

NDS Submission in Response: DES Quality Framework – Discussion Paper

NDS supports the implementation of a new Quality Framework for Disability Employment Services (DES) and welcomes the extension of the current DES contract until mid-2025.

We recommend the Government utilise this additional time to develop a codesigned service model promoting enhanced labour market access for people with disability. The service model and aligned guidelines and definitions should also reflect modern labour market conditions and deliver strength-based participant assessments while supported by a transparent performance and quality framework. This should include a program of support which recognises progress for participants who are most disadvantaged and/or less engaged in the current labour market and require time and an effective service relationship to move forward.

NDS feels an investment based and understanding approach to effective pre-employment work and addressing barriers within a more holistic approach is important for those with more significant and complex needs if we are to make a genuine improvement in employment outcomes for people with disability, injury and illness.

The future service model and the aligned performance and quality framework needs to maintain operational flexibility that enables effective servicing of all participants with individual, complex and changing needs. It is also important to ensure early access to the appropriate service through an effective gateway and assessment mechanism to ensure participants receive the most suitable support.

The current DES performance framework is focussed on administrative compliance with rigid guidelines and quantitative assessments of performance indicators. There has been minimal formal consideration or assessment of the quality of services (DES KPI Three) delivered by DES providers to Participants, other than the need to meet National Standards for Disability Services – Employment (NSDS) certification. It is important that any increased focus on quality is not overwhelmed by a further increase in administration and compliance requirements.

NDS recommends the current NSDS certification process be extensively utilised in the proposed quality framework rather than additional compliance processes. The NSDS audits collect significant evidence, including customer experience, and this does not need to be duplicated.

NDS recommends that the DES reforms should be centred on effective, quality service delivery to participants. Increased compliance will impede effective service relationships focused on individual progress and better more sustainable outcomes. The costs of meeting complex

compliance requirements have increased and there is a need to ensure a clear focus on effective service delivery to participants. Providing a quality service experience for participants can be quite different from meeting compliance requirements and this is even more complex when there are mutual obligations on service participation.

NDS supports enhancements to required training of DES frontline staff to ensure the workforce can provide employment service support at a higher standard. Building a skilled workforce through investment in training should deliver better quality outcomes for participants and other stakeholders such as employers.

Workforce capacity including attraction, recruitment, retention and capability remains a key area of concern for DES. While there is a significant level of expertise within the sector, DES (as well as other care sector workforces) has seen a significant “churn” within its workforce.

An accredited training package for staff working within the DES sector would lead to a more consistent service experience for participants and better position the workforce as broader reforms are introduced. The training package would need to emphasise elements such as program intent and history, the quality and performance framework and align with operational requirements within the deed and funding guidelines.

NDS recommends that a greater focus is required on recognising and promoting the good work of DES providers delivering quality service experiences for various stakeholders (participants, employers, other sector services). This would be in sharp contrast to the current focus on a smaller number of examples of poor provider practice.

Both DES streams (ESS & DMS) have a long history of providing effective quality employment services and outcomes for people with disability as well as achieving better results than mainstream employment service models. DES has also achieved its program KPI metrics as set by government.

An application based model for demonstrating quality and earned autonomy

Discussion questions

- What are your views on an application based model for demonstrating quality (and potentially as a means of attaining a higher quality ratings)?
- What are your views on the concept of earned autonomy within the DES program?
 - How can quality be demonstrated before additional flexibility is granted?
 - What kinds of flexibility would be appropriate?

Application based model and earned autonomy – NDS response points

- NDS agrees with the concept of an application based model, which would allow providers the opportunity to demonstrate their commitment to quality service provision, through case studies and feedback from Participants, employers and other relevant sources. Examples gathered could also be de-identified and used to highlight good practice to the sector.
- DES providers that have successfully demonstrated quality service provision should be allowed greater autonomy.
- DES providers should ideally have additional quality systems and processes in place, e.g. accreditation standards such as ISO 27001.
- The current DES Guidelines emphasise a ‘one-size-fits-all’ model that struggles to take

many participants' needs into consideration. NDS members have cited the current Job Plan format as an example of this.

- Providers with earned autonomy should be granted the flexibility to demonstrate that overall program objectives have been met for an individual in certain instances of program assurance activities identifying non-compliance. Where they can do so, any breach or recovery should be withdrawn.

Quality Element One: Participants' rights

Discussion Questions

- What other indicators or measures could be used to monitor and assess the practical application of DES participants' human rights?
- What information products would be most useful in contextualising this Quality Element and bringing it to life?
- What are the key things the department should consider when developing participant surveys and considering changes to the conduct of site visits?
- What other support measures could be put in place to assist providers to implement and demonstrate quality practices in alignment with this element?

QE 1 – NDS response points

- NDS recommends better promotion and utilisation of the NSDS audits with a greater focus on Dignity of Risk rather than creating additional processes and increased compliance.
- Providers should be allowed to tender evidence of exceptional support for a participant as these may be missed due to the random selection of participant records in NSDS audits.
- Interactive learning modules and aligned materials should be developed for both participants at service entry and provider staff and monitored by NSDS audits.
- Participants should be offered resources and information that encourages them to report positive feedback if their Provider has offered exceptional assistance. This could compliment a co-designed, sector based, standardised system for recording positive and negative participant feedback.
- A charter of contract management or service expectations between providers and DSS that promotes positive engagement and support of providers as opposed to the compliance monitoring approach currently in place.
- Site visits should have a positive approach emphasising good news stories, positive outcomes, highlighting "what works" and ideas and solutions to local market challenges.
- Any survey-based approach should consider mutual obligation requirements of participants so their responses do not adversely affect survey results due to circumstances beyond a service provider's control.

Quality Element Two: Quality of Service

Discussion Questions

- What other indicators or measures could be used to monitor and assess quality of service from the perspective of participants and employers?
- What information products would be most useful in contextualising this Quality Element and

bringing it to life?

- What other support measures could be put in place to assist providers to implement and demonstrate quality practices in alignment with this element?
- It is envisaged that new service quality 'benchmarks' (or a set of participant expectations) would be developed via a co-design process.
- What kind of organisations could/should lead such a process?
- Who should be involved (i.e. mix of stakeholders)?
- What are the important contextual or other factors in scoping such a project?

QE 2 – NDS response points

- Better promotion and utilisation of the NSDS process, emphasising a focus on inclusion, participation, reasonable adjustments for access and service inclusion as well as a service guarantee and code of practice.
- The department should provide information in various formats, including Auslan videos and easy-read text.
- Any service quality 'benchmarks' (or participant expectations) should consider responses by participants with mutual obligations and provider servicing and guideline compliance requirements.
- Organisations leading this process should include those with an in depth knowledge of the sector and stakeholders as well as service model requirements and quality and performance frameworks. These should include specialist and high quality providers that also have experience operating in rural, regional and thin markets. Employers or an employer peak as well as participant advocacy bodies should also be considered.

Quality Element Three: Provider Capability and Governance

Discussion Questions

- What other indicators or measures could be used to monitor the connections between capability/governance mechanisms and quality?
- What information products would be most useful for providers in describing and contextualising obligations?
- What other support measures could be put in place to assist providers to implement and demonstrate quality practices in alignment with this element?
- Would providers likely opt-in to using a voluntary self-assessment tool?
- What would you like to see in a staff training tool kit?

QE 3 – NDS response points

- NDS considers that existing contractual and audit processes are sufficient to monitor capability/governance mechanisms and quality.
- Existing information and resources offered by corporate regulatory bodies such as ASIC and the ACNC (as well as the ASX principles where relevant) should be more widely promoted to providers.
- NDS supports the concept of a voluntary self-assessment tool, which would benefit organisations without an accredited quality system in place.
- NDS would support a sector based staff training tool kit which provides staff with

appropriate knowledge on provider capability and governance responsibilities informed by the sources identified above.

- Staff training tool kits should include case studies or examples of good practice in the areas of participant access, support and human rights.
- Any ongoing additional costs of meeting and maintaining such requirements should be acknowledged and reflected in funding arrangements that allow sufficient funding to be allocated directly to participant access and servicing (i.e. service providers' core business).

Quality Element Four: Feedback and Complaints

Discussion Questions

- What other indicators or measures could be used to make this a proactive quality element?
- What information products would be most useful in contextualising this Quality Element and bringing it to life?
- What other support measures could be put in place to assist providers to implement and demonstrate quality practices in alignment with this element?
- What are the key considerations with respect to weighting and analysing feedback and complaints?

QE 4 – NDS response points

- Current mechanisms such as the CRRS and NSDS certification audits capture significant data and information which should be made more visible to providers and assist improvements in service quality and practice.
- The department should concentrate more on effective remediation of serious breaches and poor practice at an individual provider level as opposed to reflexive courses of action that resemble “collective punishment” of the sector.
- A sector based tool which has been co-designed and informed would allow appropriate metrics to be utilised and provide greater transparency.
- There should be a greater focus on good practice and positive actions taken to resolve participant complaints. The current focus tends to be on negative consequences and outcomes and does not highlight the positive efforts of providers in changing participants' lives for the better as well as the benefits within local communities.
- As noted above, negative participant feedback should identify if a participant has mutual obligations and/or a history of non-compliance, as this may adversely and unfairly target providers that are currently bound to monitor obligations imposed by government (which should rightly be monitored by government instead).

Quality Element Five: Formal Assurance

Discussion Questions

- What other indicators or measures could be used to make this a proactive quality element?
- What information products would be most useful in contextualising this Quality Element and bringing it to life?
- In measuring engagement between the department and providers – should we contemplate a mechanism for provider feedback to the department?
- If so, what might this look like?

- What other support measures could be put in place to assist providers to implement and demonstrate quality practices in alignment with this element?
- What are the key considerations with respect to weighting and analysing breaches?

QE 5 – NDS response points

- The compliance framework in the Assurance Program only considers non-compliance such as identifying where a breach in Guidelines has occurred. The process does not allow for recognition of quality service delivery to participants.
- The Assurance Program does not allow for discussion of any findings with DSS assurance officers, which impedes the lodging of informed review requests. NDS members have cited examples where review requests have resulted in a new reason being given for rejecting the request.
- For the Assurance Program to be a proactive quality measure, there should be open, transparent communication options available for providers to discuss and/or contest particular decisions.
- At over 1,000 pages, the DES Grant Agreement and Guidelines need to be reduced in length and complexity, as this strongly militates against providers achieving 100% compliance.
- NDS members have stated that the current program assurance process focusses on technical breaches without any consideration of extenuating circumstances. Consequently, Providers are forced to ensure all requirements are met, which may not best serve a participant's needs. An example cited involved a participant being forced to attend a meeting with the provider within a particular time period or the provider would lose three months' worth of service payments for not meeting their obligations.

Quality Scorecards

Discussion Questions:

- What is the appropriate number of rating levels and how could they be phrased/described?
- Is the notion of 'Quality Scorecards' appealing? How could this be implemented in a way that maximises utility but minimises burden?
- How could/should the Quality Elements be weighted as components of provider level Quality Assessment ratings?

Quality Scorecards – NDS response points

- NDS would recommend a slightly simplified ratings scale, for example:
 - o Seeking to meet quality requirements
 - o Meets quality requirements
 - o Exceeds quality requirements
 - o Provides highest level of quality requirements
- Quality scorecards are an acceptable concept on the proviso that the ratings are transparent, can be easily explained and take into account service provision features that participants are seeking in a provider.
- All quality elements should be initially equally weighted with consideration given later to differential weightings based on participant perceptions of the importance of each weighting and the efforts expended by providers in meeting each one.

- Providers should only be rated on circumstances within their control.
- Participant motivation to engage with a DES provider should also be taken into consideration when weighting quality of service, as participation in DES is not obligatory.
- DES participants' choice and control can conflict with their mutual obligation requirements and/or DES program guidelines. Currently, DES provision for participants may be difficult to achieve due to prescriptive guidelines, for example, the number of contacts per month or the frequency of job plan reviews.