice and control:** NDIS participants have the right to make their own decisions about what is important to them and to decide how they would like to receive their supports and who from.

**Open employment:** Employment that can be done by any person. It's a term that's often used when someone with disability works in a mainstream workforce, alongside employees without disability.

**Primary carer** (as defined in the survey): Family member, guardian, or advocate who provides necessary, unpaid care and support, and are a constant presence in the life of the person (or persons) they care for. Primary carers help with daily tasks and care, decision making, medical needs, they provide physical, emotional, social and financial support.

# ABOUT US

In May 2022, Activ Foundation announced the closure of seven large-scale industrial worksites (commencing July 2022), impacting the employment of over 700 supported employees.

**The announcement was made without consultation or warning.** Supported workers affected by Activ’s decision were not given a say over their future employment options.

This echoes a history of people with a disability (PWD) not having a voice, of repeatedly facing the consequences of decisions made by individuals safely insulated from the fall-out.

Activ’s decision marks a serious mission drift for the organisation, which was formed over 70 years ago by a group of families “wanting more for their children who lived with disability and had become marginalised by society”.

To help champion outcomes which align with the State Government’s ‘A Western Australia for Everyone: State Disability Strategy 2020-2030’, the Activ Advocacy Action Team conducted a survey of affected workers and their primary carers.

The strategy envisions a future where people with a disability can participate, contribute and make choices about how they live their lives. **Capturing the missing voices of affected employees and primary carers is the first step in achieving that vision.**

The survey is a collective call for joint Government and agency action to keep the worksites open for supported workers and their families.

**We invite you to listen loudly to the results.**



# SUSTAINABLE EMPLOYMENT FOR EVERY ABILITY

People living with a disability should share the broader public's right to have choice and control over their employment journey. To access job opportunities that match their capabilities, aspirations and strengths. To do work they enjoy and desire.

For those willing and able, we acknowledge that open employment is a meaningful pathway towards community integration and economic independence. However, our survey highlights the reality known by many of the affected supported employees, guardians and family members – large-scale sheltered worksites remain the sole or primary avenue for safe, viable and sustainable work.

Further, the responses reinforce findings from Activ itself<sup>1</sup> and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission)<sup>2</sup> that Australian Disability Enterprises (ADEs) provide a platform for PWD to experience a sense of purpose and belonging, as well as develop social connections, skills and confidence.

In line with the views of National Disability Services (NDS)<sup>3</sup>, we believe ADEs play an important role in a spectrum of employment options for PWD. We ask for the Government and broader community to recognise the role worksites like Activ's play in bridging the gap between those willing and able to explore open employment and those who would otherwise face life without a job.

*"NDIS supports individual services. 700+ people have chosen supported workshops as what is best for them."*

~ Supported employee

## An uncertain future

Activ's decision has thrown the employment of over 700 people with high and complex support needs into uncertainty. Although delivered under the guise of 'looking to the future', we believe the decision leaves some of the most vulnerable members of our community behind.

Most of the affected employees are those living with an intellectual disability (PWID), a group amongst the most disadvantaged within our labour market.

- People with a disability are twice as likely as those without a disability to be unemployed<sup>4</sup>.
- When compared with other disability groups, people with intellectual disabilities (PWID) experience the second highest unemployment rate<sup>5</sup>.
- Of NDIS participants, people over the age of 25 with an intellectual disability are among the least likely to be in open employment.<sup>6</sup>

History proves the devastating impact large-scale closures can have on PWD. In 2012, Remploy closed its employment factories in the United Kingdom, responding to calls that the employment model was no longer contemporary. Six months later, only 3% of those made redundant have found new jobs<sup>7</sup>. Five years later, three in four were still left jobless<sup>8</sup>.

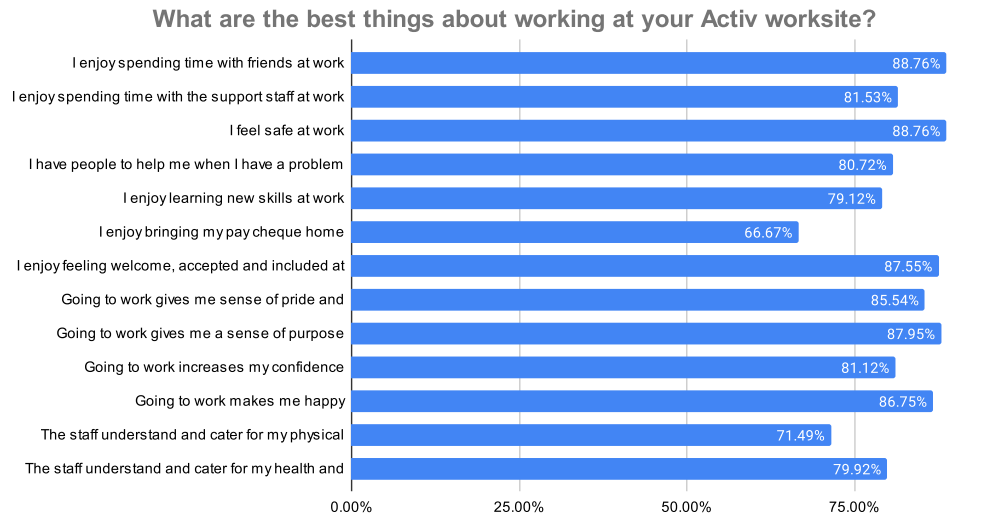


# WHAT EMPLOYEES SAY ABOUT WORKING AT ACTIV

92% of respondents want to continue working at a large-scale supported worksite like Activ's.

Up until the announcement to close the worksite, over 90% of respondents enjoyed working at their Activ worksite. On identifying the best things about working there, the primary reasons revolved around a sense of safety, inclusivity, camaraderie and purpose.

**Figure 1:**



In 2018, Activ responded to the Department of Social Services Discussion Paper: *Ensuring a strong future for supported employment (DSS Discussion Paper)*<sup>9</sup>: “Even though we [Activ] operate as an ADE, work is completed in either natural settings equal to open employment or a similar environment with expectations on productivity, acceptable workplace behavior and continued development just like open employment.”

## Voices of the supported employees

*“I am Tomas my Nanny is helping me with this story. Activ Industries is my first job. I have made lots of friends....As I work in the timber section I have learnt how to use different tools and I enjoy my work very much. I have been able to attend courses at Active which has been very helpful. From work I have had invitations to go out and to birthdays. The staff are nice and helpful to me .Activ is where I want to work until I have to retire .to be with friends and feel safe with every one.”*

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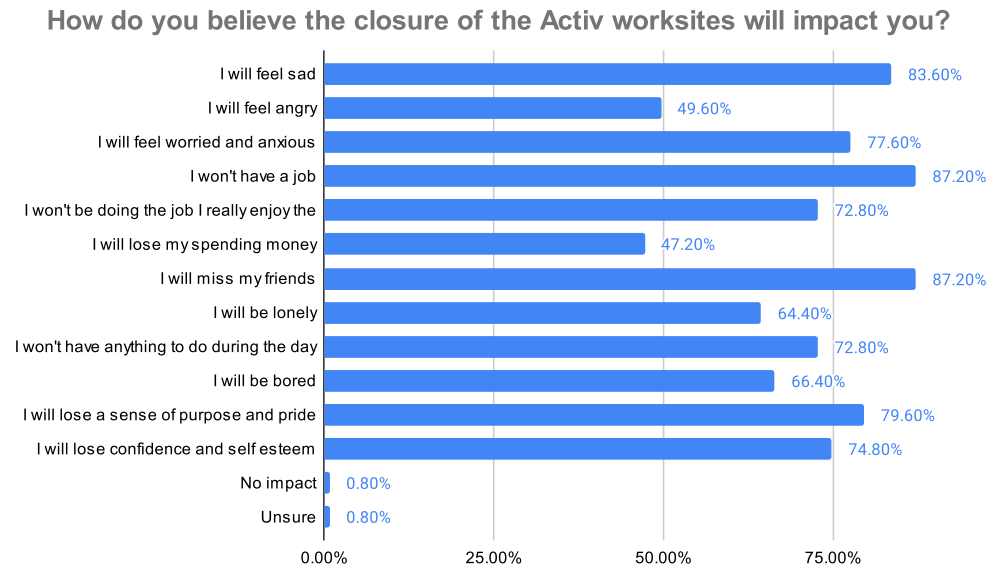
*“I have been employed by ACTIV for 41 yrs. This is a place where I go during the day to be with my friends and enjoy my job. When I am at work I feel like I am important because I can tell people that I go to work and get paid. I now feel very sad that I am telling people that I don't have a job anymore. I will miss all my friend and supervisors. I don't know what I am going to do I will feel very lost.”*

# WHAT EMPLOYEES SAY ABOUT THE CLOSURE

Over 99% of employees believe the closure will impact them negatively.

The top answers from respondents on the impact of the closure were: missing friends, no longer being employed, feeling sad, and losing a sense of purpose and pride.

**Figure 2:**



## Other responses included:

- "I will lose my reason to get up in the morning."
- "I will feel lost and useless."
- "Confusion and anxiety over lack of established routine and independence."
- "I am concerned for my mental health as I will have large portion of my time without daily contact with people."

## Voice of the support employees:

*"I used to love my life, full of positive people who accepted me and helped me better myself. They took the time and provided me the security I needed to grown. My life is now full of uncertainty, stress and great sadness. I don't now what to do. My mental health is declining and i feel I have self worth. Life with a disability is hard. I didn't chose this life, I was born this way. My life is not equal to others financially, emotionally, physically. I face discrimination from the organization that it is meant to be protecting."*

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*"I get up every day knowing my purpose and proud to be working at Activ learning and improving my work. It is the only place outside my home that I feel secured and respected and where I can go to alone. I don't have any comprehension what the future holds and how it will impact me in the months and years ahead except to say I know it won't be good."*

# WHAT PRIMARY CARERS SAY ABOUT ACTIV'S NEW APPROACH

A primary carer was defined in the survey as the primary decision-maker on behalf of the affected employee, which could include a parent, guardian, friend, or nominee.

The following survey results demonstrate the misalignment between alternative jobs options and the skills, capabilities and interests of affected employees.

## Activ Academy

Only 6% of primary carers believe the proposed Activ Academy is appropriate for the interests, skillsets and capabilities of their loved one (an affected supported employee), with 57% responding “no” outright and 37% saying they are unsure or awaiting more information to decide if the academy is suitable.

*“NDIS recipients already have access to many many “Academy” like places, clubs, companies. Our guys/girls/loved ones usually already attend community activities - THEY WANT A JOB and don't have the capability/skill sets for open employment in unsupported situations.”*

## Open employment

Over 85% of primary carers do not believe open employment is appropriate for the interests, skillsets and capabilities of their loved one.

*“Michaela has an intellectual disability as well as being legally blind, hearing impaired, has a speech impediment, is an Auslan user and has fine and gross motor skill problems. Michaela is not able to use public transport and is not able to work in open employment. Michaela is not able to do the work required to earn minimum wage.”*

## Community-based alternatives

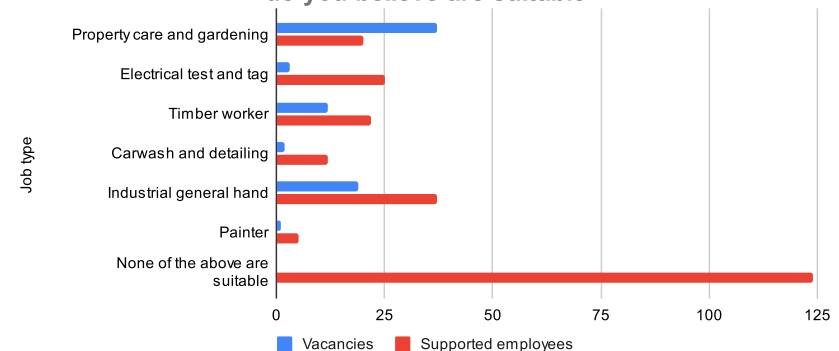
Most primary carers (65%) felt that none of the alternative work proposed by Activ was suitable for the interests, skillsets and capabilities of their affected loved one.

Activ has offered 75 alternatives to the 700+ affected employees. There appears to be a significant discrepancy between the number of suitable alternatives elected by primary carers and the vacancies available. For instance, electrical test and tag is the second highest selection, but has the lowest number of available positions.

*Note: It was not evident to primary carers during Activ's announcement that 'industrial general hand' involved similar work currently undertaken at the workshops.*

**Figure 3:**

**Which of the following types of alternative work proposed by Activ do you believe are suitable**

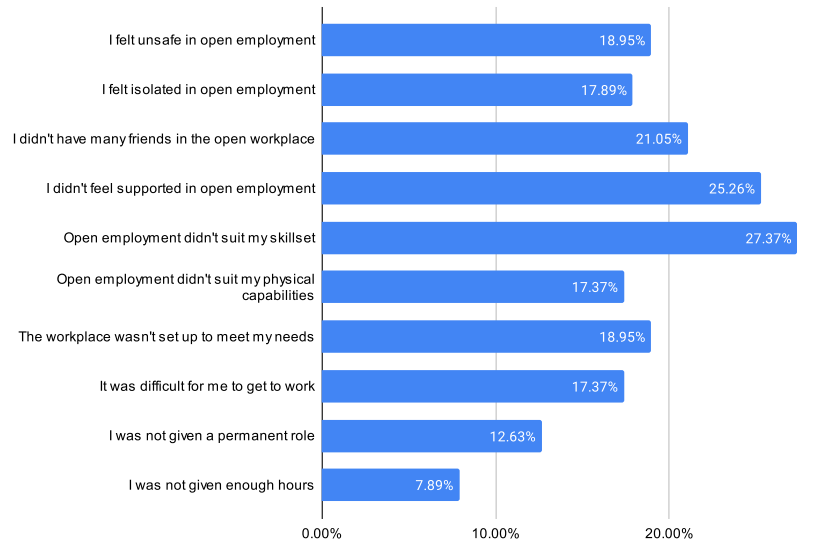


# WHAT EMPLOYEES SAY ABOUT WORKING IN OPEN EMPLOYMENT

For our respondents who had tried open employment, the top five reasons for leaving open employment and seeking work with Activ was a lack of support and safety, feelings of isolation and a mismatch between the job and their skills.

**Figure 4:**

**If you have tried open employment, why did you stop and go to Activ?**



*“I have had 2 jobs and been humiliated, bullied, lied to and left out at both jobs.”*

*“I didn't like open employment my boss she was mean and treated me like a slave, I had no friends and was always by myself most of the time.”*

~ Supported employees on working in open employment

These difficulties are consistent with findings from the Disability Royal Commission and Activ’s response to the DSS discussion paper, with both commenting on the significant challenges ADE employees face when transitioning to open employment.

Alarming, a response to the Disability Royal Commission’s employment issues paper indicated less than one percent of ADE employees make the transition to open employment successfully<sup>10</sup>.

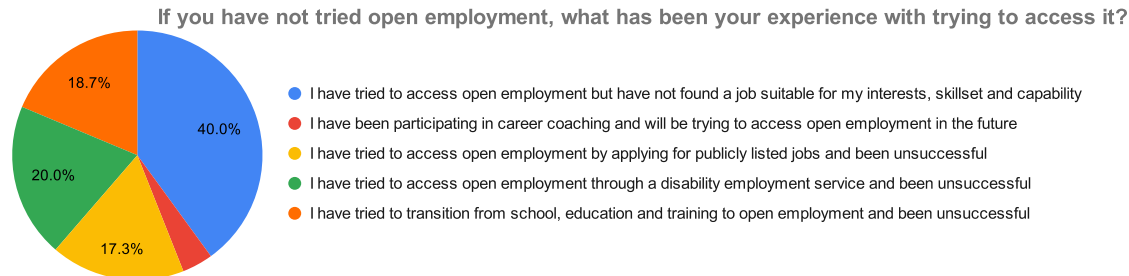
The Disability Royal Commission also states in the same summary, “*Several responses noted that ADE employees who have tried work in open employment often experience harassment, discrimination and social isolation and tend to return to the ADE*”. One such response was from Greenacres, an ADE operating similar facilities to Activ<sup>11</sup>. Greenacres noted a variety of reasons their supported employees had returned to ADE following open employment including “*feeling excluded and unsupported*” and “*missing the ADE environment where they had friends and trusted relationships with their support workers*”.

Similarly, Activ observed in its response to the DSS Discussion Paper that many supported employees who transition to open employment return to a supported environment within 12 months<sup>12</sup>. Activ said: “*Supported employees share experiences of isolation, lack of acceptance and lack of support by their employer. When encouraging supported employees to “have a go” at open employment, employees share concern that after many failed attempts they do not have the resilience to continue to face knock backs and to then enter a work environment not conducive to set them up for success*”.

# WHAT EMPLOYEES SAY ABOUT ACCESSING OPEN EMPLOYMENT

Of the portion of respondents who had tried to access open employment but been unsuccessful, almost half of the respondents were not able to find a job suitable for their interests, skillset and capability. A smaller number of respondents said they had tried to access open employment through a disability employment service (20%), by applying for publicly listed jobs (17.3%), or transitioning from school, education or training (18.7%).

**Figure 5:**



*“It was very hard to find places that would give me a fair chance. I cannot work at the same pace as non disabled workers and need help learning new tasks and the workplaces would not support this. They couldn't find enough work for me to do without help.”*

*“Employers i had trial at were not understanding of my needs and adjustment and were not willing to adjust systems for me.”*

*“I was working as a volunteer. There was no opportunity to get paid work because I needed to be trained to do a job I can't do independently.”*

*“Tried many years get told my hearing impairments was a liability and that a younger more capably person can do it.”*

~ Supported employees on accessing open employment

## Disability employment services

Structural issues with the design and implementation of employment programs, particularly Disability Employment Services (DES), was explored in the Royal Commission<sup>13</sup>. The problems most frequently raised were a “*lack of support, poor client outcomes, and the clients being placed in jobs that did not match their skills, interests or abilities.*” Many respondents in the Disability Royal Commission said the DES system does not achieve what it was set up to do, especially with respect to long-term employment and client outcomes.

In line with those comments, a respondent said:

*“The placements often don't fit the person - and are allocated in order to be ‘ticked’ off for the DES. This has been our experience with 4 different organizations - would not wish this experience on anyone!”*

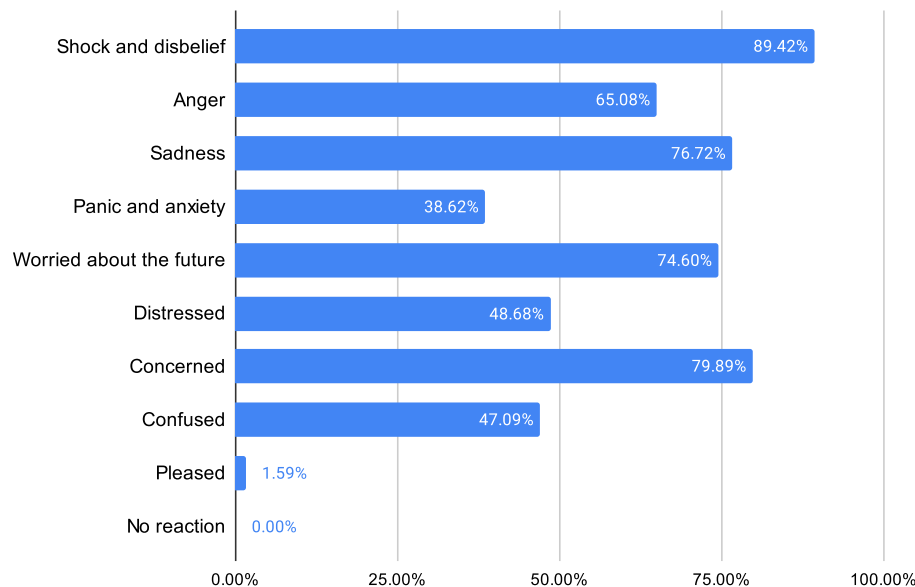
# WHAT PRIMARY CARERS SAY ABOUT THE CLOSURE

## Less than 2% of primary carers are pleased with the closure

The top answers from respondents when commenting on their reaction to the closure include shock and disbelief, concern, sadness and worry about the future.

Figure 6:

What was your reaction when you heard of the closure of Activ's supported workplaces?



## Shock and disbelief

The prevalence of shock and disbelief among primary carers can be attributed to the abruptness of Activ's announcement, as well as the absence of consultation or warning prior to the decision being made.

*“Early intervention should have happened including letting the families and supported employees know at the earliest instead of a bombshell. Perhaps together a solution may be possible.”*

*“It is disgraceful to treat vulnerable people this way. They have not engaged with or informed the families in advance of this decision.”*

*“The closure was handled extremely badly. If parents or carers had been advised of the difficulties prior to the horse bolting I'm sure we wouldn't all be sitting here right now filling out a survey.”*

*“The upper management have avoided contact with stakeholders and left the closure announcement too late for affected people to advocate for a change and to transition (if possible) to a new workplace.”*

*“I support two employees and they are traumatised by this shocking announcement, disgraceful management of the entire process.”*

*“When Holden closed his last workshops in Australia it gave its employees 12 months notice. Rockingham at this point will close at the beginning of October. My son will not even see Activ employment officer until September. What has unfolded in Activ to bring this decision about. And WHY has there been no lead up time for people with a disability to process this issue which has caused stress, depression, anxiety, and a LOSS of trust. Shame on Activ for the shoddy way this has been done.”*

~ Primary carers on the closure

## Concerned

Primary carers were predominantly concerned about how the closure would impact the wellbeing and lifestyle of their loved one (an affected supported employee/s), who deeply value and rely on the friendships, security and purpose these worksites provide. Many were deeply troubled by the mental health consequences unemployment would have on their loved one.

Unsurprisingly, these feelings were heightened for the significant group of primary carers who believed alternative employment pathways were unrealistic or unsustainable.

*"I started working at Activ Bentley in June 2019. Since then I made a lot of friends which became family and same with the supervisors who help me with my mental health and finally be able to trust and open up me .. we don't want to be separated I don't see a day go by that I can even picture not seeing them and now they are closing down and we get all separated. We are humans too not just a disability they can just push aside ..."*

*"With Activ closing down I feel I have lost my purpose in life. I will be losing contact with my new friends ,my old school friends, teachers and aids .Activ is the only place I have constant friends with the same life struggles as me that I don't have to explain or feel self conscious about and I can just be me. I am extremely sad that my friends and I have lost our safe place where we learn ,feel comfortable and safe and can just be US."*

~ Supported employees on the closure

Some primary carers commented on how their loved one had struggled with bullying, isolation or low self-esteem in school and open employment settings, with Activ being one of few places they had experienced a sense of belonging.

*"Samuel has global development delay and autism, which creates a communication and problem solving deficit. At school, Samuel was often bullied, socially behind his peers and was not able to read and write past a lower primary age level. Since his Activ employment and training courses he has discovered a sense of pride and understands social relationships better. He has gained independence and takes pride in his Activ work uniform, getting to work on public transport by himself and engaging in new skills. Samuel is a young man who has gained so much in his few years working at Activ Rockingham."*

*"My daughter has done work experience at open employment whilst employed at Activ Bentley as part of her Retail Course. Her feedback from these days are that she has little interaction with other staff and as such tends to feel isolated. Unlike when she is working at Activ Bentley, she doesn't feel heard or valued whilst doing open employment. It should be more focused on establishing her work life quality, than forcing her into an environment she isn't comfortable being in."*

Activ's response to the DSS discussion paper reinforces the importance of belonging, stating: "Many supported employees speak of a sense of acceptance and connectedness within an ADE environment and the positive impact this plays on self-image and mental health."

*"Since working at Activ, my daughter has blossomed into a more confident person, has made many friends, enjoys her job immensely, and can't imagine working anywhere else..."*

*"In a world where achievement is difficult for David, the work in supported employment brings him a great deal of pleasure and boosts his self-esteem."*

~ Primary carers on supported employment with Activ

## Activ's access of NDIS funding

Activ's decision to close the worksites was partly due to financial pressures.

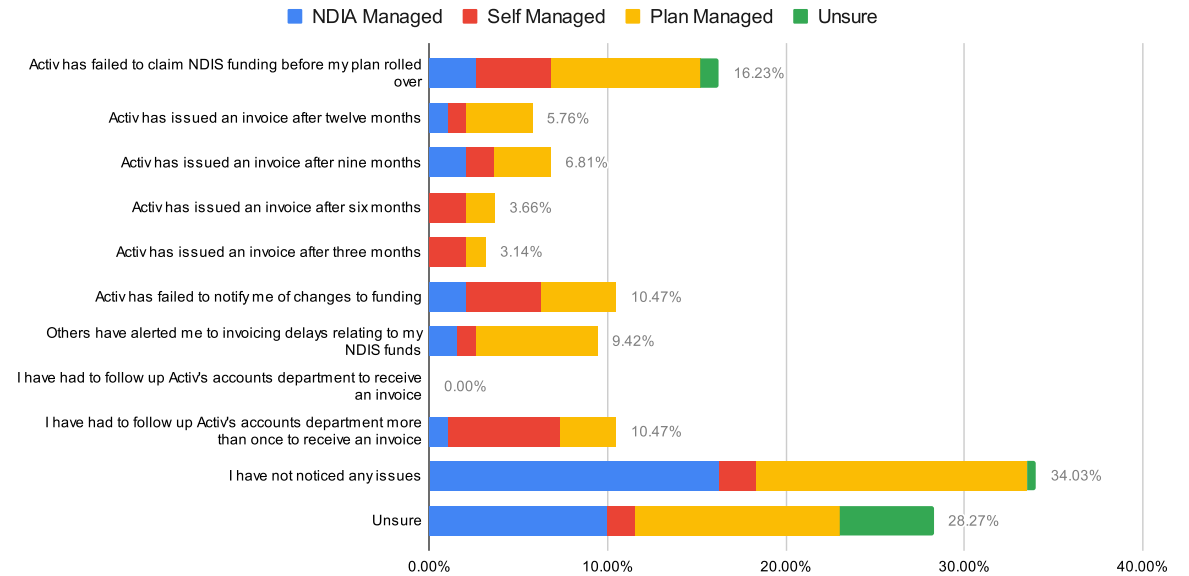
A significant number of primary carers expressed a great deal of surprise given a pattern of invoice delays and non-invoicing, which indicate Activ has not maintained a regular cash flow.

- Around 16% of respondents stated Activ has failed to claim NDIS funding before their plan rolled over.
- Around 18% of respondents stated they had experienced invoice delays of three months or more.

Funding needs to be claimed through the NDIS portal within 90 days by providers or it won't be paid, and the NDIS allocation owed to Activ is forfeited. Without accurate, timely invoicing, an added burden is placed on plan managers and those who self- manage NDIS funding.

Respondents also expressed concern over the unresponsiveness of Activ's accounts department and the lack of communication regarding changes to funding.

**Figure 7:**





### Activ's access of NDIS funding (cont)

A third of respondents hadn't noticed any issues in the way Activ has accessed their NDIS funding, however, only 18% of respondents manage their own funds.

It's likely many primary carers may not be aware of any discrepancies. For example, one family recently discovered that funds had not been transferred through the NDIA portal since July 2020. The number of issues raised in the survey, and by people directly contacting the Activ Advocacy Action Team, strengthens the current community call for a review into Activ's financial management, particularly around claiming NDIS funds.

The recent spate of individuals sharing these stories has prompted families to begin reviewing their invoices, which may shift findings relating to Activ's access of NDIS funding.

*"My sister has been working at Activ for over 40 years as her intellectual disability means open employment is not an option for her. I feel that the government should not be bailing out Activ with money - they are in this situation because of their incompetence in not claiming the monies they are owed through NDIS and now the families of the employees. The outstanding amounts are in the millions. I believe there needs to be an urgent audit of Activ's accounts to see just how much money they have not claimed, and the management of the workshops needs to be put in the hands of a group able to manage them properly. If Activ does keep control, the entire management team must be replaced."*

~Letter to the editor published by *The West Australian* – 17 June 2022

### Voices of the primary carers

*"I received an invoice for 26 months. Two of those months were outside of my Plan and should have been Agency managed. I was billed \$17,000 after 2 years which has put a severe hole in my funding all at once."*

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*"Firstly, Activ sent us invoices on the 12th May 2022 for CB Employment dating back to Sept 2021 - 9 months. Secondly, Kate's father noticed in Kate's NDIS Portal that on the 13th May 2022 there were 2 pages of CB Employment funding taken out dated back to July 2020 - two years late. (No funding was taken out over Job Keeper period)"*

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*"Activ did not claim any of the funding allocated in the NDIS plan. We were alerted just prior to the annual meeting with an NDIS coordinator. I contacted Activ regarding this and they reacted with shock and took the money."*

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*"Communication has been dismal, any issues have had to be followed up by myself to upper management. I received a letter in January saying there may be some changes to our NDIS amount, but then received NOTHING, until we were told about Activ's closures. I made phone calls to the employment officer in January and was told that Activ was dealing with any changes and I would be notified. I have received no information whatsoever."*

# AN EMPLOYMENT FUTURE FOR EVERY ABILITY

Given several primary carers expressed concern regarding the movement to end large-scale supported employment worksites, it's important to note we collectively support ADEs as a sustainable, meaningful option for PWD.

When assessing the veracity of any policy or reform affecting the disability sector, it's important to first address the embedded obstacles to advocacy which uniquely affect the subgroup of PWID (people with intellectual disability), who by nature experience difficulties with self-expression. As a result, they rely on support people to identify, articulate and champion their best interests. Such a reality was reflected in how our own survey data was collected, with over 70% of supported employees requiring assistance to respond.

These barriers to advocacy are exacerbated by the lack of a national organisation resourced to represent issues specific to PWID.

*"...some of those physical disability groups, they can ramp up hundreds and hundreds of members who are all quite capable of ringing their local MP and writing a letter, and that's not the group of people with an intellectual disability. And often their families are fatigued, they're fatigued through a life of caring, and you know, they're just not going to be able to do that lobbying in the same way."<sup>14</sup>*

~ Senior Bureaucrat on unbalanced advocacy

*"Absolute disgrace! Think tanks make decisions on people with disability with no real understanding of the challenges faced by them, especially of those born with a disability."*

~ Primary carer on the closure of Activ

According to NDIS findings<sup>15</sup>, 43% of people with a disability are in open employment. Furthermore, whilst 73% of people with physical disabilities find open employment, this declines to 27% for most survey responses who have a broad spectrum of intellectual disabilities.

As the group who will be most disadvantaged by the mandated closure of supported worksites, PWID are drastically underrepresented in 'disability-led' policy debates and community discourse regarding these reforms, including the Disability Royal Commission. When considering the above NDIS findings, it is salient that most disability advocates who favour solely open employment options are those with physical disabilities.

Given Activ primarily supports PWID, it is concerning the organisation asserts that societal shifts towards large-scale industrial workshops influenced the worksite closures. Marking a significant mission drift, it has "reshaped the future of disability services<sup>16</sup>" to a mold which simply doesn't fit the majority of its "customers".

*"I don't think that the people who are responsible for closing my workplace care about the people who work there. No one has asked the people who work there what they want to do. The people in charge are making choices for us and we don't want those choices."*

*"My life consists of structure and routine and i was happy working in a workshop environment.i would struggle out in open employment which isn't for me."*

*"Not fair, they are not listening to us and helping us with our needs."*

*"I fill like the big boss don't know how we all fill"*

~ Supported employees on the closure of Activ

As noted earlier in the report, 92% of affected supported employees want to continue working at a supported work environment similar to Activ's. Through that lens, primary carers are concerned by how the movement to close ADEs disenfranchises their loved one, as well as the wider network of supported employees in Australia.

In 2017-18 the Department of Social Services (DSS) consulted with stakeholders on the future of supported employment<sup>17</sup>. In its summary of these stakeholder consultations, the Department noted how the majority of submissions suggested that ADEs should be considered a 'genuine employment outcome'.

Further, the DSS consultation included interviews with 54 supported employees, who were asked if their current job is the kind of job they want. 30 out of the 54 respondents said 'yes', with many supported employees expressing "that they were happy and secure in their current job and workplace, and saw this as their ongoing and future job."

The continuing implication from these agencies and advocates that employment options for people with disability can be whittled down to a "one size fits all" pathway directly undermines the outcomes most valued by the NDIS, as well as the supported employees themselves – choice and control. For instance, in the same report, the Department stated:

*"For future supported employees, over half of the most important outcomes identified in workshops related to choice and control over the type and place of employment, including choice and control over the type and place of work."*

*"Most of us cannot get open employment and never will be able to. The community needs these worksites for people like us, we deserve to have a say in our work choices."*

~ Supported Employee

*"The debate about The Australian Disability Enterprise sector has been bubbling for a while. Only a family member or carer of a non-verbal person or person of such a degree of disability that they would not gain employment in the open market can understand the benefits that come with a feeling of belonging to a community and having a routine of going to work and the feeling of wellbeing that that brings."*

*However, economic rationalism and scantily informed populist journalism (without this insight of the family member or carer) will inevitably conclude that this is exploitive and in some way a scam.*

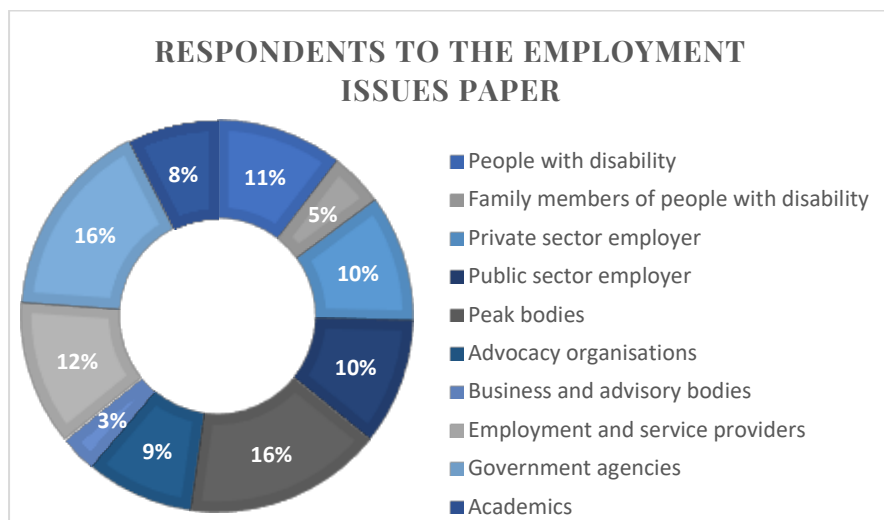
*However, we know different. We know that the cohort that caused the workshop to be established in the first place is still there. We know that even if the model worldwide is changing away from large workshops, the more challenged workers must still be looked after, not just 'dumped'. And we know that the way we have been dealt with is clumsy, naive, and just plain cruel, packaged as a 'human resources' issue.*

*We know that the people who have decided that this is the best possible path to go down are not displaying skill in handling a crisis. And we know that this is not the way to treat anyone, let alone the most emotionally vulnerable, disadvantaged people in our society."*

~ Primary carer

While fully supporting the intention of the Disability Royal Commission, the responses to the employment paper did not proportionally represent adults with an intellectual disability, who make up the largest single group of participants on the NDIS (estimated 29.53%)<sup>18</sup>. As a result, a movement which affects all people with a disability – especially PWID – is being skewed by a select cohort who have the greatest interest in, and likelihood of obtaining, open employment.

From the outset, the disparity between the employment experiences reported on is clear. In the Overview of Responses to the Employment Issues paper<sup>19</sup>, the Disability Royal Commission acknowledges that most of the 65 responses related to open employment, while only a third related to so-called segregated employment. The largest single group of respondents were open employers, who made up 20% of total responses.



ADEs provide employment for 74% of PWID<sup>20</sup>. However, of the eight disability employment and service providers who responded, only half provide supported employment (Greenacres, Activ, Bedford, and Good Sammy Enterprises), accounting for 6% of total responses.

Of the eleven peak bodies and six advocacy organisations, only one respondent – the National Disability Services (NDS) – represents all disabilities and demographics. The NDS stated it was “imperative” the supported employment model was maintained as an employment option for PWD, especially for those with severe and profound conditions<sup>21</sup>.

Further, over 50% of these peak bodies and advocacy groups specifically represented those with either hearing (1) or visual impairments (1), a physical (1) or psychosocial disability (2), or a neurological condition (2).

When contrasting the proportion of open employment achieved from recent NDIS data<sup>22</sup>, individuals with:

- *Hearing impairment are **3.7** times more likely to be in open employment than PWID.*
- *Visual impairment are **2.9** times more likely to be in open employment than PWID.*
- *People with a physical disability are **2.9** times more likely to be in open employment than PWID.*
- *People with ‘other’ neurological conditions are **2.6** times more likely to be in open employment than PWID.*
- *People with a psychosocial disability are **1.6** times more likely to be in open employment than PWID.*

A quarter of all responses came from peak bodies and advocacy groups.

Of the five academics, only one respondent – Dr Ariella Meltzer – seemed to table findings which involved a primary cohort of PWID<sup>23</sup>. Dr Meltzer’s paper adds veracity to supported employment being a viable employment option for PWD.

In 2015-16, Dr Meltzer conducted research into the comparative experiences of PWID in open employment, supported employment and social enterprises. In speaking to 51 PWID in Sydney about their employment experiences, the following conclusions were made:

*“Our research found that each of these employment types had different benefits and drawbacks, and that each were effective in some areas but not in other areas. This is a notable finding, as it means there is no employment type that delivers everything a person with intellectual disability might want and therefore people with intellectual disability must trade-off between which employment outcomes they prioritise most highly.”*

According to Dr Meltzer’s research, the benefits of employment in an ADE included job stability and more support, such as encouragement, understanding and accommodation of PWID’s needs.

When sharing the best things about Activ (Figure 1), over 80% of respondents selected answers revolving around the support workers, including how they enjoy spending time with them and appreciate the way support workers understand and cater for their physical, health and emotional needs.

Conversely, Dr Meltzer’s research indicates that the benefits of open employment are better pay conditions and greater mainstream community connections. When sharing the best things about Activ (Figure 1), *“bringing home a pay cheque”* had the lowest score from respondents, signaling that they prioritise support and understanding over wages when determining their preferred employment outcomes.

The result may be influenced by the fact that, according to National Disability Services, around 90% of employees in ADES receive the Disability Support Pension (DSP), as well as their wages and a range of other concessions including subsidised housing, utilities, transport and medicines<sup>24</sup>.

“I refuse to go into open employment, because I don’t feel safe, going to unknown workplace, with people that have no understanding of what its like living with a mental disability.”

“Employers i had trial at were not understanding of my needs and adjustment and were not willing to adjust systems for me.”

“I do not think that I could cope without support and I cant easily relate to people who are not familiar with disability”

“not as caring and supportive for my needs”

“I require full time support and supervision to do a job and keep me safe. This is not available in open employment.”

“At the time I John tried open employment he found it hard to hold down the job as the support wasn't there.”

“i need a workplace that understands my medical needs and is understanding of my disability.”

#### ~ Supported employees on their experience in open employment

“This isn't about the money it’s about being excepted and SAFE with the disability I have.”

“Work is my family.I don’t go to earn money,I go to talk to my friends.The staff help me all the time to do stuff that is not really about work.It is the best support place.”

#### ~ Supported employees on the closure of the Activ worksites

## SURVEY RESPONSES

We have received over 250 responses to the survey, comprising over 203 submissions from the 700+ affected supported employees and their primary carers. With this response level, the statistical uncertainty is around +/- 6%. This means that where responses differ by more than 12%, the difference is statistically significant. In cases where the difference is less than 12%, the result may or may not be statistically significant.

### **There were several factors which may have limited data collection:**

1. In the absence of a comprehensive staff and next of kin contact list, the method of survey distribution was via growing networks on social media and email.
2. Given the aged population of workers, some parents, guardians and other primary carers may not be computer literate, nor engaged on social media or email to receive the survey.
3. Many of the affected supported workers are unable to read, write or comprehend questions in the survey and require support from their primary carer.
4. Some workers live in supported accommodation, whereby their primary carer is employed by Activ and potentially apprehensive to complete the survey as the organisation advised staff not to undertake any advocacy work.

Literacy and comprehension levels vary with intellectual disabilities making it hard to sample the whole cohort.

*Data is compiled from a survey sent to workers and primary carers of those affected by Activ workshop closures and was distributed in June 2022.*

## ACTIV ADVOCACY ACTION TEAM

The Activ Advocacy Action Team is a group of people whose loved ones are affected by Activ Foundation's announcement to close seven of its supported employment worksites. The team are providing a place to bring everyone's action together to have the worksites continue.

*"My son, Andrew is 34, lives at home and has Williams Syndrome, an intellectual disability. He loves going to work and socialising with friends. He likes to be busy.*

*Activ has given him many things:*

*A sense of self worth and dignity. Andrew sees himself as being like everyone else in the family. He works hard and contributes to society.*

*A routine. Andrew's world works better when he has a routine. He likes to know what is happening and when.*

*A place to socially interact with both his peers and his supervisors. This is very important for his mental health. He loves to have a chat and be praised for his hard work.*

*A safe working environment. Andrew knows that when he goes to work he will be safe, physically and mentally. He will not be bullied or demeaned.*

*A safe way to get to work and home. Andrew has always relied on the bus service to pick him up from home and drop him off in the afternoon. He is not capable of using public transport alone.*

*Skills that we never thought he could have. Andrew has learnt to use power tools, follow instructions, and operate machinery."*

**~ Primary carer**

# REFERENCES

1.

1. Activ. Department of Social Services Discussion Paper: Ensuring a strong future for supported employment. 2018 [online]. Available here.
2. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - Employment. 2020. *Overview of responses to the Employment Issues paper*. [online] Available here.
3. National Disability Services. Responses to the Employment issues paper. 2022. *Submission to the Disability Royal Commission - employment of people with disability in Australia*. [online] Available here.
4. Australian Institute of Health and Welfare. 2020. *People with disability in Australia, Unemployment - Australian Institute of Health and Welfare*. [online] Available here.
5. Australian Bureau of Statistics. 2020. *Disability and the labour force*. [online] Available here.
6. NDIS. 2021. *Employment outcomes - participants, their families and carers | NDIS*. [online] Available here.
7. Ramesh, R., 2012. *35 of 1,000 sacked Remploy workers have found new jobs, says Labour*. The Guardian. [online] Available here.
8. Henderson, E., 2018. *Three in four left jobless by betrayal of disabled*. [online] Express.co.uk. Available here.
9. Activ. Department of Social Services Discussion Paper: Ensuring a strong future for supported employment. 2018 [online]. Available here.
10. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - Employment. 2020. *Overview of responses to the Employment Issues paper*. [online] Available here.
11. Greenacres. Responses to the Employment issues paper. 2020. *Response - "Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability" - Issues Paper - Employment*. [online] Available here.
12. Activ. Department of Social Services Discussion Paper: Ensuring a strong future for supported employment. 2018 [online]. Available here.

13. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - Employment. 2020. *Overview of responses to the Employment Issues paper*. [online] Available here.
14. Bigby, C. 2020. *Dedifferentiation and people with intellectual disabilities in the Australian National Disability Insurance Scheme: Bringing research, politics and policy together* [online]. Available here.
15. NDIS. 2021. *Employment outcomes - participants, their families and carers | NDIS*. [online] Available here.
16. Activ. 2022. *Looking to the future: A new approach for Activ* [online]. Available here.
17. Consultation Summary Report. 2018. *Ensuring a strong future for supported employment Consultations*. [online] Available here.
18. Bigby, C. 2020. *Dedifferentiation and people with intellectual disabilities in the Australian National Disability Insurance Scheme: Bringing research, politics and policy together* [online]. Available here.
19. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability - Employment. 2020. *Overview of responses to the Employment Issues paper*. [online] Available here.
20. NDIS. 2021. *Employment outcomes - participants, their families and carers | NDIS*. [online] Available here.
21. National Disability Services. Responses to the Employment issues paper. 2022. *Submission to the Disability Royal Commission - employment of people with disability in Australia*. [online] Available here.
22. Meltzer, D., 2020. *Response to issues paper on employment*. [online] Responses to the Employment issues paper. Available here.
23. NDIS. 2021. *Employment outcomes - participants, their families and carers | NDIS*. [online] Available here.
24. National Disability Services. Responses to the Employment issues paper. 2022. *Submission to the Disability Royal Commission - employment of people with disability in Australia*. [online] Available here.



# *Our Stories*

## Ben

*I'm Ben's Mum and writing this on my observations and talks with Ben.*

*Ben has Down Syndrome and Autism and is 34, he celebrated 15 years of employment with Activ in November 2021. He has worked 3 days a week in the timber section for a number of years but started in packaging until a very special support worker recognised his potential and pushed for Ben to try out in timber. We've been amazed and so very proud that he has taken to this role so well, especially learning to use the machines and coping with having to wear the safety gear. His favourite things at Activ are the celebrations that are organised by the wonderful staff with the help of the social committee, which meetings Ben joins in with and makes suggestions. Also catching the bus is an integral part of Ben's work day that he looks forward to and always comes home with stories about what was said or a song that played ... even some news heard on the bus radio. He has a very special bond with Grace the bus driver and we love hearing the laughter as he gets off each afternoon, she's an amazing person and has a very special rapport and bond with all the guys that catch her bus. She has also taken the incredibly generous step to keep the Rockingham bus running for "her guys" by leasing the bus from the company that had to close and starting her own business for as long as they need to go to work!*

*Bens first reaction when told the news by an Activ Board member at the dreadful Rockingham meeting was "But what about the Christmas Party and Melbourne Cup!"*

*He then said "so when will it open again?" We explained that it wouldn't be re-opening but tried to put a very positive spin on it for Ben's mental health and he thought of a few other things he might do, such as volunteering and a group activity. Since that first meeting he has been very confused and said "I haven't cried yet" but had tears in his eyes, he then said a lot of people at work are crying.*

*He is now very anxious and confused because of the uncertainty of what's going to happen to his work place as he knows that the government has talked about helping to save the workshops from closing and is desperate for an answer that will get his life back to normal.*

*Even if Ben found work elsewhere, we are very worried it won't have the same sense of belonging, security and safety that is unique to working at the Activ workshop..*

## Andrew

*My son, Andrew is 34, lives at home and has Williams Syndrome, an intellectual disability. He loves going to work and socialising with friends. He likes to be busy.*

*Activ has given him many things:*

*A sense of self worth and dignity. Andrew sees himself as being like everyone else in the family. He works hard and contributes to society.*

*A routine. Andrew's world works better when he has a routine. He likes to know what is happening and when.*

*A place to socially interact with both his peers and his supervisors. This is very important for his mental health. He loves to have a chat and be praised for his hard work.*

*A safe working environment. Andrew knows that when he goes to work he will be safe, physically and mentally. He will not be bullied or demeaned.*

*A safe way to get to work and home. Andrew has always relied on the bus service to pick him up from home and drop him off in the afternoon. He is not capable of using public transport alone.*

*Skills that we never thought he could have. Andrew has learnt to use power tools, follow instructions and operate machinery.*

*Activ has given us, his family:*

*Relief that he can be employed. Main stream employment is very difficult for many of those with an intellectual disability.*

*Activ provided the opportunity for Andrew to work like everyone else.*

*Joy that he is happy. Ultimately, this is the wish of every parent for their child. It is especially so for a child who is so vulnerable.*

*A sense of comfort that he is safe. Safety is always a worry for the parent of a child with a disability. We don't have to think about this when Andrew is at work.*

*And until now, the belief that he would have a job into the future. We were overjoyed when Andrew got work with Activ. It has always been seen as a lifetime employer.*

*You will notice that I have not mentioned money here. That is because it is not about the money earned. We all realise that Andrew is paid a very low amount per hour, but we don't rate that as a high priority. It is about all the other things I have outlined, and that is what people who have not lived the life do not understand.*



Thomas

*My son Thomas 22 has autism and an ID.*

*I am a single mum raising him with support from others. This is very rewarding but also requires a lot of hard work on a day to day basis..*

*He has been a supported employee at Activ Industries in Bentley for 4 years after he transition from Highschool.*

*Thomas and the life that we live have always been full of structure and routine. he is a very special, funny, feeling young man and we have all worked very hard to help him achieve and accomplish things others take for granted.*

*He loves going to work on the bus that used to pick him up, now that will all be taken away from him and his workmates. Other people feel they know what's best when they don't.*

*People like the government and NDIS need to be communicating with parents, carers and others to ask what help and support they need and want for their children and families individually as they are all special and unique.*



Sarah

*My daughter works at Busselton Activ and has done for 20 years this year. She only works there 2 days a week and spends her other 3 days with support workers doing a variety of daily activities and social participation activities. She stays overnight in Busselton one day a week on the days she works in Busselton. She has made a whole new group of like minded people as friends while working at Activ and it is the only way she would be capable of making any income since her chances of gaining employment in the open market would be almost nil due to her low set of skills.*

## Michaela

*My daughter Michaela is 34 and I am her carer. Michaela has been working at Activ for 15 years since she left school. Michaela has an intellectual disability as well as being legally blind, hearing impaired, has a speech impediment, is an Auslan user and has fine and gross motor skill problems. Michaela is not able to use public transport and is not able to work in open employment. Michaela is not able to do the work required to earn minimum wage. There were limited post school options for Michaela until I saw an ad in the local paper for Activ supported employment.*

*Michaela started work three days a week at Activ Embleton and they were amazing. Michaela was supported to pack and process cutlery sets and headsets for the airlines. At that stage Activ transport was running and that is how she got to and from work. Michaela was very happy at Embleton and the staff there made it a happy place to be and Michaela made lots of friends, felt very important doing the work she was doing and most importantly, felt safe. I was able to get a part time job in a school and have some free time to myself.*

*Then the NDIS funding started and changes were made. Embleton was closed and the transport stopped. This was a big upheaval for Michaela as a lot of her friends were moved to the Bentley site - which is too far from our home. I managed to get Michaela in at Osborne Park and thankfully All Aboard Shuttle bus was started so she could still get to work and importantly I could continue to work. Michaela was not as happy there as Embleton - change is hard for her but she settled down to work and always tried her best and was very happy to pack the show bags and she made some new friends.*

*Now this sudden announcement that Activ is closing because of NDIS funding changes and the communities' desire for large scale supported workplaces to be done away with is very distressing. Some people with disabilities, like my daughter, are not able to access open employment or the type now being offered by Activ. For us it is not about the token wage - it is that rate for a reason - it is about Michaela feeling valued and having a purpose everyday without having to deal with the wider, sometimes very judgmental, community. It is a place where she can feel valued, see her friends and go to work just like Mum and Dad. There are limited options available now and limited space as everyone at Activ is now looking for alternate options. There is no transport available either. A couple of options I have looked at for Michaela and getting her there do not fit in with my work hours. I may need to stop work or my husband look at reducing hours to share either being with Michaela or be available to take her to and from whatever she ends up doing. Who knows if her funding is going to be enough now, one on one or small group supports are very expensive. It is a very trying and distressing time for Michaela and the whole family as it affects all of us and will definitely put financial strain on us if we have to stop/reduce work hours. My husband and I have little time on our own and all this just adds to the strain. The decision makers in NDIS, government and Activ need to consider their choices and actually talk to the people themselves about what they want and not make decisions based on 'community desires' or what sounds like a good idea as recommended by some do-gooder.*



## Kate

*Kate is almost 34 years old, and absolutely loves working at ACTIV, where she has been employed for + 15 years. As soon as she graduated from High School, she joined ACTIV because it was apparent that she was not suited to any other type of employment, due to her disabilities. She cannot catch public transport by herself, or for that matter even cross the road, because of her distorted vision. She cannot negotiate stairs or even stepping over curbs by herself. She needs constant support when in the public domain. Kate cannot stand for long periods or walk long distances either, due to a hip replacement she endured when she was 16 years old. Kate has worked at East Victoria Park, Palmyra and Bentley after a consolidation of their work sites.*

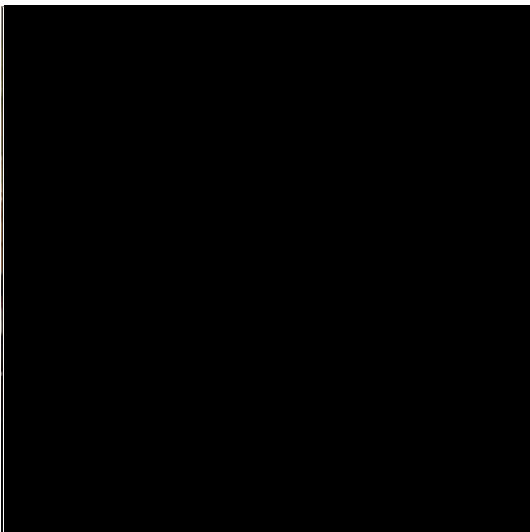
*Kate works 4 days/week, gets herself out of bed around 6am, has breakfast and gets herself ready for work. She is always ready early, waiting for the bus on her rostered workdays because she loves the routine and structure of going to work at ACTIV. She loves being with her friends and support workers. There have been times when we have offered her a day off, but she would much prefer to be at work. She feels that it is the responsible thing to do and that she makes a contribution at work. We wish more people had Kate's work ethic. Working and the social interaction with her friends and support workers at ACTIV is a very large part of her life.*

*Kate was born with Down Syndrome and is legally blind. Over the course of the last couple of years she has undergone two successful corneal grafts which have thankfully provided her with a better quality of life, albeit still classified as legally blind. She requires the daily administration of eye drops and the staff at ACTIV are very accommodating. Kate also had depression some years ago which required a staggered return to work programme and the support staff at ACTIV were extremely understanding and put no pressure on Kate or her family. The staff have been very caring and supportive of our Kate since she started at ACTIV and we know it is a safe haven for her. We don't believe that she would be suited to any other type of work place without one on one support. We also know that significant change can trigger depression, so the more constants in Kate's life the better.*



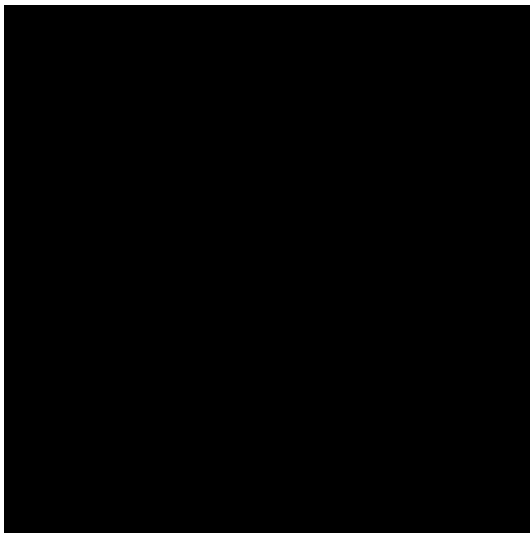
## Brent

*Brent is a wonderful 21 year old young man who has been born with multiple assessed disability conditions (Down Syndrome, Autism, ADHD, OCD and Non-verbal). He is friendly and loving but requires support in living his daily life. He loves routine and when given a task he enjoys, makes people proud with how he will go about it and complete it. Brent's communication is very limited and remains a constant focus for us to try to improve, a major goal in order to allow him to share his feelings and needs more easily with those around him. The Activ workshop has been a wonderful addition to Brent's life. It has provided him with many positives...social interaction, purpose of achieving, variation in activities, excitement in being able to make a*



## Katie

*Our family member is a wheelchair user and has some cognitive issues which impact short term memory and concentration, she is also unwell from time to time or needs to attend hospital appointments. These factors make it difficult for her to work in open employment*



## Bryn

*My name is Bryn and I have worked at ACTIV in Osbourne Park for almost 15 years.  
I work in the packaging department and I really enjoy working there  
I'm in team one and my supervisor is Louanna  
My friends are Andrew and Pete  
I travel to ACTIV by bus and train and I do this independently  
I really enjoy travelling to work by myself  
During Covid my parents were taking me back and forth in the car and I didn't like that!  
Every Monday I get my payslip and when I get home I give it to my parents it makes me feel very proud  
If I have to get another job it will be far away from my home and most of those places are not easy for me to travel to alone  
that will be very upsetting for me  
I want to stay at ACTIV in Osbourne Park because I am really happy there*

## Ryan

*I write this account as a parent with a strong background in education - my own career as a teacher, a leader of an education support unit and secondary school principal giving me the understanding to know that every individual is different and all have their own 'best' pathway in life.*

*Supported employment is not for everyone but for many it is a wonderful experience that adds purpose, continued opportunities for learning work and social skills, friendships, accomplishment and acceptance. It also gives them some income that supplements the disability pension and all the allowances that go with it.*

*Our son Ryan has a rare chromosomal abnormality that results in intellectual disability and poor fine motor control. He is very sociable and very trusting of everyone. Ryan has worked for Activ for 16 years. He started with work experience while still at school and really enjoyed the company and the skills he learnt. He still has friends at work that went to school with him and he has made many more - both with supported workers and staff. When he moved from East Vic Park to the Embleton workshop, the work was considerably harder and he had trouble learning the new skills because he has poor fine motor control and he has an intellectual impairment. He was initially given a 3 month trial but still found the new tasks challenging. The wonderful staff were patient and persistent. They extended his trial twice so he had 9 months to learn a simple task and he finally became proficient at detangling headset cords and plugging them in to see if they worked. He continues with this job now that the Embleton crew has moved to Bentley. He loves this job. He feels it is important work and he tells people "I do those headsets for Qantas". He always tells the airline staff when we travel and they treat him as a VIP. It is, to him, the most important thing he could do.*

*Ryan loves going to work to see his friends and he has been given the opportunity to learn new skills and participate in certificate training. Despite not being able to pass the certificates, he was still included in the classes and given recognition for his participation. It was one of his proudest moments to be in the group that received their awards at Government House that year. His successes and his milestones at work are celebrated and he is treated very respectfully. Strangely Ryan initially didn't seem particularly upset that Activ was closing - it seems he had confidence that we would 'fix' things for him and he could keep doing headsets. It didn't sink in that his life was going to change dramatically. This was until we went for a site tour of another workplace and he then realised that headsets were not on offer!! This is the first time it struck home to him that things would have to change. He now says he doesn't want to go to work if it isn't something he loves and he has withdrawn somewhat. It is the first time my husband and I actually felt very sad rather than angry about the closure because we could see the impact it was having on Ryan.*

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*There is absolutely no way Ryan would survive in open employment, no matter how much time is given for him to learn a job. We have seen what it does to him when he is not accepted, we have seen how uncomfortable he is asking for simple things like where the toilet is, and he wouldn't have a clue what time to eat or finish lunch. He couldn't deal with any workplace conflict, he wouldn't be safe from bullying or predatory behaviour and he would be lonely because he would be the odd one out. People, despite being kind, often don't know how to interact respectfully with a person with an intellectual disability and it can lead to social isolation. We don't want this for him. We've seen the effect it has on him when people are rude, impatient and angry.*

*We've spend 34 years setting him up to be a good person and as resilient as possible. We have explored multiple options for him and always come back to the fact that he thrives in a supported, accepting and inclusive environment. It is important to remember that the true meaning of inclusion is not to dump everyone together - it is to be in the place that provides the best environment for one to thrive. Work wise, Activ does that for Ryan. There is a place for supported workshops and we must remember that it is those who can't speak out for themselves who are never consulted about what they want and what works for them. People like Ryan need to be seen and cared for and given a voice. As a society we can and must do better than further marginalise an already marginalised and vulnerable community. And we must do better for families like ours who are aging and can't do the heavy lifting forever.*



## Robert

*Robert my son started work at ACTIV 16 years ago. It changed his life. It gave him meaning and purpose. His selfasteem grew and in a short period he became proud of what he has achieving in life.*

*He has met a lot of friends at ACTIV that he communicates with regularly outside of work hours. He has managed to find a group that has similar abilities and can feel at home with. He has found very few friends through his other activities outside of work.*

*He has been a committee member on a number of ACTIV's committees and this has given him great pride. He has felt part of a team at ACTIV and is always keen to go to work. He has to be reminded that he can not get there to early.*

*In all it is going to be devastating for him when he no longer has work to go to.*



## David

*"Story by David (supported employee) - I like working in packaging. I have to sit down at work because I fall over easily and can hurt myself. I like doing headsets, packaging RATS, packing showbags. I have lots of friends at work and can have fun at lunchtime talking about the football and pokemon. Other people don't like talking to me much and dont understand what I say. My friends at work and the Activ staff understand me and talk to me. I like earning some money to buy op shop jewellery, donuts and pokemon games. Some days when I am not working I go to the pool, go to Zumba and visit the library. I dont want to do this everyday - I want to go to work too.*

*Story by Annette (Davids carer/Mother) - David has worked at ACTIV at various worksites and in various positions for over 15 years. As a family we have celebrated his achievements at work with the same pride and joy we celebrate the achievements of his abled siblings. The work he is doing is of importance and his dedication to the various jobs is to be applauded.*

*David has ataxic cerebral palsy and an intellectual disability. The ataxia affects his spacial awareness and can result in falls and injuries. He is unable to determine where his body is in space and thus can easily bump into people and objects. He has a tremor in his hands and fine motor tasks are therefore difficult. His intellectual disability precludes him from work requiring more advanced cognitive skills and critical decision making. The work he undertakes in packaging is aimed at his ability level and although he is slow to complete the tasks, he works well within the team and achieves the required outcome. In a world where achievement is difficult for him the work in supported employment brings him a great deal of pleasure and boosts his self-esteem.*

*The supported employees working with David form a safe community who share common interests and acceptance of each other's differences. Many of the employees went to school together, are members of supported social groups, and have known each other for years. Like any large community there are people who gravitate to each other with shared interests. For David this means he has likeminded friends he can talk to about Pokemon, The Bold and The Beautiful or Thomas the Tank Engine. Obviously not the chat of choice for the average 34 year old within the community. At work he feels accepted and is confident in his social interactions with others knowing he will not be ridiculed or spoken to in a condescending manner for his interests.*

*The Activ staff are professional in dealing with supported employees. If David has an issue with the work he is doing or with interpersonal work relationships he knows who he can approach to discuss the matter and that his concerns will be taken seriously. The staff ensure the physical and emotional well being of employees is at the forefront of their duty of care. He is treated with respect and his opinions matter. Unfortunately this is not always the case within the general community and without this safe network to support David I know he would become frustrated and angry.*

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*When David remained at home for several weeks last year due to Covid restrictions he became depressed, angry, violent, and abusive. He finds it very difficult to entertain himself beyond TV and using his Nintendo switch to play Pokemon. He does not wish to spend time on activities with his parents and wants to be achieving his work goals and seeing his friends. This period of time, when dealing with David's challenging behaviours, was very difficult for all the family and affected our physical and mental health. It also broke our hearts to see him depressed and not understanding why he could not go to work.*

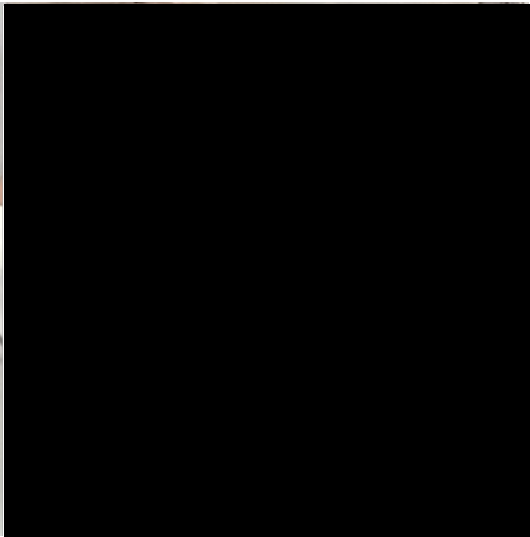
*The alternatives being offered by the Activ Academy will not be suitable for David's requirements. His abilities preclude him from open employment, and he undertakes suitable life skill training with his in-home support workers. He currently accesses the community with a support worker on two days of the week. He goes to the local library, walks laps in the local pool, attends Zumba class, and goes bowling. All worthwhile activities but not activities that can be undertaken every day of the week. Aside from the significant personal cost of these activities, David's NDIS funding would need to be increased to cover the additional support worker hours required. His current mix of three days in supported employment and two days community access provides David with a good life of physical activity, social interaction, and meaningful work. Something everyone aspires to.*

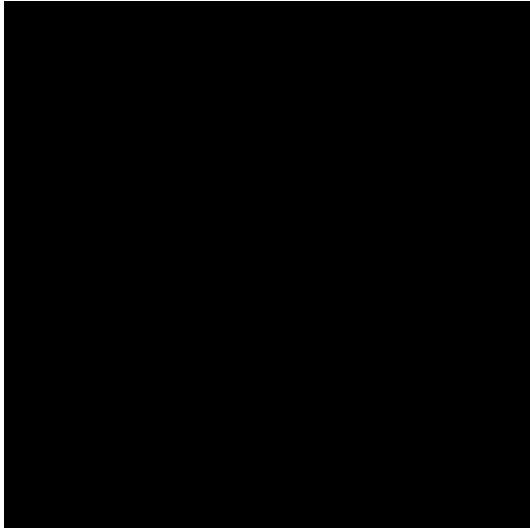
*The affect on his family should David not be suitably employed is something we are trying not to contemplate at the moment. David's wellbeing is always our primary concern, however, we are at a time in our lives where we are dealing with an ageing parent, a new Grandchild, providing support to our other adult children, and dealing with our own health concerns. Our options for travel and other activities and interests undertaken by our peers are already severely restricted by our commitment to David's care and welfare. The closure of Activ supported employment and facing the option that there will be no suitable replacement work opportunities for David is adding considerable additional stress to our lives.*

*The best solution for him and us would be additional funding to allow another provider to takeover the operations of Activ and work towards the continuance of these excellent supported employment worksites.*

**Dianne**

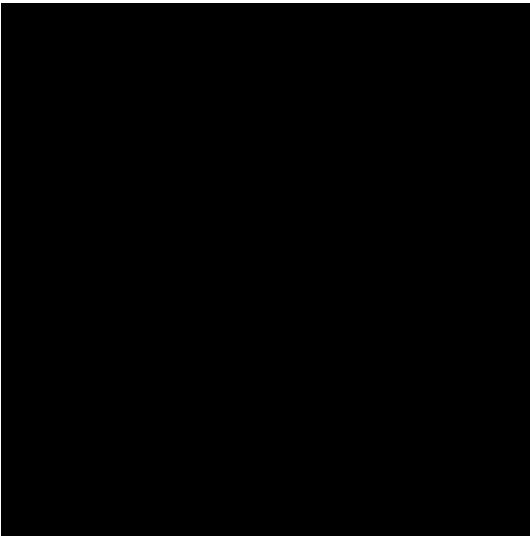
*Dianne has an intellectual disability & has been with ACTIV for 42 years. Her parents were fund raisers for SLCG throughout the 60's & 70's*





## Emma

*I started working at Activ about 5 years ago and I enjoy working there. I have met some new friends there and leaning new skills. I would like to try open employment again.*



## Troy

*Troy is 40 has been with activ since he was born we use to pay \$32 a family to be a member and have loved using the services since leaving school troy has worked at Activ business services for 21 yrs this year he has Down syndrome and has done numerous courses with pathways and has learnt many skills in communication, using the microwave, made long term friendships and has grown in maturity, he always misses his friends when he goon holiday and can't wait to get back to work he loves earning lots of money he says he has security and feels safe if this is all taken from him, he will lose all that he knows and loves, and will have nothing to look forward to and he doesn't know what to do next*



A huge thank you to everyone who has contributed to, advocated for and supported those affected by Activ's closure.  
**We hear you and we see you**



### **Appendix 3**

#### **Supported wage versus national minimum wage (NMW) | Scenarios (rates current July 2022)**

##### **Scenario 1:**

A is a 48 year old supported worker who works 32 hours per week at an ADE as Level C - Grade 2. A lives independently with support

| <b>Income</b>               | <b>Fortnight</b> | <b>Annual</b>            | <b>Annual adj</b> |
|-----------------------------|------------------|--------------------------|-------------------|
| Disability support pension: | \$900.80         | \$23,420.80              |                   |
| DSP supplement:             | \$ 72.70         | \$1,890.20               |                   |
| Energy supplement:          | \$14.10          | \$366.60 + \$200 (state) |                   |
| Rent Assistance:            | \$145.80         | \$3,790.80               |                   |
|                             |                  | <hr/>                    |                   |
|                             |                  | \$29,668.40              |                   |

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**ADE wage:** \$373.11 \$9,700.97  
**Annual income of \$39,3693.37 TAX FREE**

##### **Calculations on national minimum wage July 1 2022:**

\$21.38 x 32 hours = \$684.16 per week **will lose low income HHC after one year**

Over 52 weeks = \$35,576.32

Tax: \$3,301.44 - does not include Medicare levy

**Net wage: \$32,274.88**

**A cannot get DSP because they work 30 hours per week.**

**A will lose low income HHC after one year.**

**Difference: \$7,094.49**

**A is better off on DSP and supported wage**

## Scenario 2:

J is a 33 year old supported worker who works 4 days (26 hours) per week at an ADE as Level B - Grade 2.

He lives in supported accommodation.

| Income                      | Fortnight | Annual                   | Annual adj         |
|-----------------------------|-----------|--------------------------|--------------------|
| Disability support pension: | \$900.80  | \$23,420.80              | <b>\$11,437.92</b> |
| DSP supplement:             | \$ 72.70  | \$1,890.20               | \$1,890.20         |
| Energy supplement:          | \$14.10   | \$366.60 + \$200 (state) | \$566.60           |
|                             |           | <hr/>                    |                    |
|                             |           | \$25,877.6               | \$13,894.72        |

Rent assistance: rent capped at 25% of wage

**ADE wage:** \$217.60 \$5,657.60

**Annual income of \$31,535.2 TAX FREE**

### **Calculations on national minimum wage July 1 2022:**

\$21.38 x 26 hours = \$555.88 per week

Over 52 weeks = \$28,905.76

Tax: \$2,033.95 - does not include Medicare levy

**Net wage: \$26,871.81**

**If J stays on the DSP and earns min wage for 26 hours, he can earn \$190 per fortnight without penalty after which 50c is deducted for each \$1 earned.**

**NMW \$555.88 a week his DSP will reduce by  $(\$555.88 \times 2 - \$190) / 2 = \$460.88$  a fortnight or \$11,982.88 a year leaving a DSP balance of \$11,437.92.**

**So his combined wage will be \$40,766.53**

**J will earn more money on a mix of DSP and NMW**

**Scenario 3:**

G is a 50 year old supported worker who works 3 days (21 hours) per week at an ADE as Level C - Grade 2.

He lives alone in the family home and bears the cost of rates, taxes, insurance and maintenance.

| <b>Income</b>               | <b>Fortnight</b>        | <b>Annual</b>            | <b>Annual adj</b>  |
|-----------------------------|-------------------------|--------------------------|--------------------|
| Disability support pension: | \$900.80                | \$23,420.80              | <b>\$14,217.32</b> |
| DSP supplement:             | \$ 72.70                | \$1,890.20               | \$1,890.20         |
| Energy supplement:          | \$14.10                 | \$366.60 + \$200 (state) | \$566.60           |
|                             |                         | <hr/>                    |                    |
|                             |                         | \$25,877.6               | \$16,674.12        |
|                             |                         | <hr/>                    |                    |
| <b>ADE wage:</b>            | \$233.15                | \$6,061.90               |                    |
|                             | <b>Annual income of</b> | <b>\$31,939.50</b>       | <b>TAX FREE</b>    |

**Calculations on national minimum wage July 1 2022:**

\$21.38 x 21 hours = \$448.98 per week

Over 52 weeks = \$23,346.96

Tax: \$977.74 - does not include Medicare levy

**Net wage: \$22,369.22**

**If G stays on the DSP and earns min wage for 21 hours, he can earn \$190 per fortnight without penalty**

At \$448.98 a week his DSP will reduce by  $(\$448.98 \times 2 - 190) / 2 = \$353.98$  per fortnight or \$9,203.48 a year leaving a DSP balance of \$14,217.32.

**So his combined wage will be \$22,369.22 + \$16,674.12 = \$39,043.34**

**G will earn more money on a mix of DSP and NMW**

#### Scenario 4

T is a 19 year old supported worker who works 30 hours per week at an ADE as Level B - Grade 2.

He lives with his family.

| Income                      | Fortnight | Annual      | Annual adj |
|-----------------------------|-----------|-------------|------------|
| Disability support pension: | \$516.30  | \$13,423.80 | -          |
| DSP supplement:             | \$ 136.50 | \$3,549     | -          |
|                             |           | <hr/>       |            |
|                             |           | \$16,972.80 |            |

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**ADE wage:** \$113.24 \$5,888.48

**Annual income of \$22,861.28 TAX FREE**

***Calculations on national minimum wage July 1 2022:***

\$17.26 x 30 hours = \$517.80 per week

Over 52 weeks = \$26,925.60

Tax: \$1,657.75 - does not include Medicare levy

**Net wage: \$25,267.85**

**T earns less on the supported wage than on NMW.**

**T cannot get DSP because he works 30 hours per week.**

**He earns \$2,406.57 more on NMW**

#### Scenario 5

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K is a 24 year old supported worker who works 2 days (14 hours) per week at an ADE as Level A - Grade 2

She lives with her family.

| Income                      | Fortnight | Annual      | Annual adj  |
|-----------------------------|-----------|-------------|-------------|
| Disability support pension: | \$900.80  | \$23,420.80 | \$18,108.48 |
| DSP supplement:             | \$ 72.70  | \$1,890.20  | \$1,890.20  |
|                             |           | \$25,311    | \$19,998.68 |

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|                  |                         |                             |
|------------------|-------------------------|-----------------------------|
| <b>ADE wage:</b> | \$95.55                 | \$2,484.30                  |
|                  | <b>Annual income of</b> | <b>\$27,795.30 TAX FREE</b> |

**Calculations on national minimum wage July 1 2022:**

\$21.38 x 14 hours = \$299.32 per week

Over 52 weeks = \$15,564.64

Tax: \$0 - does not include Medicare levy

**Net wage: \$15,564.64**

**If K stays on the DSP and earns min wage for 14 hours, she can earn \$190 per fortnight without penalty**

At \$448.98 a week her DSP will reduce by  $(\$299.32 \times 2 - 190) / 2 = \$204.32$  a fortnight or \$5,312.32 a year

**So her combined wage will be \$15,564.64 + \$19,998.68 = \$35,563.32**

**K will earn more money on a mix of DSP and NMW**

## Scenario 6

E is a 24 year old supported worker who works 2 days (14 hours) per week at an ADE as Level C - Grade 2.

She lives independently in an apartment with support.

| <b>Income</b>               | <b>Fortnight</b>        | <b>Annual</b>               | <b>Annual adj</b> |
|-----------------------------|-------------------------|-----------------------------|-------------------|
| Disability support pension: | \$900.80                | \$23,420.80                 | \$18,108.48       |
| DSP supplement:             | \$ 72.70                | \$1,890.20                  | \$1,890.20        |
| Energy supplement:          | \$14.10                 | \$366.60 + \$200 (state)    | \$566.60          |
| Rent Assistance:            | \$145.80                | \$3,790.80                  | \$3,790.80        |
|                             |                         | <hr/>                       |                   |
|                             |                         | \$29,668.40                 | \$24,356.08       |
| <hr/>                       |                         |                             |                   |
| <b>ADE wage:</b>            | \$175.72                | \$4,568.72                  |                   |
|                             | <b>Annual income of</b> | <b>\$34,237.12 TAX FREE</b> |                   |

### **Calculations on national minimum wage July 1 2022:**

\$21.38 x 14 hours = \$299.32 per week

Over 52 weeks = \$15,564.64

Tax: \$0 - does not include Medicare levy

**Net wage: \$15,564.64**

**If E stays on the DSP and earns min wage for 14 hours/week, she can earn \$190 per fortnight without penalty**

At \$598.64 per fortnight her DSP will reduce by \$204.32 per fortnight or \$5,312.32 per year

**So her combined wage will be \$15,564.64 + \$24,356.08 = \$39,920.72**

**K will earn more money on a mix of DSP and NMW**

## Scenario 7

R is a 34 year old supported worker who works 5 days (35 hours) per week at an ADE as Level C - Grade 2.

He lives in the family home with his parents.

| <b>Income</b>               | <b>Fortnight</b> | <b>Annual</b> | <b>Annual adj</b> |
|-----------------------------|------------------|---------------|-------------------|
| Disability support pension: | \$860.70         | \$22,378.2    | -                 |
| DSP supplement:             | \$72.70          | \$1,890.20    |                   |
|                             |                  | <hr/>         |                   |
|                             |                  | \$24,268.40   |                   |

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|                  |                         |                             |
|------------------|-------------------------|-----------------------------|
| <b>ADE wage:</b> | \$439.30                | \$11,421.80                 |
|                  | <b>Annual income of</b> | <b>\$35,690.20 TAX FREE</b> |

### ***Calculations on national minimum wage July 1 2022:***

\$21.38 x 35 hours = \$748.3 per week

Over 52 weeks = \$38,911.60

Tax: \$3,935.09 - does not include Medicare levy

**Net wage: \$34,976.51**

**R will lose low income HHC after one year**

**R cannot get DSP because he works for 30 hours per week.**

**Difference: \$713.69**

**R is better off on DSP and supported wage**

## Scenario 8

P is a 41 year old supported worker who works 5 days (30 hours) per week at an ADE as Level C - Grade 2.

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He lives in the family home with his parents.

| <b>Income</b>               | <b>Fortnight</b> | <b>Annual</b> | <b>Annual adj</b> |
|-----------------------------|------------------|---------------|-------------------|
| Disability support pension: | \$860.70         | \$22,378.2    | -                 |
| DSP supplement:             | \$72.70          | \$1,890.20    |                   |
| Energy supplement:          | \$               | \$            |                   |
| Rent Assistance:            | \$               | \$            |                   |
|                             |                  | <hr/>         |                   |
|                             |                  | \$24,268.40   |                   |

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|           |          |                         |                             |
|-----------|----------|-------------------------|-----------------------------|
| ADE wage: | \$376.63 | \$9,792.34              |                             |
|           |          | <b>Annual income of</b> | <b>\$34,060.74 TAX FREE</b> |

***Calculations on national minimum wage July 1 2022:***

\$21.38 x 30 hours = \$641.40 per week

Over 52 weeks = \$33,352.80

Tax: \$2,878.88 - does not include Medicare levy 2,878.88

**Net wage: \$30,473.92**

**P cannot get DSP because he works for 30 hours per week.**

**If P increases hours he will lose low income HHC after one year.**

**Difference: \$3, 586.82**

**P is better off on DSP and supported wage**

**Scenario 9**

P is a 28 year old supported worker who works 30 hours per week at an ADE as Level B - Grade 2.

He lives in supported accommodation.

| <b>Income</b>               | <b>Fortnight</b> | <b>Annual</b>                                | <b>Annual adj</b> |
|-----------------------------|------------------|----------------------------------------------|-------------------|
| Disability support pension: | \$900.80         | \$23,420.80                                  |                   |
| DSP supplement:             | \$ 72.70         | \$1,890.20                                   |                   |
| Energy supplement:          | \$14.10          | \$366.60 + \$200 (state)                     |                   |
|                             |                  | <hr/>                                        |                   |
|                             |                  | \$25,877.6                                   |                   |
| <hr/>                       |                  |                                              |                   |
| Rent assistance:            |                  | rent capped at 25% of wage                   |                   |
| <b>ADE wage:</b>            | \$251.10         | \$6,528.60                                   |                   |
|                             |                  | <b>Annual income of \$32,406.20 TAX FREE</b> |                   |

***Calculations on national minimum wage July 1 2022:***

\$21.38 x 30 hours = \$641.40 per week works one more hours **will lose low income HHC after one year**

Over 52 weeks = \$33,352.80

Tax: \$2,878.88 - does not include Medicare levy

**Net wage: \$30,473.92**

**P cannot get DSP because he works for 30 hours per week.**

**If P increases hours he will lose low income HHC after one year.**

**Difference: \$1,932.28**

**P is better off on DSP and supported wage**

**Scenario 10**

W is a 46 year old supported worker who works 4 days (28 hours) per week at an ADE as Level B - Grade 2. He lives in supported accommodation.

| <b>Income</b>               | <b>Fortnight</b> | <b>Annual</b>            | <b>Annual adj</b> |
|-----------------------------|------------------|--------------------------|-------------------|
| Disability support pension: | \$900.80         | \$23,420.80              | \$10,326.68       |
| DSP supplement:             | \$ 72.70         | \$1,890.20               | \$1,890.20        |
| Energy supplement:          | \$14.10          | \$366.60 + \$200 (state) | \$566.60          |
|                             |                  | \$25,877.6               | \$12,783.48       |

Rent assistance: rent capped at 25% of wage

**ADE wage:** \$263.70 \$6,856.20

**Annual income of \$32,733.8 TAX FREE**

***Calculations on NMW July 1 2022:***

\$21.38 x 28 hours = \$598.64 per week

Over 52 weeks = \$31,129.28

Tax: \$2,456.51 - does not include Medicare levy

**Net wage: \$28,672.77**

**If W stays on the DSP and earns min wage for 28 hours, he can earn \$190 per fortnight without penalty after which 50c is deducted for each \$1 earned.**

**NMW \$598.64 a week his DSP will reduce by  $(\$598.64 \times 2 - \$190) / 2 = \$503.64$  a fortnight or \$13,094.64 a year leaving a DSP balance of \$10,326.68.**

**So his combined wage will be \$41,456.25**

**W will earn more money on a mix of DSP and NMW**

## Appendix 4

