

NDS Response to the Draft Industry Information Paper – 2020 Disability Employment Services Formal Performance Assessment

NDS welcomes the opportunity to provide this response to the Draft Industry Information Paper on the 2020 Disability Employment Services (DES) performance assessment.

NDS acknowledges that a formal performance review was always in scope during the life of this contract, and that providers agreed to this in signing the Deed. While NDS supports formal performance reviews, we believe that the timing of the proposed review is ill conceived given several factors including:

- A once in 100 years pandemic; and
- Limited access to data

NDS notes that DSS is proposing to conduct a formal performance assessment of DES providers in ESS and DMS for 2020, which takes into account star ratings performance for the four quarters of that year. DES providers that achieve at least one quarter of average performance (three stars or above) during that period will not be subject to the performance assessment.

The performance assessment will reallocate participants of poor performing services removed from an ESA to a service of the participant's choice.

The Paper also sets out the processes for consideration and assessment of extenuating circumstances submissions.

Observations on the performance assessment principles

NDS makes the following observations about the principles of the performance assessment process:

The 'extenuating circumstances' provisions have been tightened to such an extent that it is unlikely that any submissions would be lodged by providers, let alone approved by DSS.

DES providers have not had access to the star ratings in a timely or transparent manner so far in 2020. For example, providers did not receive their June Star Ratings until early December, which is an unacceptable delay.

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NDS and its members are concerned that the impacts of the COVID-19 shutdowns and the subsequent disruptions to labour markets nationally have been accurately factored into the star ratings. These impacts included:

- The effect of the extended shut downs in Victoria will place providers in that state at a profound disadvantage compared to jurisdictions where their most severe restrictions were removed around the time Victoria's commenced.
- Some providers reported that participants in Supported Independent Living or residing with elderly carers were discouraged from attending work due to the possibility of fellow residents with vulnerable health conditions contracting COVID. Some providers have a higher number of participants residing in these living arrangements. Participants with high levels of support generally reside in these living arrangements and are more likely to have vulnerable health conditions.
- Different industries were more heavily impacted than others, e.g. hospitality and tourism. Some DES providers have a higher number of participants working in these industries than other providers in the same ESA.
- JobKeeper also masked the impact of COVID. Some providers/ or employers were eligible while others were not. Some participants remained at work while others were made redundant or sent home.

Lastly, NDS members remain concerned that the level of detail in the monthly DES data reports is insufficient. Ideally, these reports should include State/Territory or (preferably) ESA data and employment outcomes data for age and disability cohorts.

Recommendations

NDS recommends that:

- The current proposed time frame for the performance assessment be postponed by six months to include the June 2021 quarter. This would allow the star ratings to be determined on a consistent basis, allow the impacts of COVID to recede and ensure providers are operating in a more buoyant labour market.
- The performance assessment should take into account four quarters of data, from the September 2020 quarter to the June quarter 2021.
- From January 2021, DES monthly data reports include more detail, such as State/Territory and/or ESA data and employment outcomes data for disability and age cohorts.
- DSS ensures that the star ratings are released in a more timely and transparent manner, preferably not more than two months after the end of the relevant quarter.

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National Disability Services is the peak industry body for non-government disability services. It represents service providers across Australia in their work to deliver high-quality supports and life opportunities for people with disability. Its Australia-wide membership includes around 1,200 non-government organisations which support people with all forms of disability. Its members collectively provide the full range of disability services—from accommodation support, respite and therapy to community access and employment. NDS provides information and networking opportunities to its members and policy advice to State, Territory and Federal governments.