

Vision Australia submission

Royal Commission into violence, abuse, neglect and exploitation of people with disability

Submission to: Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Employment Issues Paper

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# Introduction

Vision Australia is pleased to provide this response to the Commission’s Issues Paper – Employment.

Finding and maintaining a job is the most significant challenge facing Australians who are blind or have low vision. For decades, the blind and low vision community has experienced levels of unemployment and under-employment much higher than the average for people with a disability, and therefore many times higher than for the community in general.

While some new job opportunities have been created by technological advances, many traditional jobs have been lost. At the same time, new barriers to employment have been created, and there has been a systemic failure to address existing ones.

The shocking result is that being blind or having low vision in Australia in 2020 all too often entails a lifetime spent searching in vain for a job that offers meaningful and rewarding employment, leading inexorably to low expectations, profound discouragement, loss of self-esteem, and economic hardship.

The solution to the unemployment and under-employment in the blind and low vision community will never be found by doing more of what has been done in the past, which has comprehensively and demonstrably failed. Nor is there a single “magic bullet” policy lever, training program or government intervention that will ensure equal employment opportunities for people who are blind or have low vision.

In this response we argue strongly the only way to new pathways to meaningful employment for people who are blind or have low vision is to implement interconnected and coordinated strategies anchored in the family, developed in the school and tertiary education systems, embraced by employers, supported by governments, and embedded in society as a whole.

The strategies we propose are realistic and achievable. In fact, elements of all of them are already evident. In almost all cases where a person who is blind or has low vision is successful in finding and maintaining meaningful and rewarding employment, it is mainly because of a lucky combination of factors are currently the exception, but must become the rule.

The following “what if” scenario illustrates how our whole-of-life, whole-of-society proposals would work together to create equal employment opportunity for someone who is blind or has low vision:

## Emily’s story

*Emily was born totally blind as the result of Leber’s Congenital Amaurosis, a recessive genetic disorder primarily affecting the retina and can cause various levels of vision impairment, including, as in Emily’s case, total blindness.*

*When her parents received Emily’s diagnosis, the ophthalmologist gave them a brochure about the early childhood services provided by Vision Australia. He strongly encouraged them to be proactive and support Emily as she began the process of developing the skills she would need throughout her life. The ophthalmologist assured them with these skills, the right supports and the appropriate assistive technology, Emily would grow up to be self-motivated, able to achieve her goals and certain to find a job that would be fulfilling and remunerative.*

*Emily’s parents were encouraged and reassured, and with the support and advice they received from Vision Australia, they became proactive in Emily’s development.*

*By the time Emily started school, she was curious about the world around her, had some basic orientation and mobility skills, and was excited at the prospect of learning braille. Her class and support teachers realised braille was a primary key to literacy for Emily, and her parents encouraged her by arranging for braille labels to be attached to household items such as the microwave oven and salt-and-pepper shakers, and included on birthday cards.*

*They also liaised with teachers and adaptive technology specialists about the most suitable technology for Emily at different stages of her progression through school. They worked closely with her teachers to make sure Emily was learning the extra skills (known as the Expanded Core Curriculum) she would need to be independent and well-prepared once she left school.*

*As she grew older, Emily’s parents and teachers encouraged her to start thinking about further study and the kind of job she would like. Emily had a broad range of interests and hobbies, so she decided she would apply for university and study for an arts degree to give her the flexibility to explore various subjects before making a decision about her career.*

*In the meantime, the careers advisor at her school arranged some part-time work so Emily could get some work experience in the same way her sighted peers did. The robust adoption of accessible information and communication technology (ICT) procurement policies by all levels of government meant most computer systems and software used in the private sector were also accessible. It was not difficult to find a local business prepared to give Emily some work experience so she was able to learn about the basics of workplace expectations and requirements.*

*During her last year of school, Emily’s parents and teachers encouraged her to make contact with the disability support staff at a number of universities. When she did, they all assured her the online learning systems and course content would be accessible and there would be ample supports if she needed any reasonable adjustments made. They explained to Emily the universities had all adopted accessible ICT procurement policies for their online learning systems and had implemented international accessibility standards in the document formats used for their course content.*

*After Emily’s exam results came out, she received offers from a number of universities. Once she had accepted an offer she used funding from her NDIS plan to arrange for an orientation and mobility instructor to familiarise her with the public transport route from her home to the university.*

*Emily’s study program included both on-campus and online components. Overall she enjoyed studying at uni and because she did not have to spend time and energy dealing with accessibility barriers, she was able to become involved in campus social life and write for the student newspaper. She found she had a keen interest in public policy and public interest advocacy.*

*After graduating, Emily decided to study for a Master’s degree. During the semester break, she moved out of home with the encouragement and support of her parents, who wanted her to be independent. Emily found what she called the “Goldilocks apartment” – not too far away from mum and dad, but not too close either. When Emily was at school, her parents had encouraged her to explore the kitchen and cooking and she was eventually able to prepare meals for the family from time to time. Once she was living by herself, cooking was already a familiar activity for her.*

*With her Master’s degree completed Emily began to think about employment. She successfully applied for a government graduate program. She already had a good knowledge of word-processing software and was a competent touch typist, so she quickly became a productive member of the team. At the end of the program, Emily applied for a number of jobs in the public service and the private sector and she received several offers to choose from. The work experience she had gained while at school, as well as her participation in the graduate program, greatly helped to put Emily in the best position to secure a job.*

*When Emily started work she had thus already been preparing for most of her life: she had good technology and keyboarding skills, she was comfortable in social situations, and she had high self-esteem and feelings of positive self-worth.*

*Her employer was located in a new building that incorporated a lift system with a touchscreen interface, but there was an “accessibility mode” that included audio output. After a bit of practice Emily was able to use the lifts easily and independently. She was pleased to find the rooms in the building had tactile and braille numbers on the doors and it was easy for her to locate particular meeting rooms. There were also a number of Bluetooth beacons strategically placed around the office space. These beacons transmitted information to her smartphone about her current location and how to find other points of interest in the building.*

*The department’s learning management system was accessible as the result of its accessible ICT procurement policy. Emily was able to participate in professional development activities on an equal basis with her sighted colleagues. After two years working in the department, Emily successfully applied for a more senior role.*

*This required her to relocate to another building in a different suburb. While she had to become familiar with new transport routes, she found the overall accessibility of the new workplace was as good as her previous one. After she obtained Job Access funding for an updated braille note taker and some minor workplace modifications she was able to adapt quickly and focus on the requirements of the new role.*

Emily’s story is a dream to the majority of Australians who are blind or have low vision.

The COVID-19 pandemic has propelled us to an inflection point that foreshadows a future of many uncertainties and challenges, including a challenging labour market that is likely to make it even more difficult for people with a disability to find employment.

There is also a unique opportunity for Australia to take decisive actions now that will result in substantial and long-lasting benefits for people who are blind or have low vision and transform Emily’s story from the stuff of dreams to the substance of reality.

# Structure of this response

Our response begins with a list of the key recommendations defined throughout the course of our answers to the issues paper questions.

We then briefly summarise a variety of employment-related research Vision Australia has conducted or to which we have contributed, beginning with a “snapshot” of the current employment situation. The cumulative findings of this research will then be used to inform our responses to the questions posed in the issues paper.

We lack specific data or anecdotal evidence to comment usefully on two of the questions, and therefore have not reproduced them in this response.

There is inevitably some overlap and repetition in our responses to different questions, but this has been preferred in the interests of clarity and completeness.

We have included several case studies and quotes. These are based on actual experiences of clients, although we have changed individual names and removed identifying details.

# List of recommendations

1. That the National Disability Insurance Agency (NDIA) work with Vision Australia, and other organisations as appropriate, to develop a package of specialised supports for the development of life skills with a particular focus on employment preparation This package should be actively promoted to parents of children who are blind or have low vision and NDIS participants.

2. That a national program be developed to promote and implement a consistent approach to the integration of the Expanded Core Curriculum in both the government and non-government school systems. This program should then be incorporated into a national system for comparing an individual student’s progress against validated age-appropriate benchmarks.

3. That the Commonwealth Government fund the development of professional accreditation for braille instructors in consultation with the Australian Braille Authority, recognising that braille is a contributor to workforce participation.

4. That disability funding provided by the Commonwealth to the tertiary sector be linked to the implementation of accessible ICT procurement policies in the purchase of online learning systems.

5. That the tertiary sector work with the Commonwealth’s panel on Equity in Higher Education; the Australasian Council on Online, Distance and eLearning; Vision Australia and other appropriate organisations to develop training modules for disability support staff specific to the needs of students who are blind or have low vision.

6. That the Disability Standards in Education be expanded to include specific information about the importance of braille, and to clarify the nature and extent of reasonable adjustments for specific disabilities, including blindness and low vision.

7. That the Commonwealth Government work with peak industry groups to implement a campaign to raise awareness among employers of the Employment Assistance Fund and the Work Assist program.

8. That the Australian Human Rights Commission be asked to provide guidance about the obligations under the Disability Discrimination Act 1992 of all parties involved in labour hire contracts.

9. That all levels of Australian government implement robust and consistent policies for accessible ICT procurement based on the most current version of Australian Standard AS/en301:549 and including transparent reporting mechanisms and sanctions for non-compliance.

10. That all recruitment agencies that submit tenders for government labour hire contracts be required to hold Disability Confident Recruiter status and demonstrate their recruitment processes are accessible to people who are blind or have low vision.

11. That all government departments and agencies be required to implement and report on disability employment targets as part of the renewal of the National Disability Strategy.

12. That the eligibility criteria for the Disability Employment Services program be expanded to include people who are already employed, including in supported employment.

13. That managers of buildings in which space is leased by government departments and agencies be required to undertake a Disability Impact Analysis prior to the introduction of new technologies that will impact on the use of building infrastructure such as lifts, such analysis to include, but not be limited to, compliance with existing or emerging Australian Standards.

14. That a roadmap for substantial reform of the Disability Discrimination Act 1992 be developed through consultation with the disability sector and other key stakeholders.

# Summary of Employment-Related Research

## 2018: International Employment Survey

The most current employment-related research Vision Australia was involved in was conducted in 2018 through a collaboration with the CNIB Foundation (Canada) and the Blind Foundation of New Zealand. An international survey was conducted to study the employment situation of people who are blind or have low vision.

The survey found in Australia, only 24% of people who are blind or have low vision are in full-time employment – lower than Canada with 28% and New Zealand with 32%. Of course, even the New Zealand figure, the highest of the three countries involved in the research, is disturbing.

The fact Australia is in last position is a damning indictment of decades of failed policies, programs and interventions at all levels.

The survey also found there is a strong link between levels of post-secondary education and positive employment outcomes, consistent with Vision Australia’s previous research. Only 10.6% of respondents without a post-secondary qualification were in full-time employment in Australia, compared with 28% who did have a post-secondary qualification.

## Previous Research

The findings of the 2018 international survey are consistent with those of the previous research that Vision Australia has conducted in 2007 and 2012 and clearly show the employment situation for people who are blind or have low vision has not improved in the past decade.

### 2007: National Employment Survey

In March 2007, Vision Australia released the findings of the first national survey of employment levels in the blind and low vision community. Based on telephone interviews with almost 2000 clients, the survey found 63% of respondents were unemployed not by their own choice. This was 4.5 times the national average in Australia at the time (14%).

Of those respondents who identified as having a secondary disability (such as a hearing impairment) 82.6% were unemployed.

The 2007 survey also found 46% of those who were employed were working part-time (compared with the then-national average of 28%), and of those, 13% said they were working part-time because they could not find a full-time job (national average is 6%).

People who were blind or had low vision were twice as likely to be under-employed as the rest of the community.

As noted below, this trend has continued, and in many cases accelerated, since 2007.

### 2012: National Employment Survey

In early 2012, Vision Australia conducted another national employment survey involving telephone interviews with 600 working age clients across Australia.

The key findings from the 2012 research were as follows, noting comparisons with the 2007 survey findings where applicable:

* In 2012, 58% of respondents were unemployed not by their own choice (63% in 2007). Among the wider Australian population the percentage of people who were unemployed not by their own choice was 14%. Thus, people who are blind or have low vision who wanted a job, were four times more likely to be unemployed compared to the general population.
* One third of those who were employed said that they would like to work more hours, highlighting the continuing issue of under employment for people who are blind or have low vision, originally identified in the 2007 survey.
* 75% of respondents with a tertiary qualification were employed, which supports the findings from the 2007 survey showing the strong impact of education in enhancing job opportunities. In 2007 approximately half of the respondents with similar qualifications were employed.

The 2012 survey showed some indicators had improved slightly since 2007 while others had worsened. Overall, however, the 2012 survey provided overwhelming evidence that the blind and low vision community were faced with levels of unemployment that reflected continuing systemic neglect of their basic right to meaningful and rewarding employment.

### 2016: Employer Attitudes Survey

In May 2016, Vision Australia distributed a 14-question employer attitude survey to a cross-section of Australian businesses with purpose to examine employer attitudes to recruiting people who are blind or have low vision.

Employer misconceptions about workplace modifications, and preconceived ideas about the kinds of jobs that people who are blind or have low vision can do, had been identified in both the 2007 and 2012 surveys as a significant and increasing barrier to the employment of people who are blind or have low vision.

There were 41 respondents to the survey, representing 21 businesses. The majority of respondents were large companies that employed more than 500 staff. Overall, 90% of respondents employed a person with a disability in their organisation, but the majority identified challenges in employing people with a disability, the two most significant being the allegedly time-consuming process of workplace adjustment, and (inherently) lower productivity of people with a disability.

The majority (83.8%) of respondents had a workplace diversity or inclusion strategy (such a high figure is a positive reflection of the corporate investment of larger companies in workplace diversity), but in 54% of cases, this strategy was not linked to any managerial performance targets. There were no incentives or requirements to implement it and, conversely, there were no negative consequences for failing to do so. There also did not appear to be any evidence of disaggregated disability employment targets that would, for example, require the organisation to employ people with a range of disabilities, including people who are blind or have low vision.

At the same time, employers identified a number of (perceived) barriers to the employment specifically of people who are blind or have low vision, including the expense and disruption of workplace adjustments and the significant expense of acquiring the assistive technology required by the employee.

It is worth noting in this context that 27.3% of respondents said they were unaware of the Job Access program, the Employment Assistance Fund that provides funding to eligible employees with a disability to pay for workplace modifications, assistance and support, as well as equipment. A further 22.6% of respondents did not know technology exists that allows people who are blind or have low vision to be equally productive in the workplace.

Although some individual findings from the 2016 survey are positive and suggest opportunities for awareness-raising among employers about specific issues, the overall picture shows there are still many barriers created by employer attitudes and lack of awareness.

As we discuss further below, barriers to employment are synergistic rather than discrete. For example, if an employer does not know that relevant assistive technology exists, and if they also (mistakenly) believe an employee who is blind or has low vision is inherently less productive, they are likely to be reluctant to employ such a person, even if they know about the Employment Assistance Fund.

The cumulative impact of barriers is thus more than the sum of each barrier considered in isolation.

# Question 1:

# How do people with disability experience violence, abuse, neglect and/or exploitation in employment settings?

People who are blind or have low vision typically don’t experience physical abuse or overt neglect in the workplace but it happens in more covert, subtle ways. It tends to involve lack of equal opportunity in learning and career progression, or withholding or failing to provide information readily available to other employees who are not blind or who do not have low vision.

Even if this abuse and neglect are created inadvertently or unintentionally through lack of awareness or knowledge rather than through perversity or wilful negligence, the impact on employees who are blind or have low vision is the same: they can experience anxiety, depression, fear, isolation, feelings of exclusion and humiliation and, may ultimately, find it impossible to continue working.

## Lack of Equal Opportunity

All the employment-related research we have conducted or which we have contributed shows people who are blind or have low vision report high levels of under-employment. This could be for one of the following reasons:

* because they cannot find a full-time job;
* because the only job they can find is one that is well below their skills and aspirations; and / or
* because they are not able to participate in professional development to apply for more senior roles on an equal basis with their sighted colleagues.

For example, our 2007 employment survey found people who are blind or have low vision were twice as likely to experience under-employment as the rest of the community. In 2012, 33% of respondents who were employed said that they would like to work more hours, and in the 2018 international survey, respondents in Australia were twice as likely to be working part-time, and three times more likely to be in temporary employment, compared to national averages.

There is robust research that identifies a clear link between unemployment/under-employment and mental health generally[[1]](#footnote-2). There is also a significant body of research linking blindness and vision loss with anxiety and depression, especially in older adults and those whose vision loss has resulted in reduced daily activity[[2]](#footnote-3). It is therefore reasonable to conclude that for many people who are blind or have low vision, the experience of unemployment or under-employment not only leads to a decrease in economic participation, but also leads to feelings of low self-esteem and discouragement, and can have a negative impact on mental health by exacerbating depression.

Clients tell us that the fear of never being able to get a job because of a multitude of discriminatory barriers and negative employer attitudes can be overwhelming and debilitating.

The factors that contribute to under-employment in the blind and low vision community reflect many of the same barriers people experience when trying to find or maintain employment, which we discuss in more detail in our response to question 2 below. However, the negative impact of barriers that prevent or limit access to further education, those that restrict equal opportunities for professional development, and the lack of access to specialised job-seeking programs like disability employment services while employed, are particularly implicated in contributing to under-employment in the blind and low vision community.

## Abuse and Neglect in Supported Employment

We do not have direct evidence that people who are blind or have low vision and who are in supported employment experience physical abuse or neglect. However, the lack of opportunity that leads to under-employment generally for the blind and low vision community is also present in the context of supported employment.

There are no incentives for employers to assist employees to transition to open employment, and there are few, if any, opportunities for career progression in the supported employment environment.

At the same time, employees cannot access disability employment services because they are employed. There is thus a significant lack of opportunity for people who are in supported employment, and for employees who are blind or have low vision. This is a clear example of abuse and neglect.

## Lack of Access to Information

Information can be conveyed and accessed in a variety of ways, but most often there is a significant visual component, which puts people who are blind or have low vision at an inherent disadvantage unless non-visual alternatives are provided.

Employees who are blind or have low vision will experience abuse or neglect in the workplace if they are denied access to information – either wilfully or otherwise – that is readily available to sighted colleagues.

A case study based on the experiences of one of our clients will illustrate this point:

## Case study 1 – Casey’s story

*Casey is totally blind and was employed by a Commonwealth Government department. The workplace was in a newish building that included automated lifts controlled by a touchscreen panel.*

*No form of non-visual access (such as audio output) had been included as part of the touchscreen interface, so Casey was not able to independently call the lift and direct it to the floor on which her workplace was located.*

*The building management assigned Casey a contact who could assist her to operate the lift and each time she wanted to use the lift she called this contact’s mobile. However, the contact person was not always available and Casey sometimes had to wait 10-15 minutes to use the lift.*

*If she was returning from lunch, this meant either she was late and sanctioned by her employer, or else had to always cut her lunch short to allow time for the contact person to arrive at the lift.*

*Casey’s workplace comprised rows of “pods” in which individual desks were housed.*

*To assist Casey to locate the pod where her desk was situated, a large tactile marker was placed on the top edge of the pod and secured with masking tape. The idea was for Casey to trail her hand along the top edge of the pods until she found the tactile marker that indicated her desk. However, other staff regularly placed ornaments or other objects on the top edge of their pods, which Casey would sometimes knock down as she was trailing along the edge to find her desk.*

*While some staff understood what Casey was doing, other staff were less sympathetic to their ornaments being dislodged and in some cases broken.*

*With practice Casey was able to memorise the position of her desk in relation to the other pods, but she said in the meantime she felt embarrassed, isolated and frightened that she would be harassed or bullied.*

*Casey was required to attend meetings in various meeting rooms. When she started her employment there were no braille or tactile signs on any of the meeting room doors so Casey had to memorise the location of each room in terms of the number of doors from a fixed location. Meeting rooms were in different parts of the building and committing all their locations to memory was not a trivial task.*

*Sometimes Casey miscounted the doors and found herself in the wrong meeting. Naturally, this made her feel anxious and humiliated.*

There are several observations to make about this example. Firstly, it shows barriers resulting in abuse or neglect are created at different points of the “end to end” experience of employment (from the time the employee leaves home until the time they arrive back again at the end of the day).

They are not experienced as isolated, discrete and compartmentalised events but, rather, manifest as a continuous, overlapping and often overwhelming background to daily life.

Each experience of being anxious, or humiliated, or embarrassed, both amplifies and is amplified by surrounding negative experiences.

The abuse and neglect Casey experienced derived from systemic failures to protect and promote her rights and needs as a person who is blind.

The failures are systemic because, for the most part, Casey’s employer was not responsible for them. Her employer had little choice in the selection of building and they almost certainly would not have been aware the lift interface would be inaccessible.

It is highly likely in fact the touchscreen-based system was installed by the building management after Casey’s employer had leased space in the building. Nor was it the employer’s fault the meeting rooms did not have any braille or tactile signage. There is no requirement under the DDA Access to Premises (Buildings) Standards that such signage be included except in very limited situations such as on the outside doors of accessible toilets.

The abuse and neglect Casey experienced as the result of these systemic failures were separate from the barriers Casey experienced in carrying out the duties associated with her role, and for which her employers must bear more responsibility. But these systemic failures created an almost intolerable environment for Casey, which drained her energy and put her in a position where she felt generally disempowered and not able to advocate effectively with her employer.

# Question 2: What barriers exist for people with disability in finding and keeping a job? What helps people with disability find and keep a job in an environment free of violence, abuse, neglect and exploitation? What opportunities are there for career progression for people with disability in Australian workplaces?

There are many barriers that exist for people who are blind or have low vision when they attempt to find or maintain employment. Not every person will experience every barrier, but our experience is almost every person will encounter at least one barrier at some stage in their search for meaningful employment.

As we illustrated in case study one, the barriers do not exist in isolation. They interact with each other in many complex and cascading ways that amplify the effect of each individual barrier. The end result is people who are blind or have low vision may give up looking for work altogether as the result of constant discouragement, or else are forced to accept high levels of under-employment.

By contrast, our experience suggests people who encounter fewer barriers, often through a serendipitous combination of circumstances rather than as the deliberate outcome of policies, programs and interventions, are much more likely to find and maintain meaningful employment.

In our response to question 8 we include recommendations that, if implemented, will be essential in eliminating barriers.

### Barriers to Education

In December 2019, Vision Australia provided a comprehensive response to the Commission’s issues paper on education. We discussed the research e conducted in 2017 that found almost all university students who are blind or have low vision experience significant barriers when using the online learning systems, a key component of university courses.[[3]](#footnote-4)

In some cases these barriers made it extremely difficult for a student to complete their university studies, while in other cases students were forced to discontinue their studies completely.

The three categories of barriers identified by our research are accessibility barriers due to the failure of online learning systems, lack of knowledge about disability and support from many disability staff and unwillingness of lecturers to change the design of course content to improve accessibility.

Given the strong link between attainment of post-secondary education and positive employment outcomes, it is essential action be taken both by government and the tertiary sector to remove these barriers.

Our 2019 submission also identified barriers to equal access to education at the school level, especially in relation to braille literacy for students who are blind and difficulties accessing appropriate assistive technology at different stages as a student progresses through school.

Another barrier related to education is a lack of attention to the Expanded Core Curriculum (ECC) during the time that children who are blind or have low vision are at school.

The ECC refers to those skills sighted children acquire naturally through vision (Incidental Visual Learning), but which a child who is blind or has low vision has to learn specifically in order to help compensate for a lack of vision.

These skills are foundational to all other learning. They include orientation and mobility, non-verbal communication and norms for social interaction, skills for independent living, self-advocacy, assistive technology skills and career education specifically tailored to the needs of students who are blind or have low vision[[4]](#footnote-5).

These skills are essential for a person who is blind or has low vision at all stages of life. Many of them can be initiated in the family prior to school age, but a critical time for their development is during the school years. If a person leaves school without these skills, they are more likely to experience difficulty in finding and maintaining employment. In a similar way to many other skills, it will be much harder for a person to learn the ECC skills as part of work preparation later in life.

Our experience working with school-age children who are blind or have low vision is there is inconsistent understanding and implementation of the ECC by educators in different schools. This means not all children will leave school equally familiar with them.

A greater national focus on the Expanded Core Curriculum is therefore required, not only to ensure school leavers are well-equipped for the next stages of life, but also so they are in the best position possible to find and maintain employment.

For a person who is blind or has low vision, having a firm foundation of ECC skills is a necessary condition for participation in the workforce, but it is not sufficient, because not even the most highly-skilled or firmly-grounded individual can surmount systemic barriers that result from deficient policies and delinquent approaches to access and inclusion.

### Use of Recruitment Agencies

In recent years both governments and the private sector have made increasing use of third-party mainstream agencies to handle the recruitment of staff.

Our experience working with clients is most of these recruitment agencies have little, if any, understanding of the needs of people who are blind or have low vision, or of programs such as the Employment Assistance Fund.

One of our clients reported recently that they had applied for a job advertised by a recruitment agency. After a positive interview, during which the client disclosed they are blind, the client was contacted by five different people from the same agency, none of whom were aware of any of the other calls.

Each person indicated the client has been short-listed but when the client asked what the process would be for discussing workplace adjustments, all five people said they knew nothing about that. The also said the employer, for whom they were recruiting, would not be interested in making any adjustments in the workplace – they just wanted someone to go in and do the job straightaway. Needless to say, the client was not offered the position.

Other clients have told us employers, including a large government department, who outsource recruitment, claim that since the employment contract is made with the recruitment agency, they themselves are not the employer and therefore have no responsibility under the Disability Discrimination Act 1992 (the DDA) to make reasonable workplace adjustments.

We do not know whether such a claim is legally correct, but in practice it is very unlikely a complaint alleging disability discrimination would be made, and even less likely it would proceed to the Federal Court for a ruling. Employers will probably continue to make such claims with relative impunity.

On the basis of feedback we have received from clients, we think it is very likely mainstream recruitment agencies will play an increasing role in the both the government and private sector.

It is essential, therefore, steps be taken to ensure those agencies have robust disability inclusion and recruitment strategies, and that the operation of legislation such as the DDA in the contractual relationships between individuals, recruitment agencies and workplace operators (including government departments) is clarified.

### Inaccessible systems and processes

The introduction of new technologies has revolutionised many aspects of workplaces over the past 20 years. But as we explain in more detail in our response to Question 8, little attention has been given to how new technologies will affect people who are blind or have low vision.

The result is many computer applications and ICT products are not accessible to people who use assistive technology.

All our employment-related research has identified the lack of workplace accessibility as a significant barrier, suggesting there has been little systemic change in the past decade. For example, 43% of Australian respondents in the 2018 survey ranked this as one of the four main barriers they experienced when seeking or trying to maintain work.

In some cases workplace modifications can make systems more usable, but this is not always possible. For example, we are aware of people who are blind who have been employed by government departments, in some cases in roles that relate specifically to developing programs to assist people with a disability, but who have faced insurmountable barriers because the department’s computer software was not compatible with screen-reading software the blind employee used.

If systems or processes are inaccessible because they do not comply with accessibility standards or guidelines, then no amount of work preparation, skill, or experience on the part of the employee will make those systems accessible and usable.

Even if the employer has the most positive of attitudes to employing someone who is blind or has low vision, they may not be able to overcome a barrier of this kind. In the best case, an employee may be assigned to a different role within the department or organisation, but in the worst case their employment may be terminated.

### Employer attitudes

Every piece of employment-related research Vision Australia has been involved in shows one of the most significant barriers for people who are blind or have low vision in finding and maintaining employment is negative employer attitudes. For example, 60% of respondents in the 2018 international employment survey identified negative employer attitudes as a significant and discriminatory barrier.

There have been some positive steps in improving employer attitudes to employing people with a disability, particularly in the case of larger companies, as an increasing number have implemented diversity strategies and disability action and inclusion plans.

These are often supported by policies such as recruiter training in areas such as unconscious bias identification and neutralisation. However, our experience working with clients is many of these attraction and recruitment strategies have only been marginally successful, with much recruitment of people with a disability being only for entry level positions.

There is often little attention paid to career progression once a person has been recruited and this has become a major factor in the significant under-employment experienced by many people who are blind or have low vision.

Unconscious employer bias against employing someone who is blind or has low vision can have a particularly detrimental impact when an existing employee acquires a vision loss. We have worked with many clients in this position, because vision loss is correlated with ageing. As the Australian population ages, there is an increased incidence of acquired vision loss.

An employee may have decades of experience and expertise in a particular job but, when they acquire a vision loss, those positive factors are often overlooked as their employer believes a person who is blind or has low vision cannot perform the duties of the role, or cannot work at all.

### Case study 3: Paul’s story

*Paul had been a specialised nurse for most of his working life. He developed age-related macular disease and felt he may no longer be able to perform some of the functions of his role. His employer had no interest in exploring whether workplace adjustments and assistive technology could allow Paul to continue in his current role or in redeploying him into a different role within the organisation that would benefit from Paul’s skills and experience.*

*Due to the lack of support from his employer, Paul felt his only option was to leave. The industry lost decades of skill and experience but Paul lost his job as the result of unconscious employer bias.*

### **What helps people with disability find and keep a job in an environment free of violence, abuse, neglect and exploitation?**

As we have noted previously, a key element that helps maximise the chances of a person who is blind or has low vision finding and keeping meaningful employment is thorough preparation for workforce participation, based ultimately on a firm foundation of the skills that comprise the Expanded Core Curriculum.

Ideally, this foundation is laid in the family environment. Positive parental attitudes and access to supports and services that help children acquire the skills they will need throughout life is one component of a “work readiness” philosophy.

Given the link between education and positive employment outcomes for people who are blind or have low vision, having barrier-free access to high levels of post-secondary education will also help people find and keep meaningful employment. Work experience and quality work placements are also an intrinsic part of education and work preparation. At present there are very limited opportunities in this area for people who are blind or have low vision.

While individuals, families and educators can collaborate to help maximise a person’s “work readiness”, their efforts will be significantly thwarted unless employers, recruitment agencies and governments also take active measures to ensure workplaces do not create abuse and neglect through systemic barriers that are beyond the individual’s control or capacity to influence.

Initiatives such as the following will make a significant contribution to the creation of workplaces that are accessible, characterised by equal opportunities for employees who are blind or have low vision, and, to that extent, free from abuse and neglect:

* Qualified workplace assessors and support personnel readily available who can work with both employers and employees to identify potential barriers and develop reasonable workplace adjustments;
* Strong and demonstrated commitment from governments and peak business groups to adopting a sound policy framework that incorporates elements such as reasonable adjustments, affirmative action, accessible ICT procurement, regular disability-specific training for recruitment managers, and a greater number of targeted recruitment programs similar to Vision Australia’s Career Start program (see our response to Question 8);
* The development of work experience programs that not only provide people who are blind or have low vision with work experience, but also, in the process, help to create a culture of inclusion, diversity and greater understanding in the general workforce and more confidence among employers in the recruitment of employees with a disability; and[[5]](#footnote-6)
* The provision of equitable access to professional development, and targeted positions in leadership programs, to ensure people who are blind or have low vision have the opportunity for career progression.

## What opportunities are there for career progression for people with disability in Australian workplaces?

As we noted earlier, people who are blind or have low vision are much more likely to be under-employed than other sections of the community. This, in itself, is an indication there are limited opportunities for career progression.

The 2018 international employment survey confirmed this lack of opportunity: the majority of people who are blind or have low vision are employed in entry-level or non-supervisory positions, with only 18% of the Australian respondents saying that they were employed in more senior or supervisory roles.

It is worth noting the well-established link between level of post-secondary education and employment outcomes also applies to career progression. The 2018 survey found Australian respondents were twice as likely to be employed in management roles if they had an undergraduate qualification or above.

# Question 5:

# What could be done to prevent, or respond to, discrimination, violence, abuse, neglect and exploitation against people with disability in the workplace? This could include better systems for support or making a complaint.

The sooner specific instances of discrimination, violence, abuse or neglect are addressed, the more likely it is a satisfactory resolution will be achieved and a good relationship between the employer and the employee preserved.

Having ready access to an informal mechanism for raising and discussing such instances is important. Larger organisations may have liaison officers, diversity managers, or other staff with specific responsibilities to address workplace discrimination by assisting both the employee and their managers to clarify issues and identify solutions.

Such staff must have a thorough knowledge of the various external options that are available, including relevant legislation and government programs, and be supported by robust internal policies and processes.

Both large and small organisations can benefit from disability-specific expertise and experience when instances of discrimination, abuse or neglect arise. For example, Vision Australia has a team of experienced employment consultants who are available at short notice to assist employers and employees with workplace issues related to an employee’s blindness or low vision. Our advocacy team is also available to provide advice to employees who are blind or have low vision about various options for resolving complaints and work-related disputes.

## The Role of the Disability Discrimination Act 1992

Vision Australia has been a strong supporter of the Commonwealth Disability Discrimination Act (the DDA) as a primary method for preventing and removing discrimination in the areas covered by the Act, including employment. We have assisted clients to prepare and lodge complaints under the DDA and we have been pleased that in many cases these complaints have resulted in conciliated settlements.

However, our experience over the past 10 years compels us to conclude the DDA is now in urgent need of root-and-branch reform if it is to remain relevant and effective for people with a disability, especially in the context of employment-related discrimination.

In 2012, Vision Australia made two detailed submissions as part of the consultation around the Human Rights and Anti-Discrimination Bill 2012, an unsuccessful attempt to harmonise the four pieces of Commonwealth legislation, including the DDA, that form the basis of Australia’s anti-discrimination framework.

In that submission we noted a number of issues that in our view substantially thwart the objectives of the DDA as beneficial legislation. We discuss two of those issues below, because they have particular relevance to DDA complaints related to employment.

The conciliation process used by the Australian Human Rights Commission (AHRC) (the Commission) has the advantage that it is no-cost and relatively informal for individual complainants. However, it also contains several long-standing flaws that continue to limit its effectiveness.

The most significant flaw is the conciliation process is voluntary.

Although the AHRC has power to compel attendance at a conciliation conference (under S.46PI and S46PJ of the Australian Human Rights Commission Act), the Commission has rarely, if ever, used it, and our experience assisting clients is the Commission refuses all requests to compel attendance at conciliation conferences.

We strongly disagree that only voluntary conciliation will produce satisfactory outcomes. There is a long history of compulsory conciliation in the industrial arena and, in any case, the dynamics of the relationship between complainant and respondent can change once they actually talk to each other, especially in the presence of an experienced conciliator.

If the conciliation process fails to produce a satisfactory outcome for the complainant, their only option is to lodge the complaint in the Federal Court. As the Federal Court is a costs jurisdiction where the “costs follow the event” principle typically applies, complainants are rarely in a financial position to take their complaint to the Federal Court.

Legal aid is only available to people who basically have no assets and no income, and even small amounts of income or assets can be appropriated by an adverse costs ruling.

Most employees who are blind or have low vision cannot reasonably risk losing the income they have saved or the assets they have already acquired. One of our clients reports they were advised by a barrister that if they lodged a DDA complaint in the Federal Court against a large recruitment company and a government department, the costs could reach $500,000 in the event the client lost the complaint.

The DDA is considered to be “beneficial legislation” aimed at protecting and promoting the dignity and rights of people with a disability, and fostering their equal participation in society. There is fundamental injustice and inequity when a person must risk losing their life-savings or be faced with bankruptcy if they want to challenge discriminatory behaviour or conduct.

In the context of employment-related issues, the combined effect of these fundamental flaws in the operation of the DDA can be particularly egregious. Most litigation funders do not provide funding for employment-related legal proceedings in the Federal Court, even if they are brought under the DDA.

An employee who is blind or has low vision is, as we have noted, at much greater risk of being unemployed and remaining unemployed for long periods, so they are likely to have less opportunity to regain any income or assets that they lose due to an adverse costs ruling. In practice, very few employees who are blind or have low vision are in a position to pursue a complaint of employment-related disability discrimination beyond the conciliation stage.

Government departments and large companies therefore know they have nothing to fear from the DDA, and can ignore any DDA complaints with relative impunity.

This has ramifications for every part of the employment process. If there are discriminatory aspects in the recruitment process (such as application forms being inaccessible) then there is, in practice, little likelihood a person will lodge a DDA complaint to challenge the inaccessibility. Also, an employer who rejects a suitable job applicant primarily because the applicant is blind or has low vision is unlikely to be held accountable.

If an employee who is blind or has low vision experiences discrimination during their employment, they are still unlikely to lodge a DDA complaint and, even if they do, the employer is not obliged to respond to it. Typically, the employee either resigns or has their employment terminated.

Any serious attempt to improve the employment situation for people who are blind or have low vision must involve changes to the DDA as it is the “last line of defence” open to people with a disability. More attention must also be given to alternative and complementary ways of resolving issues and addressing disability discrimination that occurs during the course of a person’s employment

# Question 6:

# Are the current employment programs and supports for people with disability effective? If not, why not? What changes should be made to these programs?

## National Disability Insurance Scheme (NDIS)

When the NDIS was introduced there was an expectation it would play a significant role in preparing people for employment and, over time, its funding would be supplemented by greater workforce participation.

Our experience working with NDIS participants who are blind or have low vision suggests there is little evidence this is occurring in practice. The NDIS can play only a limited role in removing systemic barriers such as inaccessible systems and ICT technologies and these are among the most significant barriers experienced by people who are blind or have low vision.

For people who are not able to use public transport to travel to and from work, the NDIS has so far failed to provide consistent and adequate transport funding.

We know there is a strong link between levels of post-secondary education and positive employment outcomes. Many NDIS participants, however, have found it difficult or impossible to obtain NDIS funding for technology that would enhance their participation in higher education, notwithstanding their participation in further education.

In general, the tertiary education sector does not provide funding for assistive technology, so people who are blind or have low vision are often not able to obtain the technology and specialised equipment they need.

One client, who is an NDIS participant, said:

*I feel like I’m a ball being bounced back and forth between the NDIS and the education sector. The NDIS won’t fund my technology because they say it’s the education sector’s responsibility. The education sector won’t fund it because they say that’s what the NDIS is for. At the end of the day I don’t have the technology I need to do more study.*

There must be greater coordination between the NDIS and other sectors, such as the education sector, to ensure appropriate funding is provided to participants to facilitate the further study that is more likely to lead to better employment outcomes.

The NDIS must also explore ways of influencing systemic change, for example, a greater commitment to accessible ICT procurement policies, because this would be one of the most effective ways of increasing employment participation for people who are blind or have low vision.

## Disability Employment Services

The Commonwealth Government provides funding for disability employment services to assist people with a disability to find and maintain employment.

Our employment research suggests only a small percentage of people who are blind or have low vision use disability employment services outside of those provided by Vision Australia, and a significant percentage of those would not use them again. For example, our 2012 research found only 19% of respondents had used a disability employment service to assist them find work, and 36% of those would not consider using them again. By contrast, 75% of respondents were using, or had used, the employment services by Vision Australia, and 64% of these had been successful in finding and maintaining employment.

We believe there are several limitations and fatal flaws in the current disability employment services that are significantly hindering the effectiveness of such services.

Firstly, there is no real integration between the NDIS and disability employment services, despite the fact that one of the key goals of the NDIS is to improve vocational outcomes for people with a disability.

Nor is there any integration between disability employment services and supported employment options, which means people who are in supported employment cannot use these services to assist them to explore possible options for transitioning to open employment.

Secondly, the eligibility requirements for receiving assistance from disability employment services are too restrictive. For example, students are ineligible if they are in part-time work so they cannot build longer-term career options by getting extra work experience.

People who are already in employment are also ineligible to receive disability employment services.

A major consequence of this ineligibility is that disability employment services cannot play a role in addressing under-employment, which all our research has shown is an issue that affects the majority of people who are blind or have low vision and who are in employment.

There are also concerns about the long-term viability of the disability employment services program, especially in rural or remote areas.

Maintaining an appropriate level of expertise to assist people with “low incidence” disabilities such as blindness or low vision can be particularly difficult in these areas, and the quality of service suffers as a result.

In addition, many of the factors that affect successful employment for people who are blind or have low vision are quite different from other disability groups, and require specific knowledge, experience and networks that are usually not available in generic settings, especially in rural or remote areas.

Finally, the current model for the disability employment services program privileges short-term placements at the expense of more sustainable, longer-term employment outcomes.

The payments providers receive for successful 13, 26 and 52 week placements influences them to prioritise the financial sustainability of their service over placing people in work that matches their aspirations, skills and career potential.

Moreover, the current funding model does not adequately fund job preparation activities: there is an exclusive focus on simply placing a person into any job at all, rather than assisting a person to prepare for a job that will be meaningful and rewarding in the longer term.

## Job Access Program

From Vision Australia’s perspective as both an employer of people who are blind or have low vision and also as a provider of employment services to clients, the Job Access program (Employment Assistance Fund) continues to be an important and successful Commonwealth initiative aimed at providing funding to assist employees and employers.

Our experience has been that the program generally accepts the recommendations from workplace assessments carried out by appropriately-skilled assessors and the funding is provided promptly with a minimum of bureaucracy.

One of our staff who is blind provided the following comments:

*I am totally blind and also have a significant hearing impairment. I use a refreshable braille display, screen-reading software and other assistive technology to help me perform the duties of my role.*

*I have had three workplace assessments over the past 12 years as my roles and needs have changed.*

*The assessments have resulted in recommendations for various technology and specialised equipment, such as an electronic braille notetaker and a binaural telephone headset.*

*In some cases it has only taken two days for the Job Access program to accept the recommendations and approve the funding.*

*By obtaining funding through Job Access I have been able to maintain my employment and adapt to changing roles and responsibilities within the organisation.*

As we note in our response to Question 7, employers generally find the Job Access program works well from their perspective.

There is, however, a significant percentage of employers who do not know about the program and would benefit from more awareness-raising initiatives.

Concern and frustration has also been expressed by some employers. They have found that free workplace assessments are only available through the program once an employee has commenced in a role, whereas it would be extremely valuable if employers were able to obtain an accurate indication of the nature and extent of required workplace adjustments prior to making an offer.

Such pre-assessments could also reduce the time taken for a new employee to become productive by reducing the amount of time needed to purchase special equipment or make changes to the workplace.

## Work Assist Program

Vision Australia has provided support to many clients through the Work Assist program (formerly the Job in Jeopardy program) funded by the Department of Social Services.

The supports that can be provided through the program are most likely to lead to a successful outcome when there is a genuine commitment from the employer to retain the employee with a disability whose job is “in jeopardy” because of circumstances related to their disability.

The following case study is an example of such an outcome:

### Case study 4: Roger’s story

*Roger became a Work Assist client with Vision Australia’s employment services in 2016.*

*He had been working with a large company in the private sector for 40 years and was referred to Vision Australia by his Workplace Health and Safety Specialist after he developed early symptoms of age-related macular disease (one of the most common causes of age-related vision loss in Australia).*

*His employer had provided some basic equipment such as a large computer monitor and iPad but Roger’s performance at work was being affected by his increasing vision loss and he was having difficulty completing tasks related to his current role.*

*Vision Australia conducted a Workplace Assessment and made a number of recommendations for assistive technology, including a hand-held magnifier and Zoomtext screen enlargement software.*

*After some initial training, and ongoing support from his manager, Roger was able to improve his performance and maintain his employment without further assistance.*

Our experience is that early referral and genuine commitment on the part of the employer are key to achieving a successful outcome through the Work Assist program.

Work Assist can play a key role in helping employees who are blind or have low vision maintain employment and it is important both employers and employees are aware of the supports it can provide.

# Question 7:

# What are employers’ experiences of hiring and retaining workers with disability? What benefits and challenges have employers encountered? What supports have helped, or would help?

The Employer Attitudes survey we conducted in 2016 showed that while large companies generally had a more positive attitude to the employment of people with a disability, they did identify a number of challenges, the main ones being:

1. Customising documents and the workplace to suit an employee who is blind or has low vision was time consuming;
2. The employee would struggle to keep up with the assigned tasks; and
3. Integrating the employee into the workplace culture.

Some employers also commented that adapting their software for use with screen-reading technology was difficult, and there were issues with “non-mainstream” software.

Issues related to workplace customisation (reasonable adjustments) and employee productivity can very often be satisfactorily addressed through workplace assessments and the purchase of recommended equipment through the Job Access program.

It is significant in this context that employers who responded to the survey often had a very limited understanding of the types of reasonable adjustments might be required for an employee who is blind or has low vision, as well as a lack of awareness of the supports that are available through the Employment Assistance Fund (Job Access).

27.3% of respondents said they were completely unaware of the Job Access program. It was also noted by at least one employer that Job Access supports were only available once an employee had commenced in a particular role:

*“The Job Access process is difficult - we wanted to do an assessment of the role prior to offer and were only able to do this through paying for an expensive third party to do this, as Job Access required a signed letter of offer. We wanted to make sure the job was OK first and to educate our line managers that people with vision impairment can do pretty much anything other people can do.”*

Other respondents said Job Access supports were not available to employees on temporary contracts.

In general, our experience with the Job Access program has been extremely positive. It has certainly assisted both employees to maintain a job and employers who are willing to employ a person who is blind or has low vision.

But it is important Job Access incorporates sufficient flexibility to reflect the changes that are taking place in the labour market, such as increasing casualisation and the use of fixed-term or temporary employment contracts.

We also believe there is a need for awareness-raising initiatives to be developed through consultation between Job Access, peak industry groups and the disability sector. This would provide employers with a better understanding of the substantial supports already available and dispel widespread misperceptions about the nature, expense and disruptiveness of reasonable adjustments and the capabilities of employees with a disability.

Vision Australia as an employer has derived significant benefits from employing people who are blind or have low vision. 14% of our staff (100 employees – including the primary authors of this submission) have lived experience of blindness or low vision and they are represented at every level of the organisation, including the Board, executive leadership team, management and client services delivery.

Having a workforce with high levels of lived experience is critical to Vision Australia’s success as a provider of high-quality services to clients who have diverse and often complex needs and as a credible and respected voice in advocating on behalf of the blind and low vision community.

Workplace diversity and inclusion is seen not as a separate strategy but as a core element in our culture and business strategy that contributes to our success.

Through our discussions with employers we have also identified several additional benefits that employers may encounter when employing a person who is blind or has low vision (or, indeed, anyone with a disability):

**Best person for the job:** An applicant who is blind or has low vision may be the best candidate for the job. Because people who are blind or have low vision do not take employment for granted and value it highly, they are more likely to apply for jobs that align with their passions, skills and qualifications.

**Creating a varied workforce:** Employing people who are blind or have low is an excellent step towards creating truly diverse and inclusive workplaces.

**Make the most of technology:** Advances in technology have helped people who are blind or have low vision to become highly efficient and capable employees. There is a wide range of specialised equipment and assistive technology available that allows employees who are blind or have low vision to complete a wide variety of tasks, and it is likely to be available at no cost to the employer through the Employment Assistance Fund.

**Employee loyalty:** Our experience working with many clients is that people who are blind or have low vision highly value their employers, and are likely to be committed, motivated and long-serving employees.

# Question 8:

# Do you have any ideas for improving employment participation for people with disability? Do you have examples of good practice?

The neglect of people who are blind or have low vision can experience when finding or maintaining meaningful and rewarding employment is starkly evident in the high unemployment and under-employment rates we have documented and discussed throughout this response.

This neglect continues in a lack of opportunity, the existence of many long-standing systemic barriers and the absence of effective mechanisms for addressing instances of discrimination.

Vision Australia strongly believes the only way to open new pathways to meaningful employment for people who are blind or have low vision is to create interconnected and coordinated strategies that are anchored in the family, developed in the school and tertiary education systems, embraced by employers, supported by governments, and embedded in society as a whole.

## Anchored in the Family

It is hard to overstate the importance of the family in laying the foundations for children’s overall orientation to the world and providing support and encouragement in the development of the skills children will use throughout their lives.

For children who are blind or have low vision, the family is the place where they will typically first learn about rights and responsibilities, develop expectations about what is reasonable and what is possible and begin the journey towards self-actualisation and the achievement of their full potential.

There is much parents and other family members can do to assist children who are blind or have low vision to develop positive self-esteem, feelings of self-worth and ambition for their future.

With the right supports, parents can also play a key role in helping to prepare their children for employment in the future. Through discussing various employment options in appropriate ways as children grow up and creating opportunities for them to become proficient in skills like orientation and mobility, braille reading, and computer literacy, parents are preparing and motivating their children to find and maintain meaningful employment.

For people who are blind or have a level of vision that is insufficient for them to read print comfortably and effectively, braille is a primary key to literacy.

The attitudes of parents and family members towards braille can play a crucial role in encouraging children to learn and use it.

One of our clients told us the following:

*When I was a kid, my parents really encouraged me to learn braille and made it seem like fun.*

*Even before I started school they would show me braille books and help me turn the pages and feel the dots. They told me that one day I’d know what those dots meant.*

*After I had started to learn braille, they put braille labels on all my vinyl records and on my Christmas and birthday cards. They gave me braille books as presents and they would write little notes in braille inside the books.*

*I remember one year on my birthday (I think it might have been my 7th birthday) they set up a maze made out of string. As I followed the string all over the house, I’d come to small presents that had braille on the paper wrappings.*

*The string ended tied around the leg of a stereo record player. On top of that was a record of audio stories based on Hans Andersen’s fairy tales. On the cover was a braille label that said, “The Ugly Duckling”.*

*I still have it more than 50 years later, and it is a constant reminder that my parents regarded braille not as the end of the road but the beginning of the journey.*

Our employment survey in 2012 found 67% of respondents who said they could read and write braille also said that they used it in the workplace. This was an increase from the 2007 survey findings and provides some support for our strong belief that braille is becoming more, not less, important as a literacy and communications medium as technological advances make it easier to produce and use than ever before.

Proficient braille users are able to apply it in every aspect of life, including employment, where it can be used to read documents, present information, make notes, and interact with computer software.

### Recommendation 1

That the National Disability Insurance Agency (NDIA) work with Vision Australia, and other organisations as appropriate, to develop a package of specialised supports for the development of life skills with a particular focus on employment preparation, and that this package be actively promoted to parents of children who are blind or have low vision and NDIS participants.

## Developed in the school and tertiary education systems

If children who are blind or have low vision do not receive a thorough grounding in the skills that comprise the Expanded Core Curriculum while they are at school, it will be much more difficult for them to find and maintain meaningful employment later on.

To ensure children are in the best possible position to acquire and implement these skills, there should be a national approach to how the Expanded Core Curriculum is incorporated into school education, and there should also be a mechanism for monitoring the progress of children against validated age-appropriate benchmarks.

Because of the strong link between the attainment of post-secondary education and positive employment outcomes for people who are blind or have low vision, urgent attention must be given to removing the barriers that were identified in our 2017 research.

One of the participants in that research summarised the impact of those barriers:

*I find so many barriers at university that I don't know where to start when I try to write about them. One barrier kind of leads to another and you can't write about one without linking all of them in.*

*When I can't access one particular component online, it means that I don't have the time or energy to persevere with trying to access others.*

*It's a cascade of barriers that never stops and never gives me any respite. It often feels like every time I press the power button on my laptop I'm going to find barriers that will steal my time and sap my strength.[[6]](#footnote-7)*

If people who are blind or have low vision cannot pursue tertiary and other post-secondary education options on an equal basis with sighted students, they will not be able to maximise their employment potential or achieve their career goals.

### Recommendation 2

That a national program be developed to promote and implement a consistent approach to the integration of the Expanded Core Curriculum in both the government and non-government school systems, and that this program incorporate a national system for comparing an individual student’s progress against validated age-appropriate benchmarks.

The expertise needed to deliver on the Expanded Core Curriculum will not be found solely in the education sector, thus competent blindness and low vision service providers such as Vision Australia must be integrated in delivery of services associated with the Expanded Core Curriculum. Such integration currently varies materially by State, but is on the whole mediocre at best.

### Recommendation 3

That the Commonwealth Government fund the development of professional accreditation for braille instructors in consultation with the Australian Braille Authority, recognising that braille is a contributor to workforce participation.

### Recommendation 4

That disability funding provided by the Commonwealth to the tertiary sector be linked to the implementation of accessible ICT procurement policies in the purchase of online learning systems.

### Recommendation 5

That the tertiary sector work with the Commonwealth’s panel on Equity in Higher Education; the Australasian Council on Online, Distance and eLearning; Vision Australia and other appropriate organisations to develop training modules for disability support staff that are specific to the needs of students who are blind or have low vision.

### Recommendation 6

That the Disability Standards in Education be expanded to include specific information about the importance of braille, and to clarify the nature and extent of reasonable adjustments for specific disabilities, including blindness and low vision.

## Embraced by employers

Every piece of employment-related research Vision Australia has been involved in has highlighted that negative employer attitudes are identified by people who are blind or have low vision as a significant barrier to employment.

In addition to the examples we gave earlier, it is worth mentioning that in the 2018 international research, 60% of respondents in all three countries (Australia, Canada and New Zealand) said the negative attitudes and false perceptions of employers presented a significant barrier to employment.

While our employer attitudes survey did identify some positive employer attitudes to the employment of people with a disability, it also highlighted the glaring gap between employer perceptions and the reality of what people who are blind or have low vision can do and the effectiveness and feasibility of reasonable workplace adjustments.

It is clear that employers need a much greater range of accurate information about the supports available and how to make their workplaces more accessible and inclusive.

### Recommendation 7

That the Commonwealth Government work with peak industry groups to implement a campaign to raise awareness among employers of the Employment Assistance Fund and the Work Assist program.

### Recommendation 8

That the Australian Human Rights Commission be asked to provide guidance about the obligations under the Disability Discrimination Act 1992 of all parties involved in labour hire contracts.

## Examples of good practice

The 2018 international employment survey found people who are blind or have low vision have a greater chance of success in the employment market if they have previously been in paid employment, had experience volunteering, undertaken leadership development activities, or participated actively in community life.

For example, Australian respondents who participated in team-oriented and leadership-building community engagement activities during their school years were up to 2.5 times more likely to be employed full-time.

Mindful of these research findings, Vision Australia has pioneered a number of programs that aim to provide people who are blind or have low vision with leadership skills and work experience that will increase their chances of finding and maintaining employment.

### Vision Australia: LEAP Program

The LEAP (Learn Engage, Act, Perform) leadership program has been specifically designed for young people aged between 14-–18 years. The program seeks to identify our future leaders and to enable them to develop skills that will help them to set and achieve their goals and get the best vocational outcome.

The program has a number of key learning outcomes, including the use of best practice tools to enable participants to clarify their values and highlight their transferrable skills, and the development of job interview techniques and a professional resume.

During the eight-month program, participants are matched with a professional coach best able to assist them achieve their career goals and staff work with participants and their families too set personal goals and shape learning development.

NDIS participants can use their NDIS funding to support their involvement in the LEAP program.

### Vision Australia: Career Start Program

As at March 2020, 14% of Vision Australia’s staff are blind or have low vision, making us the largest employer of people who are blind or have low vision in Australia.

In addition to our own active recruitment, we also run a philanthropically-funded Career Start program to assist graduates who have a diploma-level or higher qualification and who are blind or have low vision to obtain work experience in a professional workplace before applying for external employment.

Successful applicants for the program are provided with a meaningful 12 month paid (at a level commensurate with the role being performed) workplace opportunity. The intention is that over the 12-month period graduates develop the general skills of how to operate in a professional workplace and put their qualifications into practice.

The Graduate spends nine months in a suitable position in Vision Australia, and then generally three months at a placement with an external organisation (with the latter external placement component also funded by Vision Australia).

Beyond the 12-months, support is provided to help graduates leverage their learnings and experience to find external employment. Since its inception in 2015, 21 graduates have been recruited to the Career Start program. Areas of study have included accounting, counselling, communications, information technology, law and marketing. Companies who have provided a three-month placement in the past include Public Transport VIC, ANZ Bank, Seek, BUPA, Channel 31, WISE Employment and Medibank.

Of the 16 graduates who have completed the program, 10 have secured external employment, while four have been employed by Vision Australia following a standard recruitment process.

Vision Australia’s future goal is to connect Career Start with other external graduate programs to increase employment opportunities for job seekers who are blind or have low vision more broadly.

### Disability Confident Recruiter ((DCR)

The DCR is an initiative of the Australian Network on Disability[[7]](#footnote-8). It provides tools and resources to assist employers to become more confident in the recruitment of “talented people with disability”.

The program focuses on ways of removing barriers that may exist in the recruitment process and making adjustments to ensure the recruitment experience is a positive one for candidates with disability.

The DCR is available to recruitment agencies as well as government departments and other employers.

The WA Department of Biodiversity, Conservation and Attractions is a recent (July 2020) example of a government agency that has been accredited with the status of Disability Confident Recruiter.

The DCR and similar initiatives are extremely valuable because they not only provide employers with practical information and greater knowledge about how to create inclusive recruitment processes, but they also provide incentives in the form of public acknowledgement and enhanced reputation.

We think it is reasonable to expect all Commonwealth and state/territory government agencies be required to achieve DCR status as part of their disability inclusion planning or workplace diversity strategies.

Governments should also stipulate that any recruitment agency that tenders for government contracts must have already achieved DCR status, in much the same way that suppliers of ICT products and services must be required to comply with the Australian Standard for accessible ICT procurement.

### Queensland Department of Health work experience program

Over recent years Vision Australia has worked with the Queensland Department of Health to facilitate the intake of candidates who are blind or have low vision into the Department’s work experience program.

This has been a successful collaboration, as it has provided paid work experience for up to 12 people per intake.

Originally the program was exclusively for people who are blind or have low vision, but the department has been so encouraged by its success and its positive benefits that they have recently expanded the program to include all disability groups, and have engaged an external training provider to facilitate the program.

Vision Australia is also working with a number of other Queensland Government departments, including the Department of Transport and Main Roads, to develop similar work experience programs for people who are blind or have low vision.

### Supported by Government

Governments have a crucial role to play in providing leadership in the employment of people with a disability, including people who are blind or have low vision.

A primary reason why the problem of unemployment has been so difficult to address is that governments have largely failed to assume this responsibility. For example, it has been generally recognised that, at least in the Commonwealth jurisdiction, the percentage of people with a disability employed in the public service has declined[[8]](#footnote-9). In recent years, improvements in disability employment rates within Government have been materially driven by the inclusive approach of the NDIA which has achieved high levels of disability employment.

This is despite the development of the National Disability Strategy, and the overarching scope of the DDA, which makes it unlawful to discriminate in key areas of community life, including employment.

Governments at all levels must be required to implement disaggregated targets for employing people with disabilities, and must be held accountable for meeting them. The targets must be disaggregated to ensure that different disability categories, including blindness and low vision, are represented.

In December 2016 Standards Australia adopted the European Standard EN301.549 as an Australian Standard. This standard deals with “accessibility requirements suitable for public procurement of ICT products and services”.[[9]](#footnote-10)

While the Commonwealth Government has, in theory, adopted this standard, we have yet to see evidence that it is being enforced. Recent examples of products and services that do not comply with it, such as the MyGovID app and the COVIDSafe app[[10]](#footnote-11) suggest the process for implementing the standard is either not clear to those who have procurement responsibilities within government, or that complying with the standard is not seen as a high priority.

There has been inconsistent adoption of the standard across the states and territories. It is very disappointing there has not been a greater nationwide commitment to accessible ICT procurement because the inaccessibility of government systems, software and processes is one of the most significant barriers to the employment of people who are blind or have low vision in the public service.

Accessible ICT procurement is also a key to the removal of barriers to online learning in the tertiary sector. The more agencies, organisations and institutions insist on only purchasing products and services that comply with the standard, the more likely it is that accessible products and services will be available to private sector employers. Governments must lead by example.

It is also worth noting there is a growing international recognition of the benefits of accessible ICT procurement, with countries including the US, Canada and the EU adopting accessible ICT procurement standards and guidelines.

If Australia continues to demonstrate an inconsistent, lacklustre approach to the public sector procurement of accessible products and services, then we believe that there is a real and increasing risk that Australia will become a “dumping ground” for inaccessible products and services that cannot be sold elsewhere.

This would obviously have a significant negative impact on people with a disability, especially people who are blind or have low vision, and would serve to perpetuate longstanding barriers to employment.

### Recommendation 9

That all levels of Australian government implement robust and consistent policies for accessible ICT procurement based on the most current version of Australian Standard AS/en301:549 and including transparent reporting mechanisms and sanctions for non-compliance.

### Recommendation 10

That all recruitment agencies that submit tenders for government labour hire contracts be required to hold Disability Confident Recruiter status and demonstrate that their recruitment processes are accessible to people who are blind or have low vision.

### Recommendation 11

That all government departments and agencies be required to implement and report on disability employment targets as part of the renewal of the National Disability Strategy.

### Recommendation 12

That the eligibility criteria for the Disability Employment Services program be expanded to include people who are already employed, including in supported employment.

## Examples of good practice

### South Australian Government

In September 2019, the South Australian Government launched its Online Accessibility Policy, part of which includes the mandatory application of the Australian Standard AS/EN301.549:2016, to ensure that all digital products and services are accessible to people with a disability.

The policy itself aligns closely with the South Australian Disability Inclusion Act 2018, the Web Content Accessibility Guidelines 2.1, and the Commonwealth’s Digital Service Standard, in addition to AS/EN301.549:2016.

The mandatory, whole-of-government policy requires that accessibility must be considered at all stages of procurement or development of digital products and services, from planning to development. It also places responsibility on vendors to “provide sufficient evidence to demonstrate their compliance with these requirements”[[11]](#footnote-12)

A toolkit and comprehensive resources have been developed to assist with understanding all aspects of the policy, including its application, implementation and reporting requirements and there has been extensive consultation and collaboration with many agencies and organisations, including Vision Australia, the UK Government, and disability groups.

In October 2019, the South Australian Government (in partnership with Vision Australia and the Royal Society for the Blind SA) became a finalist in the Government Award category of the Australian Human Rights Awards.

In November the same year, the Online Accessibility Policy and Toolkit Team won the South Australian Department of Premier and Cabinet’s 2019 Employee Recognition Award, for its work in delivering outcomes through the Online Accessibility Policy, including the mandated approach to accessible ICT procurement.

The South Australian Government’s approach to driving accessible ICT procurement through the rigorous application of standards supported by clear and comprehensive resources makes it a world leader in the delivery of online accessibility, and it is a model that should be adopted nationwide, including by the Commonwealth Government.

### Embedded in society as a whole

Even the most well-prepared, highly-educated and expertly-skilled person who is blind or has low vision can be fatally hindered in their search for employment if key aspects of the built environment are not accessible.

As we saw in the example of Casey earlier in this response, being unable to independently use the lifts in a building, or being unable to easily locate rooms within a building, can make it very difficult for a person who is blind or has low vision to be effective and productive in the workplace, and to find the experience enjoyable and rewarding.

The DDA Access to Buildings (Premises) Standards have provided little benefit for people who are blind or have low vision. For example, they do not require new technology such as touchscreen-based lift destination control systems to be accessible, nor do they require rooms within buildings to include tactile or braille signage.

When this latter failure was noted prior to the initial release of the Standards in 2010, the blindness and low vision sector was assured that braille and tactile signage issues, as well as other issues that were of particular relevance to people who are blind or have low vision, would be included in the next review of the Standards in 2015. That did not happen, and there is still a lamentable lack of attention in the Standards to the needs of the blind and low vision community.

There is always a regulatory impact analysis done whenever there is a proposed change to an existing disability-related Standard, or introduction of a new one, to assess the effect on business and the community. However, there is never any analysis done to assess the impact of new technologies on people with a disability. For example, the first building lift systems with touchscreen interfaces were introduced at least 10 years ago, but we still, in 2020, do not have an effective standard governing their accessibility for people who are blind or have low vision.

The technology was introduced without consultation with the disability sector, and consequently a significant number of these systems were inaccessible. Some manufacturers have included accessibility features, especially in more recent lift systems, but this still leaves many building lift systems inaccessible.

The current situation in Australia, where new technology is routinely introduced without any regard for its impact on people with a disability, must be changed. We cannot continue to rely on standards that are slow to develop, even slower to update, and which never keep pace with technological innovation. A more effective mechanism must be found that will operate in parallel with the usual standards process but which will ensure that new technologies used in the built environment will not discriminate against people with a disability.

As we have noted earlier, the Disability Discrimination Act 1992 in its current form is just as much a barrier as it is a facilitator of redress and change. The insights we presented are not new, and they are not unique.

It is time for Australia to demonstrate its commitment to the rights of people with a disability by making long-overdue changes to the DDA instead of continuing in a naïve and disempowering belief that what was commendable and effective when it was enacted 27 years ago is still appropriate and relevant today.

### Recommendation 13

That managers of buildings in which space is leased by government departments and agencies be required to undertake a Disability Impact Analysis prior to the introduction of new technologies that will impact on the use of building infrastructure such as lifts, such analysis to include, but not be limited to, compliance with existing or emerging Australian Standards.

### Recommendation 14

That a roadmap for substantial reform of the Disability Discrimination Act 1992 be developed through consultation with the disability sector and other key stakeholders.

## About Vision Australia

Vision Australia is the largest national provider of services to people who are blind or have low vision in Australia. We are formed through the merger of several of Australia’s most respected and experienced blindness and low vision agencies, celebrating our 150th year of operation in 2017.

Our vision is that people who are blind or have low vision will increasingly be able to choose to participate fully in every facet of community life. To help realise this goal, we provide high-quality services to the community of people who are blind, have low vision or have a print disability, and their families.

Vision Australia service delivery areas include:

* Registered provider of specialist supports for the NDIS and My Aged Care Aids and Equipment;
* Assistive/Adaptive Technology training and support;
* Seeing Eye Dogs;
* National library services, early childhood and education services and Feelix Library for 0-7 year olds;
* Employment services;
* Production of alternate formats;
* Vision Australia Radio network including a national partnership with Radio for the Print Handicapped;
* NSW Spectacles Program; and
* Government advocacy and engagement.

We work collaboratively with governments, businesses and the community to eliminate the barriers our clients face in making life choices and including fully exercising their rights as Australian citizens.

Vision Australia has unrivalled knowledge and experience through constant interaction with clients and their families, of whom we provide services to more than 25,000 people each year, and also through the direct involvement of people who are blind or have low vision at all levels of our organisation.

Vision Australia is well placed to advise governments, business and the community on challenges faced by people who are blind or have low vision as well as they support they require to fully participating in community life.

We have a vibrant Client Reference Group, comprising of people with lived experience who are representing the voice and needs of clients of our organisation to the board and management.

Vision Australia is also a significant employer of people who are blind or have low vision, with 14% of total staff having vision impairment.

1. For a recent Australian study, see Crowe, L., & Butterworth, P: The role of financial hardship, mastery and social support in the association between employment status and depression: results from an Australian longitudinal cohort study. Available at https://bmjopen.bmj.com/content/6/5/e009834, Accessed on 11/08/2020. [↑](#footnote-ref-2)
2. See, for example, Frank CR, Xiang X, Stagg BC, Ehrlich JR. Longitudinal Associations of Self-reported Vision Impairment With Symptoms of Anxiety and Depression Among Older

Adults in the United States. JAMA Ophthalmol. 2019;137(7):793–800. [↑](#footnote-ref-3)
3. The research report is titled Online But Offtrack: Barriers to online learning experienced by university students who are blind or have low vision. It is available at https://www.visionaustralia.org/community/news/2019-08-23/online-track [↑](#footnote-ref-4)
4. For more detail about the Expanded Core Curriculum, see https://www.perkins.org/school/ecc [↑](#footnote-ref-5)
5. Cf. the discussion of the Australian Network on Disability’s Confident Recruiter program in our response to Question 7 below. [↑](#footnote-ref-6)
6. Online But Offtrack, p.16 [↑](#footnote-ref-7)
7. See https://www.and.org.au/pages/disability-confident-recruiter.html [↑](#footnote-ref-8)
8. Australian Public Service Commission. 2019. *APS Employment Data 30 June 2019 Release*. [online] Available at: <<https://www.apsc.gov.au/section-3-diversity>> [↑](#footnote-ref-9)
9. See <https://www.standards.org.au/standards-catalogue/sa-snz/communication/it-040/as--en--301-dot-549-colon-2016> [↑](#footnote-ref-10)
10. The COVIDSafe app was not compliant with the Web Content Accessibility Guidelnes when it was launched, but accessibility issues have since been addressed through collaboration with Vision Australia’s Digital Access team [↑](#footnote-ref-11)
11. See https://www.accessibility.sa.gov.au/policy/online-accessibility-policy [↑](#footnote-ref-12)