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# Things worth sharing in 2022

A major theme of the work done by the **Public Service Research Group** at UNSW Canberra is to not only undertake research but to use it to inform both policy making and implementation. As a consequence, we often publish in non-academic forums, including The Mandarin, The Conversation and blog-site The Power to Persuade. This short booklet presents some of the key contributions we have made this year to highlight the range and scope of the things we do.



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# A disabled NDIA chair is a great first move in the NDIS reset. Here's what should happen next

By **Helen Dickinson and Raelene West**.

Published online September 29, 2022 by **The Conversation**

The National Disability Insurance Agency (NDIA) has a new chair and for the first time it is a disabled person – former paralympian [Kurt Fearnley](#). His appointment, along with that of two new directors, Graeme Innes (former disability discrimination commissioner) and Maryanne Diamond (Australian Network on Disability board member), brings the number of people with disability on the board to five.

But will these appointments go far enough in terms of helping to reset the scheme and restore it to its original aspirations?

## Rebuilding Trust

Over recent years the NDIA has developed a serious [trust problem](#) with the disability community.

Last year saw significant debate around the proposal to introduce Independent Assessments, which the NDIA claimed would help address fairness issues in the scheme. The reform [was dropped](#) after backlash from the disability community, who believed it was merely an attempt to cut costs.

[Research](#) also shows issues with fairness in the scheme have less to do with amounts allocated to individual participant plans, but more to do with participants' ability to actually spend their funding. This is notable in "thin markets" where fewer service providers are available.

It is especially hard for participants from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander people, people with psychosocial disability (such as schizophrenia, bipolar disorder and social anxiety disorders) and those in regional and remote areas to utilise their plan allocations.

Earlier this year there were widespread reports of unexpected [cuts to plan budgets](#) that meant, for some, funding for existing supports disappeared overnight – participants lost independence and experienced significant disruption to their lives and that of their families.

As a result, the number of participants disputing plan decisions through the Administrative Appeals Tribunal [increased significantly](#). Resolution of these disputes takes time and effort on the part of individuals contesting their plan assessments. And the NDIA spends large amounts (over [\\$A30 million](#) between 2021 and 2022) on legal fees.

And there has been outrage at reports of NDIS fraud, in which as much as \$6 billion a year might be being misused, including by organised crime syndicates.

All of these challenges have taken place against a background of the COVID pandemic. People with disability [often felt forgotten](#) in public health responses. Even when people with disability were prioritised, plans were often [not implemented](#) effectively.

Now many COVID restrictions have been lifted, a number of people with disability feel they have no choice but to remain at home, isolated from the wider community.

Like the general population, people with disability were eligible to receive vaccination through GPs and vaccination clinics. However, some sites are not physically accessible and large vaccination hubs are not appropriate for some people with disability for whom crowded, noisy spaces may be overwhelming. Others have extreme fear of needles so sedation may be required, but access has been limited.

Initiatives such as the low sensory load clinics in the Australian Capital Territory and Sydney and in-reach vaccination to private homes have provided alternatives for some people with disability who might find it impossible to be vaccinated in other settings. But these initiatives have been patchy and not consistently implemented across States and Territories.

## Co-design and decision-making by people with disability

In recent years, [NDIS co-design](#) with people with disability has been lacking or non-existent and the scheme has moved away from its original vision that gave people with disability voice within it.

People with disability using NDIS services have not been given a role in shaping the scheme, making decisions about it or contributing to innovations. Those making decisions have never experienced what it is like to navigate the complexities of the NDIS or the challenges with securing supports in a way that is meaningful to their lives.

For these reasons, many in the disability community have expressed [mistrust](#) in the NDIA to prioritise their needs and secure their rights.

The appointment of a chair and greater number of board members with lived experience of disability means there will be better understanding of the types of issues, challenges and frustrations people with disability face at a day-to-day level in interacting with the scheme and service providers. The board's new chair has [declared](#) his goal to rebuild "a thriving NDIS" that puts people with disability in positions of power "centred around choice and control".

This should mean the NDIS has better insight into where some of the main challenges of the scheme lie and how to deal with these issues in more effective and insightful ways.

## Are these appointments enough?

In recent years, NDIS co-design with people with disability has been lacking or non-existent and the Alongside the appointment of a new chair to the NDIA board, a new NDIA CEO has also been appointed. [Rebecca Falkingham](#) will be the first woman to permanently hold the role, having previously served as the Victorian Department of Justice and Community Safety Secretary.

Some within the disability community have [expressed concern](#) that in not appointing a person with disability to this leadership role, there has been a missed opportunity and this sends a negative message about the capability of people with disability to lead organisations that are central to their lives.

Whether the NDIS is successful in building back the trust of the disability community and addressing some of the significant challenges it faces, will largely come down to the ability of the new CEO to work constructively with the reformed board. Certainly the appointment of three people with lived experience of disability onto the board is a positive step towards co-design and resetting the scheme closer to its original vision.

But there is some distance to go to fully realise the intents of the scheme.

# 'Use it or lose it' – getting NDIS funding is only half the battle for participants

By **Helen Dickinson** and George Disney.  
Published online August 22, 2022 by **The Conversation**

The National Disability Insurance Agency (NDIA) has a new chair and for the first time it is a Around [4.5 million Australians](#) live with disability but less than 13% of them are covered by the National Disability Insurance Scheme (NDIS). Getting into the scheme is one thing. But many NDIS participants find using their funding is yet another.

[Our research](#) indicates a major issue in terms of the fairness of the scheme is less in the allocation of funding but more about whether people are able to spend their funding.

Some groups – particularly people living in regional or remote areas or Aboriginal and Torres Strait Islander people – are less able to use their budgets. But there are ways to make the NDIS more equitable.

## Using an NDIS plan

towards, and the supports needed to achieve them. This comes with an associated budget to spend on different supports.

Most plans last around 12 months before they are reviewed, but they can last as long as [three years in some cases](#).

If the funding associated with a plan is not all spent, the funds don't roll over into the next plan and are returned to the scheme.

At a subsequent review there will be discussion about why the funds weren't used. If a person [consistently doesn't use all their funds](#), they might find future budgets are reduced.

Given the [widely reported cuts to NDIS plans](#), some participants are [concerned](#) under-spending might lead to future plan cuts.

## Why people don't spend their allocation

There are a [range of reasons](#) why people don't manage to use all their budget allocation. The NDIS is complex to navigate, and people may not fully understand their plan or the system. There might not be the providers available to meet a person's needs or it might be difficult to find and secure appropriate providers. Similar schemes overseas show people are unlikely to use their entire budgets – they might hold some portion back "for a rainy day" or their needs might change or not eventuate as anticipated.

The previous federal government argued the NDIS was [inequitable](#), suggesting those in richer areas were receiving larger budgets than those in poorer areas.

It proposed to reform the scheme by introducing Independent Assessments, which it argued would produce fairer plan amounts by assessing each participant using the same suite of functional assessment tools. But this proposed reform [was dropped](#) after backlash from the disability community who believed the tools would not produce the intended effects and that this might be an attempt to cut scheme costs.

## Tracking under-use

One way to measure the under-use of NDIS funding is to explore the utilisation rate. This refers to a comparison of the dollar value of individual budgets against the overall amount expended on supports.

[Latest NDIS data](#) shows the national average utilisation rate is 75%.

This measure is only an average, and there are many participants with very low utilisation – 32% of participants spend less than 50% of their budgets. People in some areas spend less than others. For example, East Arnhem in the Northern Territory has an average utilisation rate of 47%.

We also see variation in utilisation within budgets. NDIS plans contain three different categories of funding: core supports for everyday activities, capacity building supports to help build independence and skills, and capital supports to purchase equipment and home or vehicle modifications.

While the national average utilisation rate for core supports is 81%, capacity building stands at [59% and capital at 56%](#). Many people have reported challenges in getting home modifications and high-cost equipment approved even when these are in their plans.

## Some groups use more than others

As part of ongoing research, [we compared](#) groups of NDIS participants to better understand differences in plan allocation and spending. We focused on groups more likely to face inequity in utilisation and where wider social inequities are present.

We looked at plan size and spending separately. We did this because an increase in utilisation could occur if plans are reduced but spending remains the same.

We compared plan size and spending for participants from culturally and linguistic diverse backgrounds, Aboriginal and Torres Strait Islander people and according to where people live. We considered factors such as age to ensure comparisons were "like with like".

We found participants from culturally and linguistic diverse backgrounds and Aboriginal and Torres Strait Islander people received larger plans than other NDIS participants. But they spent a similar amount, despite having bigger budgets. This resulted in lower levels of utilisation.

Inequities also vary by disability group. We found spending and utilisation was low across the board for people with psychosocial disability (such as schizophrenia, bipolar disorder and social anxiety disorders).

In a [study](#) of Victorian NDIS data, we found participants living in regional and remote areas receive less funding. They also spend less of their allocated funding compared to people who live in large urban centres. Some of this may be due to challenges of "thin markets", where insufficient providers are available in an area.

## What can be done

One of the [election commitments](#) of the Labor government was to increase the number of providers in regional areas. This would address "thin markets" – where there is a gap between participant needs and their use of funded supports. But it should be done in a meaningful way so providers and services are appropriate to their local communities.

Another way to help participants access services is to increase use of NDIS support coordinators. These workers who are funded via the person's plan can help participants connect with NDIS providers and understand the scheme. This can act as an additional source of help to be able to find suitable providers and to be able to use their plans in buying services.

Our [modelling](#) shows increasing the use of support coordinators could increase plan utilisation and reduce inequities for Aboriginal and Torres Strait Islander people, culturally and linguistically diverse participants, people from low socioeconomic backgrounds and those with psychosocial disabilities.

# NDIS fraud reports reveal the scheme's weakest points

By **Helen Dickson**.

Published online August 16, 2022 by **The Conversation**

Last year, nearly [A\\$45 million](#) in National Disability Insurance Scheme (NDIS) payments were cancelled as they were thought to be fraudulent. But more recent estimates suggest that may be nowhere near the level of fraud occurring in the scheme.

Australian Criminal Intelligence Commission chief Michael Phelan has warned as much as [\\$6 billion a year](#) might be being misused, including by organised crime syndicates.

The reports cast shame on criminals taking advantage of people with disability. They also reveal the stress points within a disability support scheme that has lost the trust of many participants and needs greater oversight.

## **Cost blow outs**

The former federal government expressed great concern over the potential [cost blow out](#) of the NDIS.

Plans to introduce “independent assessments” of individual budget allocations were met with significant backlash from the disability community, and the government [backed down](#).

Yet over the last year many participants had their [budgets significantly cut](#). These cuts were widely perceived as attempts to rein in the costs of the NDIS by reducing individual plans.

Now it looks like provider fraud – not individual plans – might be a more substantial driver of the increasing budget. And these criminal activities come at the expense of people with disability.

## **How is this fraud taking place?**

There are a number of ways NDIS fraud might be occurring.

The most worrying reports include NDIS participants being threatened with violence, extorted or [threatened](#) with being involuntarily admitted to a psychiatric facility if they do not agree to hand over their budget entitlement.

NDIS Minister Bill Shorten also suggests there may be evidence of [“ghosting”](#) where fake NDIS clients are being created and invoices for services being paid without being checked.

Concerns have also emerged that invoices might be [padded](#) by contractors and then participants have their budgets charged for more than the worth of services that have been delivered.

## **Charging the maximum**

Finally, a number of NDIS participants have suggested providers are overcharging for some services. The National Disability Insurance Agency (the NDIA that administers the NDIS) has a [policy on pricing](#) that sets a maximum price registered providers can charge NDIS participants for specific items.

For example, providers can charge a maximum of \$51.81 an hour for cleaning activities, rising to \$72.53 in remote areas and \$77.71 in very remote areas. But the average hourly pay for a cleaner in Melbourne is around [\\$23.13](#).

Individuals may find the cost of their services increases when they become an NDIS participant, as providers charge the maximum amount allowed under the scheme. There are also reports of providers who offer dual rates for the same service with one price for NDIS participants and another for non-NDIS providers.

This is not necessarily fraudulent but points to some of the challenges with the system.

## **Fighting back**

Minister Shorten has [announced](#) a multiagency taskforce will be launched to look into these issues. It will bring together the NDIA, the tax office and police in an attempt to investigate fraud and dodgy practices. The announcement acknowledges the fact the NDIA might not be able to identify all of the fraud on its own.

The NDIA was originally meant to have just under [11,000](#) staff. The Abbott government later restricted the number of agency staff to 3,000. Although the staffing cap has been [gradually lifted](#), it still falls well short of the number of staff required. External labor is [widely used](#) including for senior roles. This means the NDIA may not have the staff needed to carefully scrutinise claims for the 520,000 scheme participants or detect fraudulent activities.

The disability sector isn't the first to experience problems of this kind. Privatisation of care services has seen over-servicing or charging for services not delivered in other publicly funded markets. These have included [Vocational Education and Training](#) and [family childcare](#).

Without appropriate safeguards and scrutiny, there is potential for people and organised groups to look for ways to extract profits from these services. There are a number of lessons for these sectors that can be learned and should have been built into the NDIS from the start.

One simple solution might be to ask participants to approve invoices over a certain financial value. This would put control into the hands of the people who are receiving services as the scheme was intended to do. This will not deal with situations where individuals are being intimidated though and so is only one part of the reforms needed.

## **Standing up, rebuilding trust**

Finally, advocates who can support people with disability also have a vital role to play in oversight and communication. The establishment of the NDIS fuelled significant cuts to disability advocacy services. This gap means there is less shared knowledge, such as about what appropriate charges should be or how to raise an issue if participants feel they have been overcharged. Given last year's cuts to NDIS plans, participants may well feel worried about raising an issue for fear of further reductions in their support allocations.

What is clear is that the level of trust NDIS participants have in the scheme and the NDIA has seriously declined over the last few years. Reports of fraud and other criminal activity further erode this trust. To operate as intended, the NDIS needs a significant commitment to co-design any solutions with – not just for – NDIS participants.

# The Broderick report: Overcoming power imbalances, entitlement and privilege

By Sue Williamson.

Published online August 15, 2022 by The Mandarin

Last week former sex discrimination commissioner Elizabeth Broderick released her [report into bullying, sexual harassment and sexual misconduct](#) in the NSW parliament.

The headline statistics are alarming.

Almost a quarter of women and 14% of men said they had experienced sexual harassment in a parliamentary workplace in the past five years. Even those with power are not safe, with almost half of women MPs stating they had been harassed. More than half of bullying incidents were perpetrated by an MP.

Parliamentary workplaces are sexualised environments and young women are particularly targeted. Almost one in four women agreed with a survey statement that there are negative views about women in parliamentary workplaces; less than a quarter of men believed this.

While concerning, this situation is not a surprise, coming in the wake of the Jenkins review. Last year the sex discrimination commissioner reviewed commonwealth parliamentary workplaces. She [also found](#) widespread harassment and bullying, with 40% of women and 26% of men stating they had been sexually harassed.

The causes of bullying, sexual harassment and sexual misconduct are clear. They include gender inequality, a lack of human resource policies and avenues to report harassment and misconduct, a lack of accountability, long hours, and an alcohol-fuelled environment. Power imbalances between parliamentarians, their staff and public servants is also a key enabler of workplace violence.

Like the Jenkins review, the Broderick report contains comprehensive recommendations to reform the workplace culture in NSW parliamentary workplaces. Some of the main reforms include:

- expanding reporting pathways, including creating an independent body to investigate complaints,
- updating codes of conduct to strengthen protection against retribution against complainants,
- reviewing and improving working hours,
- reducing alcohol-related harms,
- providing training to prevent bullying and harassment, and
- reducing power imbalances between parliamentarians and staffers, including through improved accountability mechanisms.

The Broderick report is important because it takes an intersectional approach (where people's multiple identities are recognised). The review found that people of diverse sexualities experienced higher rates of sexual harassment – and sexual assault – than did heterosexual respondents (38% compared with 17%). As the report notes, the impact of this violence is compounded for Aboriginal and Torres Strait Islander people, and those from culturally and linguistically diverse backgrounds.

One of the key ways to overcome this toxic environment is to increase the diversity in parliamentary workplaces. The Broderick report suggests targets be set to increase the numbers of people from diverse backgrounds in leadership roles. This suggestion [reiterates a similar recommendation](#) made by commissioner Jenkins.

Further, the report recommends training be conducted to increase awareness about obstacles faced by those in marginalised groups. This is also significant. Increasing such awareness is really about trying to make those with power see their privilege – whether it be white privilege, male privilege, or heterosexual privilege. Workplaces are starting to have conversations about privilege.

The Broderick report also recommends awareness be increased so that targets and merit are not mutually exclusive. Recruiting for diversity – or to meet targets or quotas – does not necessarily undermine the merit principle. This is also largely not understood, as [our research shows](#). The 'best person for the job' can still be recruited when targets are in place.

Targets [are a proven way](#) to increase workplace diversity. Adopted with other recommendations in the Broderick report, culture change is possible. However, addressing power imbalances, entitlement and privilege, is an enormous task.

# Finding support outside the NDIS

By Sue Olney.

Published online August 13, 2022 by The Power to Persuade

Since Australia's [National Disability Insurance Scheme](#) was created nearly ten years ago, its roll out has been closely scrutinised by governments, policymakers, researchers, and advocates. More than 500,000 Australians now receive individual funding through the NDIS to purchase support and services to meet their disability-related needs. However, the overwhelming majority of the 4.4 million Australians with disability are not NDIS participants. Whether and how their needs are met outside the NDIS has profound implications for the scheme's sustainability, and more broadly for the entire Australian community. In today's post, [Dr Sue Olney](#), [Dr Amber Mills](#) and [Liam Fallon](#) discuss their research into how working-age people with disability without NDIS funding are faring. Their findings reveal a huge gap between talk and action on disability inclusion.

**We asked working-age people with disability without NDIS funding how they are finding and using any support and services they need in their day-to-day lives. Their responses reveal a clear discrepancy between talk and action in 'Tier 2' of the NDIS.**

## What's the issue?

Australians with disability grapple with a range of issues in searching for and accessing everything from goods and services to activities, employment, places and spaces - all of which are more readily available to people without disability. The persistent barriers people with disability face to participating in mainstream social and economic activity are well-documented in public submissions to [Australia's Disability Strategy 2021-2031](#), the [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#), and numerous [inquiries by the Joint Standing Committee for the NDIS](#).

People with disability have a right to be included in society and the economy. But inclusion is also a critical component of the NDIS insurance model. Access to the same services and supports as the rest of the Australian community can prevent, reduce or delay the need for individual funding through the NDIS, and improve outcomes for people with disability and their families. For that reason, the NDIS is intended to help all Australians with disability – including 2.4 million people aged under 65 years – connect with services and support beyond the scheme, and to help communities and mainstream service systems become more inclusive.

When the Productivity Commission recommended the introduction of the NDIS, it saw it working within a tiered ecosystem of support for people with disability. Only people meeting specific criteria would receive individual funding. Tier 2 of the original structure of the NDIS was designed to connect all people with disability to the same opportunities and services as everyone else in the community. Over time, Tier 2 has been rebadged as 'Information, Linkages and Capacity Building' (ILC), which includes a [grants program](#) administered by the Department of Social Services and – to varying degrees - referral and community capacity building performed by NDIS [Local Area Coordinators](#).

To date, this aspect of the scheme has been long on platitudes and short on impact.

Getting Tier 2 of the NDIS right is vital because:

- the financial sustainability of the NDIS hinges on people with disability being able to access mainstream services and activities
- there are people with disability who are not NDIS participants who need dedicated support, in the face of entrenched socio-economic disadvantage, to maintain their wellbeing and the wellbeing of their families. They include people who may be eligible for individual NDIS funding who face [barriers](#) to successfully applying for entry to the scheme, people with disability outside the scheme's [eligibility criteria](#) who have lost access to services and supports previously block-funded by the Commonwealth, state and territory governments, and people living in places where affordable and accessible services, housing options, technology, and employment opportunities are limited.

It is an under-examined, high-risk and complex policy environment that is shaping the life course of some of Australia's most marginalised citizens, with far-reaching social and economic costs.

## Our findings

The [Melbourne Disability Institute](#), with the Brotherhood of St. Laurence and Baptcare, has been [researching](#) if and how working-age Australians with disability who are not NDIS participants are finding and using any support and services they need to participate in society and the economy. Our limited study doesn't reflect the experiences of all people with disability in that category, and our data doesn't represent the full and complex landscape of stakeholders, services and support in that environment. However our findings, drawing on multiple sources of data collected in three states, offer important insights into financial, logistical, and personal challenges faced by people with disability in their day-to-day lives.

We found a clear gap between the promoted availability and accessibility of support and services to people with disability who are not NDIS participants, and people's experiences of attempting to find and use them. We found:

- complex, disconnected and incomplete markets of services and supports being navigated by people with disability and their families and carers
- a service ecosystem riddled with inconsistent costs, eligibility criteria, information, priorities, accessibility and availability of services
- unmet demand for accessible and affordable services and support, leading to heavy reliance on informal support networks and personal resources for many people who are not NDIS participants.

Our findings indicate that the NDIS is not delivering on its promise to all Australians with disability. The failings of Tier 2 of the scheme can be [attributed in part to flawed policy design and underfunding, and in part to operational failure](#). But the causes and effects of its shortcomings are part of a broader environment over which it has only limited influence. Both markets and core government services have demonstrated that in some circumstances, they are unwilling or unable to bear the costs of providing services to people with disability or adapting to meet their needs. There are lingering questions that need answers, about the relationship between the NDIS and key policy areas like health, education, employment, transport, housing, aged care, and Australia's Disability Strategy.

This is challenging terrain for governments to navigate, but it can no longer sit in the too-hard basket.

## Implications

Simply linking people with disability to mainstream services and activities skims over fundamental access and equity issues. Issues like entrenched socio-economic disadvantage and discrimination, lack of services in thin markets, the impact of the NDIS market model on community supports, and risks associated with people with disability and their families being unable to find or afford the services and support they need to maintain their wellbeing.

Until now, attention has largely been focused on issues surrounding individual NDIS funding for people with permanent and significant disability. That's understandable. But these issues are compounded by the persistent marginalisation of people with disability in mainstream social and economic activity, shrinking access to services and support outside the NDIS, and cost-shifting across governments and service systems.

Being in or out of the NDIS has a huge financial and personal impact on people with disability and their households. The sustainability of the NDIS hinges on whole-of-government commitment to Tier 2. For the situation to change, all three tiers of government must work together. For the sake of the millions of Australians with a stake in the scheme, and most importantly, those individuals whose lives depend on access to essential services and support, this work needs to start now.

# Royal commission delivers damning interim report on defence and veteran suicide. Here's what happens next

By Ben Wadham and James Connor.

Published online August 12, 2022 by **The Conversation**

The Royal Commission into Defence and Veteran Suicide has released its interim [report](#) after more than 1,900 submissions and 194 witnesses.

It includes recommendations considered so urgent the royal commission is making them now (it still has two years left to run).

After years of lobbying efforts by the veteran community, the government finally relented and established the royal commission in 2021. The evidence presented and initial findings justify how important it is.

The interim report is a good start and we hope the problem of independence and accountability for the effects of the Australian Defence Force (ADF) culture and systems will be addressed.

## **A culture of tribalism and exclusion**

Defence and veteran suicide is predominantly understood as a mental health issue. But an overemphasis on mental health neglects the impact institutional cultures and systems have on the wellbeing of service personnel.

Institutional abuse is a significant issue in the ADF. The hierarchical and closed character of the military provides environments where service personnel can harass and bully each other.

Cohesion and a sense of pride and loyalty in each unit are central to military effectiveness. But this can create the conditions for abuse.

As [we told the royal commission](#), there's often a culture of tribalism and exclusion in military settings. This is created by factors including hyper-masculinity, intense stigma against acknowledging injuries (physical or psychological), and the total authority commanders have over military life.

The military justice system permits commanders to use their discretion to discipline their subordinates, which can result in administrative violence. This refers to commanders using their authority arbitrarily to make the life of a subordinate unbearable.

From our own research into [institutional abuse in the ADF](#), the effects of a closed system that perpetrates administrative violence against members can be a contributing factor in veterans self-harming.

We also consistently heard how these processes were used to further traumatise victimised members. We call this the second assault.

## **Moving from military to civilian**

The royal commission recognises the importance of the transition from military to civilian life. Moving from the closed military institution to the open civilian world is a significant upheaval, with service personnel losing their sense of identity, purpose and belonging.

The ADF is very effective at socialising civilians into the military – it needs to direct that expertise to transitioning them safely out.

Another key focus of the interim report is the management of the Department of Veterans' Affairs (DVA) and the claims system. When veterans leave the service the DVA manages their injuries. The royal commission noted the DVA had yet to determine more than 62,000 claims as of June 2022. It recommends urgent and immediate action to clear the backlog of claims, as claim delays can significantly worsen veterans' mental health.

## **Unable to change**

The royal commission is right to ask why it has taken so long for the ADF to change, despite decades of scrutiny.

It identified over 50 previous reports, with 750 recommendations since 2000. The commissioners say:

*We have been dismayed to come to understand the limited ways that Australian Governments have responded to these previous inquiries and reports.*

We recently concluded an Australian Research Council Discovery grant on [institutional abuse in the ADF](#). We conducted nearly 70 interviews with survivors and assessed the ADF's inquiries and policy attempts to reform military culture. Our yet-to-be-published research extends back to 1969 – when the same culture of bullying was identified, followed by institutional cover-up and victim blaming.

The ADF has undertaken many inquiries into these problems yet has been unable to effect meaningful change.

## **Independent scrutiny is crucial**

The royal commission flagged there's a "compelling case" for an independent body to oversee the implementation of recommendations from inquiries and reviews. The commission will explore this further over its final two years.

We think the development of an independent body that sits outside the chain of command is urgent. The entity should also be able to address member grievances.

At the institutional level, Defence has been unable to reform itself and needs to be subject to independent scrutiny.

But this isn't the first time such an entity has been flagged. In 2005, the Senate Inquiry into the Effectiveness of the [Australian Military Justice System](#) recommended something similar, called the Australian Defence Force Administrative Review Board. It was vetoed by Defence and the federal government.

This highlights a fundamental tension for the ADF – between keeping things in house and continuing the legacies of abuse, or empowering an external body that protects the rights of service personnel. The problem is such an entity will inevitably come into conflict with the ADF command.

The royal commission must seek more answers from the leaders and commanders of the ADF and DVA. Their leadership is the key site of institutional dysfunction that disempowers members, veterans and their families, and perpetuates the systems of abuse.

The royal commission must stand up to this power in order to recognise and support those who serve their country.

# The administrative burden of forms can stop people getting the services they need

By **Jeremiah Brown**.

Published online August 4, 2022 by **The Power to Persuade**

Today's post about the role that forms can play in creating administrative burden is from Dr Jeremiah Brown (@jeremiahtbrown). Jeremiah is a Lecturer with the Public Service Research Group (@PSResearchG) in the UNSW Canberra Business School.

Forms are innocuous, dry, and often boring pieces of bureaucratic technology that most people consider as an inconvenience. But despite their relatively innocuous nature, forms play a critical role in the collection of information and often represent a filtering mechanism in gaining access to programs or support in the modern welfare state.

There are few activities we undertake across our lives where forms are not some part of the process. These can be largely outside the domain of the state, like completing a registration form to join a new sporting club, through to bigger life events like marriage, where you must lodge a form notifying the state of your intention to marry (and another when you get married), or finally, the completion of the death registration form for a person that has passed away.

In a [recent paper](#) in the [Australian Journal of Public Administration](#), myself, Gemma Carey, and Eleanor Malbon looked at what's in a form, and how the questions on forms can create administrative burden for the people who are completing them. In the paper we analysed the first form people need to complete when applying for the Australian National Disability Insurance Scheme (NDIS).

Administrative burden can be [understood as](#) "an individual's experience of a policy's implementation as onerous". In the last decade the concept of administrative burden has become increasingly popular in public administration research as a framework to help understand the ways that it is getting more and more difficult to access government services.

Within the administrative burden [literature](#), researchers consider three different types of burden related costs that individuals might go through:

1. **Compliance costs:** the time, effort, and financial costs associated with meeting administrative demands
2. **Learning costs:** people need to seek information about the existence of programs and eligibility criteria, and learn how to navigate the programs
3. **Psychological costs:** the stigma of applying for programs that have negative perceptions attached to them; feeling disempowered, stressed or frustrated

Each of these different types of administrative burden costs can be present on forms in different ways. This is an issue for public policy, because if the costs of completing forms are too high, it may lead to people failing to complete the form, and consequently not accessing the program or support that they are entitled to access.

Let us consider how the different types of costs relate to forms and applying for support.

**Compliance costs** on forms can come from a form or application being unnecessarily long, or from needing a large volume of supporting documentation. This can be exacerbated when the supporting

documentation is expensive to obtain. For example, NDIS applicants need to have detailed medical assessment information and this can be thought of as a compliance cost. The harder that information is for the applicant to obtain, the more challenging the application is to complete.

**Learning costs** can be high when information about programs is hard to obtain, when eligibility criteria are opaque, or when utilising the program is complicated. This is a common issue for people once they gain access to the NDIS, with participants describing the market based provider system [as overly complex and with a steep learning curve](#).

Finally, **psychological costs** can be complicated to identify and evaluate as they can have a deeply personal element to them. For example, someone who has Multiple Sclerosis may be able to undertake household tasks and cleaning without assistance most days, but need support on some days. This is further complicated because they do not know which days they will require assistance, only that they will need some form of support. It would be beneficial in terms of the level of assistance provided to write that assistance is required every day (as it may be required any given day), but this can also feel disempowering for the person writing it on their form.

In addition to the more obvious ways that forms can produce administrative burden, there are also more subtle ways that they can be burdensome. Some questions can vary in how difficult they are to answer for a person based upon the complexity of their life. To help identify questions that might be more complicated than it seems at face value, [we developed](#) the following framework of question complexity:

1. **Simple:** There is only one possible answer for the question, and no ambiguity around the answer even for individuals with complex circumstances.
2. **Notionally simple:** In normal circumstances, the question only has one (simple) answer, but the complex circumstances of a person may mean that they cannot give a single straightforward answer.
3. **Complex:** The question is complex because it may have multiple answers for a person, and the parts they emphasise in their response depend on how they read the question.

Most questions on a form are simple for most people. 'Are you an Australian citizen?' is a simple question as the answer is either yes or no. But some questions that appear simple at face value can be complex for someone who has complicated circumstances. For example, a question asking an applicant to provide their home address is simple for most, but not for everyone. How does a person who does not have stable housing answer this question? For many online forms, if they do not provide an answer, they cannot submit the form, and this means they cannot complete the application.

There are also complex questions that we all can understand as complex. When thinking about the NDIS application, examples include questions about the impact that a person's primary disability has on them. It is complex because it is open to interpretation, and as mentioned above, it is also complex because the person might have a variable experience with the impacts of their disability. Complex questions are a space where the word choices applicants make can become important. They are often easier for middle class applicants to answer, because these applicants are more likely to be proficient in the language of bureaucracy.

Ultimately, the complexity of questions is important because it determines who can complete an application and who cannot. If someone needs to complete a form to receive support, then suddenly a seemingly innocuous question on a form becomes a very serious problem for them. Further to this, if we think about the people who are most likely to be experiencing complex circumstances that make it hard to answer notionally simple questions, they may also be the people most in need of support – like people lacking stable housing or those seeking access to the NDIS. This can be thought of as an example of the [inverse care law](#), where the people who need the most care are least likely to be able to access it.

If we want to better understand problems of access and administrative burden, then one place to start looking is that innocuous little piece of bureaucracy, the form.

# Australia's central climate policy pays people to grow trees that already existed. Taxpayers – and the environment – deserve better

By Andrew Macintosh, Don Butler and Megan Evans.  
Published online July 15, 2022 by **The Conversation**

The federal government has launched an [independent review](#) of Australia's central climate policy, the Emissions Reduction Fund, [after we](#) and others raised serious concerns about its integrity.

The review will examine, among other issues, whether several ways of earning credits under the scheme lead to genuine emissions reductions.

One method singled out for scrutiny involves regrowing native forests to store carbon from the atmosphere.

[Our new analysis](#) suggests the vast majority of carbon storage credited under this method either has not occurred, or would have occurred anyway. Here we explain why.

## **The background**

The Emissions Reduction Fund provides carbon credits to projects that reduce greenhouse gas emissions. For the past decade, it has been the centrepiece of Australia's climate policy.

Under the fund, projects that reduce emissions receive carbon credits that can be sold to the federal government and private entities that are required, or choose to, offset their emissions.

We are experts in environmental law, markets and policy. The lead author of this article, Andrew Macintosh, is the former chair of the Emissions Reduction Assurance Committee, the government-appointed watchdog that oversees the Emissions Reduction Fund's methods.

Earlier this year, we went public with details of serious integrity issues in the scheme. One main concern involves [a method](#) known as "human-induced regeneration of a permanent even-aged native forest".

This method [accounts for](#) almost 30% of the carbon credits that have been issued, roughly 30% of registered projects, and [more than 50%](#) of carbon credits contracted for sale to the federal government.

Companies can offset emissions by buying carbon credits under the scheme.

## **Problems with the method**

Under the method, landholders get credits for regenerating native forests by changing the way they manage their properties.

When the method was created, it was assumed projects would be located in areas where vegetation had previously been cleared, and where grazing and repeated clearing were suppressing regrowth.

But most projects have been located in parts of Australia's arid and semi-arid [rangelands](#) where native vegetation has never been cleared (because it is not economic to do so).

There are two main problems with the method and how it's been applied. We outline these below.

## **Problem 1: trees existed before projects began**

First, [data published by the regulator](#) shows proponents have been allowed to include a substantial number of mature trees in the areas for which they receive carbon credits. This has led to substantial over-crediting – in simple terms, the carbon abatement is not real.

So how has this occurred?

Under the method, proponents do not have to measure tree growth - they estimate it using a model.

The model assumes all trees in the forest begin regenerating at the same time when the project activities start. The modelled tree growth starts slowly, then accelerates to peak when the forest is young and vigorous. It then slows as the expanding trees compete with each other.

The model cannot be validly applied to estimate tree growth in areas where substantial numbers of pre-existing mature trees exist. But this is what's [happening](#).

As a consequence, proponents are being issued credits for growing trees that were already there when the projects started.

Proponents measure tree growth using a model.

## **Problem 2: rain is making trees grow, not the project activities**

The method is based on the premise that changes in land management are necessary to regenerate the forests. But our [analysis](#) shows that, where trees are regenerating, it is due mainly to rainfall.

Almost all current projects seek to regenerate forests by reducing grazing pressure. For this to make sense, grazing would need to be responsible for dramatically reducing the prevalence of trees in the rangelands. It would also have to be possible to regenerate these "lost" forests by reducing grazing pressure. Neither of these are true.

For more than 30 years, there has been a heated debate in ecological and natural resource management circles about the causes of "woody thickening" (or increasing density of native trees and shrubs) in grazing areas. The two dominant, competing hypothesis are that woody thickening is:

- caused by grazing and an accompanying reduction in vegetation burning
- a cyclical phenomena in which vegetation slowly accumulates over time, especially following runs of [wet years](#), until a drought causes woody plant cover to stabilise or decline.

There's no material evidence or support for the notion that grazing alone (in the absence of clearing) has significantly reduced tree cover over vast areas of the rangelands.

In fact, every year, between 200,000 and 400,000 hectares of land cleared for grazing is re-cleared. This demonstrates that grazing is rarely sufficient on its own to stop regrowth without mechanical or chemical interventions to kill trees.

## **Restoring integrity**

Regeneration of native forests in cleared areas is a valid and desirable way to reduce emissions and generate carbon credits.

But the human-induced regeneration method is deeply flawed. It has led to credits being issued for tree growth that is not real, or would have occurred anyway.

The review, to be led by former chief scientist Ian Chubb, is a chance to restore integrity to this method and ensure that credits are only issued for legitimate regeneration projects.

Because as climate change worsens, Australians need to know our most important climate policy is both value for money, and delivering real environmental gains.

**The Clean Energy Regulator, which operates the Emissions Reduction Fund, did not respond to The Conversation's request for comment on the authors' claims. However in a previous statement it said:**

*Prof Macintosh and his colleagues have not engaged with the substance of the ERAC's comprehensive response papers on human induced regeneration ... The government has said it will undertake a review of the ERF and details will be announced shortly. We do not wish to pre-empt the scope of the review or its findings. We welcome the review and look forward to engaging substantively with the review process once it commences.*

## Transforming into a truly inclusive society is hard but not impossible

By **Katie Moon** and **Katharina-Victoria Perez-Hammerle**.  
Published online July 6, 2022 by **The Mandarin**

We humans are social beings.

As such, feeling socially accepted and included forms part of our sense of security, along with access to food and shelter.

However, inclusion is not a one-way street, as to be included, means accepting and including others as well.

The definition of inclusivity can range from being acknowledged, such as being listed, through to fitting in, where how we look, talk and behave are standardised. But to actually feel included without question, implies a sense of belonging – a sense that enables rather than disables us from being our true and therefore most secure selves.

Our individual and collective social norms – the rules or expectations of society – constantly change to cater for different types of inclusivity. These norms are expressed through language, rights and power.

Each of us, therefore, if we seek social security, has a responsibility to hold ourselves and our governing bodies accountable to ensuring we support rather than oppress truly inclusive behaviours across social settings.

In practice, however, we make and express assumptions that limit genuine inclusivity; inclusive accountability can help.

Here, we provide a guiding framework of accountability to assist in realising inclusivity. We can practice this accountability in both our individual and collective social roles (e.g. as a friend, co-worker, guardian, citizen, employer, a prime minister).

For example, in his impassioned acceptance speech, Anthony Albanese expressed a commitment to changing the way politics operates in Australia by governing inclusively, citing an intolerance for division and marginalisation.

He continues to make various pledges and commitments towards inclusivity (e.g. Indigenous Voice to Parliament, gender equity and a culturally diverse cabinet), promising to amplify representation of the often voiceless, invisible or marginalised members of the community.

If not done carefully, however, attempts at inclusivity could further confusion, conflict and polarisation, creating conditions that fuel phenomena like racism, sexism, classism, ageism, or ableism.

If we, as individuals and a collective society, are truly committed to embracing new and diverse perspectives, we must accept that these processes will challenge 'normal' or dominant representations in dialogue, politics and policies.

The challenge of transforming the 'normal' in our reality begins with understanding how we each experience the world around us.

## How we experience reality is exclusive

The way our brains have evolved means that we each create a personalised version of reality.

Our brains do this by sorting through an ongoing stream of information to generate our unique sense of the world.

For example, our brains are capable of processing 11 million bits per second of information, but they refer to only a minuscule fraction of that information to the conscious mind (approximately 50 bits per second).

The shortcuts our brains take in these referral processes can lead to differences in how we perceive the world and behave with respect to others.

These mental sorting processes and filters are influenced by our position or experience in the world, including socially-ascribed privileges (e.g. gender, class), cultural groups, education, physical attributes and wealth.

As a result, our mind creates incomplete constructions of reality, resulting in gaps between individual realities.

What comes to be the real challenge for inclusivity, then, is that our individual experiences of the world are only an approximation rather than a complete representation of reality.

This approximation affects what we can see as 'real' and what we cannot see at all, making some aspects visible to us as reality and leaving others invisible.

Inclusivity, if done well, accounts for these differences.

To make inclusivity possible means we first need to create space to make the invisible visible to one another. We can do this by questioning our dominant assumptions and by empowering those who are marginalized in actively including the 'other'.

Inclusiveness requires accounting for different realities without relegating them to an 'other' category.

The 'other' is a product of differentiation that can be either direct or indirect, intentional or unintentional. This kind of categorisation can generate particular sets of power dynamics.

The 'other' can be subjected to marginalising language, denial of rights or responsibilities and a caricaturing that can diminish their experiences of reality as the non-dominant 'other'.

To be accountable, therefore, we need to pay close attention to at least three aspects of how we express reality: language, rights and responsibilities, and the distribution of power.

### Accounting for language, rights and responsibilities, and power

In seeking inclusivity in both daily practice and policy processes, we have developed an accountability framework that involves three phases.

The phases are to: deconstruct language to determine if it serves to marginalise or exclude; make sense of how language entangles rights and responsibilities for different actors; and account for diverse experiences and practices of reality.

#### Practice 1: Pay attention to language

Words and their meaning are constructed (e.g. gender, disability, poverty, immigration), containing socially shared definitions and perceptions.

These constructs are imbued with assumptions, enabling categorisations (e.g. men, women, transgender, disabled, poor, immigrant) that come to define and determine which policy interventions are appropriate, or possible, and for whom.

For example, analysing the use of language in public discourse can reveal the ways in which we each experience the world.

For instance, when a former Australian PM stated he was 'blessed' in not having a child with a disability, he demonstrated that his assumption of disability was one of disadvantage or tragedy, marginalising the lived experience of someone with a disability or a parent of a child with a disability.

By analysing — deconstructing — language, we can reveal the assumptions that underpin the ways in which reality is described in public discourse and policy. Doing so reminds us that we each create a personalised version of reality, as a cis-person, a person with a chronic illness, a parent, or a migrant.

Whoever doesn't quite align with our experiences of reality could easily be placed into an 'other' or different category, of a reality we cannot truly know or are inherently blind to by differentiation.

Examples might include the reality of being non-binary, healthy, a person who has not experienced parenthood or someone who has never been subjected to racism.

#### Practice 2: Consider how language entangles rights and responsibilities

Categorisations and their associated assumptions entitle certain rights and impose certain obligations.

For example, policies within common law systems of property rights often represent objects as 'tangible' and 'discrete,' such as livestock, trees, and water. This categorisation enables further actions such as the assignment of property rights, whereby one could own an animal or have exclusive rights over resources, including trees or water.

The assignment of rights permits exclusive possession, allowing the rights holder to exclude people from their 'property' or to exclude others from accessing resources.

While these rights might seem 'normal' and just to some, they reflect only one paradigm, which can conflict with 'other' paradigms, such as those of First Nations and Indigenous peoples.

For instance, without the notion of property or ownership, a First Nations or Indigenous paradigm of reality would invoke rights and responsibilities differently. Here, to continue the example, sources of nourishment in the form of trees and water have their own rights as autonomous beings, and responsibilities of care would be reciprocal instead of domineering.

Representations in policies, therefore, present the possibilities for which interventions are most appropriate, and for which people, groups, species or entities.

#### Practice 3: Redistribute power

Genuine inclusivity within our existing social and political structures will require a redistribution of power. Enabling this redistribution will require transformation — a deep, sustained and systemic change.

Transformation requires making space for diverse experiences and practices by the individual and the collective.

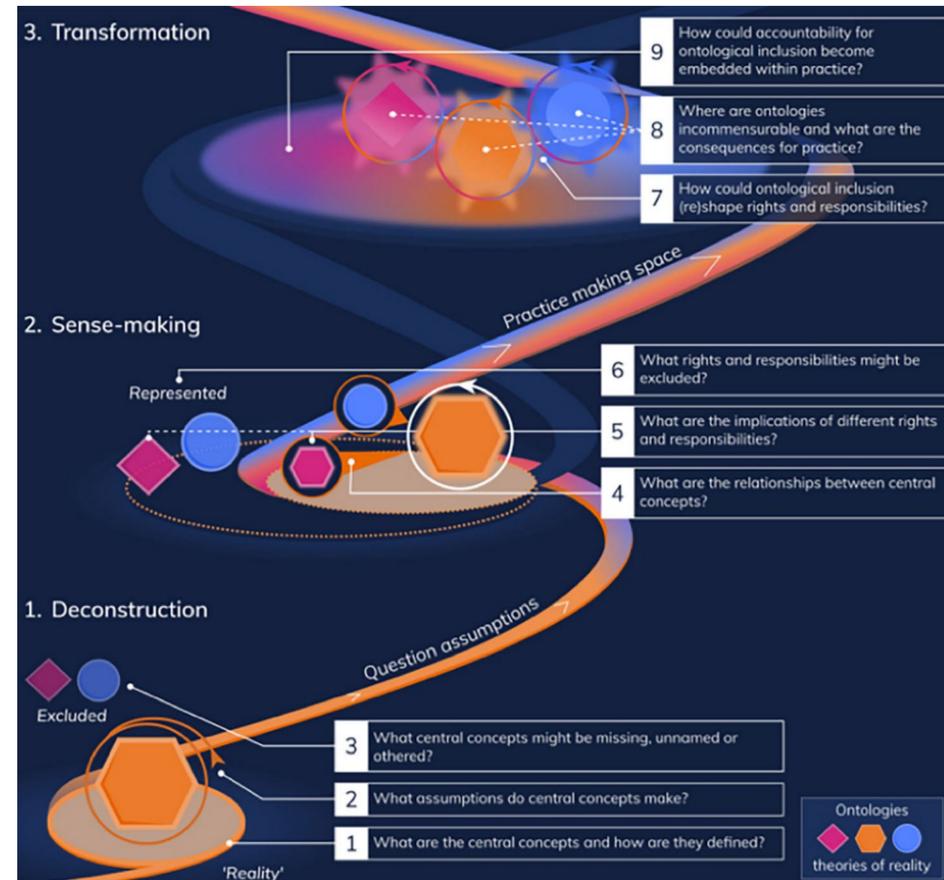
Genuine transformation requires a humble and open mind; it requires a shift from needing to understand 'how' it might be the case that someone's reality could be so different from one's own to accepting it as so.

It acknowledges that each person has their own unique experience of reality, requiring a commitment to accepting their realities, their lived experiences, hearing their stories and ensuring they are included in policy, politics and discourse.

Those already in positions of power must champion for those still excluded from engagement in policy processes, continuously asking: who governs; who and what is governed; and how does governing proceed with ongoing redistributions of power.

The Uluru Statement from the Heart serves as a prime example illustrating a social demand for transformation and the many processes required to negotiate the terms of the movement meant to strengthen the governance and voice of First Australians.

Working towards transformation can include making space through 'assumption diplomacy', where a 'not possible' or 'don't know' can turn into 'maybe', 'could be' or 'is'. This approach can allow individuals and groups to cross the divide, creating "common worlds" and "common futures".



Three stages of inclusive accountability. Stage 1 (deconstruction) focuses on wording to determine what assumptions dominate a policy or discourse (Q1). Does the wording reinforce assumptions about reality (ring around orange hexagon, Q2), and whose reality might be excluded altogether (pink diamond and blue circle, Q3)? Stage 2 (sense-making) focuses on how assumptions can impose certain obligations on entities, or entitle them to certain rights, or not (Q4). Attention should be paid to how assumptions are included (blue circle included as blue circle), "represented" (pink diamond represented as a hexagon, Q5), or excluded (Q6). Stage 3 (transformation) reshapes the nature of rights and responsibilities (pink, orange and blue shapes reconfigure, evolve, and overlap, Q7) as differences are negotiated and understood (Q8). The practice-making space (Q9) becomes a meeting place for diversity, openness, humility and understanding (from the unidimensional orange space of reality of Stage 1 to the multidimensional multicolored arena for inclusion of Stage 3).

To succeed in transforming society and government towards inclusivity in practice, we each need to be transparent and held accountable for the way in which language, rights and power are used.

This transparency will be particularly important for the Albanese government if it is to seek genuine inclusivity.

Transformation toward inclusivity is easier to facilitate for those in positions of privilege and power, who are often already parts of the structures that set policy discourses, institutions, and practices.

Commitment to inclusivity would invoke a responsibility to enabling those previously excluded from power or privilege by championing their engagement in policy processes and doing so on their terms.

If empowerment is not possible within existing structures, the next step is to consider reform and/or taking the time to become more informed.

It is important that we do not underestimate the value of opening our minds to the new.

To reduce injustice and herald genuine and systemic inclusivity in a way that empowers rather than marginalises, we need to practice as individuals and as part of the collective to continuously make space for uniquely different experiences of reality.

The full research report can be freely accessed here: [Inclusivity via ontological accountability](#)

# Incarcerated people with disability don't get the support they need – that makes them more likely to reoffend

By **Sophie Yates**, **Caroline Doyle** and Shannon Dodd.  
Published online July 6, 2022 by **The Conversation**

People with disability are over-represented in prison and some are criminalised because of behaviours related to their disability. But they are unlikely to have their disability [recognised or adjusted for](#), and the connection between the National Disability Insurance Scheme (NDIS) and the criminal justice system has [long been problematic](#).

We wanted to understand some of the service gaps for people in prison with disability, and what can be done to improve supports. We [interviewed 28 people](#) who worked at the intersection of disability and the criminal justice system (such as disability service providers, lawyers and advocacy workers).

Our findings painted a picture of a group disadvantaged both inside prison and after release, who need much more support to avoid being criminalised again and again.

## **How many people in prison have disability?**

People with disability – particularly intellectual disability – are [overrepresented in prisons](#), but there are no reliable statistics on what percentage of people in prison have disability.

This is because disability definitions vary, prisons have not traditionally been good at identifying people with disability, and people may not recognise or be willing to admit they have a disability. In fact, not knowing about their disability and not being able to access supports can be [the reason people end up in prison](#) in the first place.

Prevalence of intellectual disability in prison is estimated as anywhere between 4.3% – [using administrative data](#) – to about 30%, when people are [screened](#) or [anonymously surveyed](#). This compares to [about 3%](#) in the wider population.

People we spoke to said identification of people with disability in the criminal justice system is improving, but there is still a long way to go. Common disability types encountered included intellectual or cognitive disability, acquired brain injury, psychosocial disability (difficulties arising from mental illness), hearing loss, and combinations of all these.

## **Disability supports in prison**

People with disability in prison [may need support](#) with physical or cognitive tasks just as they do in the community. This could include help with showering, reading documents, filling in forms, understanding rules, completing programs, participating in their criminal justice proceedings, or making complaints if something goes wrong.

Most interviewees agreed the best-case scenario for most people with disability was to be housed in disability-specific prison units with staff who have disability training or other relevant qualifications. However, they noted these units are not available at every prison and there is high demand for limited beds.

So, people with disability are typically housed in mainstream prison units or in segregation or protective custody. Both scenarios [pose risks](#) such as victimisation by other inmates or exacerbation of symptoms.

Interviewees reported that outside of disability-specific units, there is very little disability support available in prison, including lack of adjustment to prison programming to make it suitable for those with low literacy or intellectual disability. This means that people with disability sometimes have to rely on support from other people in prison for their daily needs, which can be problematic.

## **What about the NDIS?**

Day-to-day disability support in custody is entirely the responsibility of corrective services. This means people who might be eligible for quite a lot of NDIS support in the community get a significantly reduced service in custody, which is inconsistent with [Australia's human rights obligations](#) and has consequences for their ability to stay out of contact with the justice system after release.

The NDIS does allow [some forms of support](#) (mainly aimed at transition back into the community) to be delivered inside prisons. However, this is at the discretion of prisons. Our interviewees told us things are improving, but it's still rare for people to get any kind of NDIS services while in custody.

There can also be funding disputes because the NDIS will only fund supports related to disability and not criminal offending, but those are tricky to untangle.

For most people, interviewees agreed, it's more like a pause button gets hit on their plans until they are released.

## **Problems continue after release**

Once people with disability leave prison, they continue to face [significant barriers](#) in accessing NDIS services. Some people do get pre-release planning, but others will be released with no understanding of how to re-start or use their plans.

Many people in this situation have difficulty [understanding](#), admitting or [explaining](#) their support needs.

Specialist support coordinators trained to work with these clients can help, but aren't widely available.

Further, in a market-based system like the NDIS, service providers can choose who they work with. If providers don't want to operate inside prisons, or with certain client groups who have challenging behaviours, they don't have to.

## **Where to from here?**

Prisons need better and more consistent identification of people with disability, more specialised disability units, and better support for those with disability housed in the mainstream population.

This includes a genuine effort to adjust all programs for the needs of people with cognitive disability or low literacy.

While NDIS rules and access for those in custody have been improving, significant work still needs to be done to ensure people in prisons get consistent and fair access to their NDIS entitlements. People need planning and support well before their release dates to prepare them adequately for re-entering the community.

More specialist support coordinators, more funding for advocacy services, and a provider of last resort would assist with making sure this complex needs group receives the care necessary to avoid the "revolving door" of the criminal justice system.

# We blew the whistle on Australia's central climate policy. Here's what a new federal government probe must fix

By Andrew Macintosh, Don Butler and Megan Evans.  
Published online July 1, 2022 by **The Conversation**

Climate Change Minister Chris Bowen is today [expected](#) to announce a much anticipated review of Australia's carbon credit scheme, known as the Emissions Reduction Fund.

In March, we [exposed](#) serious integrity issues with the scheme, labelling it a fraud on taxpayers and the environment. We welcome the federal government's review. Labor has promised a 43% cut in Australia's emissions by 2030, and a high-integrity carbon credit market is vital to reaching this goal.

The fund was established by the Abbott government in 2014 and is now worth A\$4.5 billion. It provides carbon credits to projects that reduce greenhouse gas emissions. For the past decade, it has been the centrepiece of Australia's climate policy.

In this and subsequent articles, we seek to simplify the issues for the Australian public, the new parliament and whoever is appointed to review the Emissions Reduction Fund.

**Get news curated by experts, not algorithms.**

## About Us

### The background

We are experts in environmental law, markets and policy. The lead author of this article, Andrew Macintosh, is the former chair of the Emissions Reduction Assurance Committee (ERAC), the government-appointed watchdog that oversees the Emissions Reduction Fund's methods.

Our [analysis](#) suggests up to 80% of credits issued under three of the fund's most popular emissions reduction methods do not represent genuine emissions cuts that wouldn't have happened otherwise.

Our decision to call the scheme a "fraud" was deliberate and considered. In our view, a process that systematically pays for a service that's not actually provided is fraudulent.

The Clean Energy Regulator (which administers the fund) and the current ERAC reviewed our claims and, earlier this month, [dismissed](#) them. We have [expressed](#) serious concerns with that review process, which we believe was not transparent and showed a fundamental lack of understanding of the issues.

This week, Bowen [said](#) our concerns were "substantial and real" and he took them "very seriously".

The Conversation contacted the Clean Energy Regulator regarding the authors' claims. The regulator pointed to its "comprehensive response" to the issues raised and also rejected allegations of fraud. The full statement is included at the end of this article.

### The 3 biggest problems

Under the fund, projects that reduce emissions are rewarded with carbon credits. These credits can be sold on the carbon market to entities that want to offset their emissions. Each credit is supposed to represent one tonne of carbon abatement.

Buyers include the federal government (using taxpayer funds) and private entities that are required to, or voluntarily choose to, offset their emissions.

Under the scheme, a range of methods lay out the rules for emissions abatement activities. [Concerns](#) have been [raised](#) about these methods for years.

Our initial criticism focuses on the scheme's most popular methods, which account for about 75% of carbon credits issued:

- [human-induced regeneration](#): projects supposed to regenerate native forests through changes in land management practices, particularly reduced grazing by livestock and feral animals
- [avoided deforestation](#): projects supposed to protect native forests in western New South Wales that would otherwise be cleared
- [landfill gas](#): projects supposed to capture and destroy methane emitted from solid waste landfills using a flare or electricity generator.

Our [analysis](#) found credits have been issued for emissions reductions that were not real or additional, such as:

- protecting forests that were never going to be cleared
- growing trees that were already there
- growing forests in places that will never sustain them permanently
- large landfills operating electricity generators that would have operated anyway.

In forthcoming articles, we will detail the problems with these methods.

However, at a high level, the issues have arisen because the scheme has focused on maximising the number of carbon credits issued, to put downward pressure on carbon credit prices. This has resulted in attempts to use carbon offsets in inappropriate situations.

### A tricky policy lever

Designing high integrity methods for calculating carbon credits is hard because it involves:

- trying to determine what would happen in the absence of the incentive provided by the carbon credit. For example, would a farmer have cleared a paddock of trees if they weren't given carbon credits to retain it?
- activities where it's not always clear if carbon abatement was the result of human activity or natural variability. For instance, soil carbon levels can be increased by changing land management practices, but can also happen naturally due to rainfall
- activities where it can be hard to measure the emissions outcome. For example, carbon sequestration in vegetation is often measured using models that can be inaccurate when applied at the project scale
- dynamic carbon markets with fast-evolving technologies.

These complexities mean mistakes are inevitable; no functional carbon offset scheme can ever get it 100% right. A degree of error must be accepted.

But decisions regarding risk tolerance must consider the consequences of issuing low-integrity credits, including contributing to worsening climate change.

### The dangers of sham credits

The safeguard mechanism places caps on the emissions of major polluters and was [originally intended](#) to protect gains achieved through the Emissions Reduction Fund. It applies to about 200 large industrial polluters and requires them to buy carbon credits if their emissions exceed these caps.

When carbon credits used by polluters do not represent real and additional abatement, Australia's emissions will be higher than they otherwise would be.

To avoid such risks, the [legislation](#) governing the Emissions Reduction Fund requires the methods to be "conservative" and supported by "clear and convincing evidence".

The fund's main methods do not meet these standards.

### An open and transparent process

Carbon credit schemes are, by nature, complex and involve a high risk of error. To maintain integrity, systems to promote transparency are needed.

This includes requiring administrators to not just expect, but actively seek out errors and move quickly to correct them.

To this end, rules are needed to:

- force the disclosure of information by the Clean Energy Regulator and ERAC
- guarantee disinterested third parties the right to be involved in rule-making
- give anybody the right to seek judicial review of decisions made by the Clean Energy Regulator and ERAC
- require proponents to move off methods found to contain material errors.

The Emissions Reduction Fund has none of these features and needs urgent reform.

We hope the federal government review will be comprehensive and independent, with the power to compel people to give evidence. Because Australians deserve assurance that our national climate policy operates with the utmost integrity.

### The Clean Energy Regulator provided the following statement in response to this article.

*The comments made regarding the Emissions Reduction Fund (ERF) repeat generalised claims that 'fraud' is occurring and are rejected. No substantial evidence for claims of fraud has ever been provided. These are serious allegations and the CER is dismayed at the statement that attributes these alleged outcomes to the work done by the CER. We understand that ERAC has the same view.*

*The claims about lack of additionality and over-crediting are also not new. Prof Macintosh and his colleagues have not engaged with the substance of the ERAC's comprehensive response papers on human induced regeneration and landfill gas and the CER's response to the claims on avoided deforestation.*

*The government has said it will undertake a review of the ERF and details will be announced shortly. We do not wish to pre-empt the scope of the review or its findings. We welcome the review and look forward to engaging substantively with the review process once it commences.*

# Reflections on being chronically ill while trying to save the planet

By **Megan Evans** and Claudia Benham.

Published online June 22, 2022 by **Ecological Society of Australia**

Between us, we have a lot of experience in being sick. This can be a daunting admission to make while working in research, a profession that tends to valorise [long hours and productivity](#) (not necessarily in relationship to one another). It can also be a tricky issue to navigate in a society that tends to view illness as a short-term phenomenon. Even the peasant who turned into a newt in *Monty Python and the Holy Grail* [eventually got better](#). But not all illnesses have a discrete start and endpoint, or a cure.

Chronic illnesses (or conditions) are characterised by their long-lasting effects and typically persist throughout a person's life (Australian Institute of Health and Welfare 2020). They are also more common than you might think. In 2018, the ABS found that nearly half of all Australians have 1 or more of 10 selected chronic conditions, including mental illnesses, asthma, cancer, arthritis and diabetes. A subset of these are autoimmune conditions, like Crohn's disease, when a person's immune system mistakenly attacks their own body. [About 5% of Australians live with an autoimmune disease](#).

We are two of those people. We share some of our experiences here partly because having invisible illness can be extremely lonely, and frustrating – particularly for young women (Hutchison 2018; Sohn 2021) – and anything we can do to help others feel less alone is worthwhile. We also think it's important to explain how people with chronic illness, like other people with disabilities (noting that not everyone with chronic illness identifies as such), make daily adjustments and [compromises](#) to manage their conditions alongside work, family responsibilities and other life commitments.

For us, these adjustments have included:

- Declining speaking events late at night, or that require travel
- Emergency napping under the desk at work
- Working from home to reduce fatigue (and make emergency napping easier!)
- During illness flares, being unable to leave the house or get out of bed for days or weeks
- Declining or ending opportunities and projects early due to illness
- Spending a lot of time and money going to medical appointments

All of this is inseparable from the context in which we work. Research is a stressful career, and conservation work is a special kind of stressful. Crisis and urgency are the backdrop of everything we do. Stress is usually not the sole cause of chronic illnesses, but it can aggravate them (Acabchuk et al. 2017). Many researchers and environmental practitioners suffer from [burnout](#) at some point in their careers. In their book *Burnout*, twin academics Emily and Amelia Nagoski (2019) write that "For some of us, it's been so long since we listened to our bodies, we hardly know how to start understanding what they're trying to tell us, much less how to trust and believe what they're saying".

Most of us know that the body and mind are inextricably linked, but the extent to which the body stores stress and trauma is perhaps not as widely recognised. As Bessel van der Kolk explained in his groundbreaking book, our conscious minds can become quite adept at ignoring stress – our always on call, always busy lives seem to demand it. But the body will continue to keep the score, and eventually, we must learn to listen to it (van der Kolk 2015).

The good news is that some of the strategies used to cope with chronic illness are helpful in managing the stress and burnout that is particular to our profession (Randall 2009). A lot of

these strategies are about 'slow productivity', rest and pacing. [Dr Kate Litterer](#) writes that 'slow productivity' includes valuing the behind-the-scenes and 'invisible' labour of preparation, reading and thinking as real work. Mountz et al. (2015) note that slowing down is key to sustainable, thoughtful and impactful scholarship – the kind of scholarship that is at the heart of academic practice and contributions. In a society that worships productivity, it can be helpful to see rest as productive (but also, valuable in its own right).

Of course, there is a limit to what individuals can do if the culture of research doesn't make space for chronic illness, disability, or caring responsibilities. There is no one size fits all approach, but we do know that having flexible, supportive workplaces in which colleagues with illness or caring responsibilities are valued and supported, is critically important. The COVID-19 pandemic has demonstrated that we can transition to flexible working arrangements almost instantly, with no demonstrable drop in productivity (in fact, Williamson and Colley (2022) found that working from home leads to greater productivity, although workers and managers perceived this differently). Flexible work, and a greater focus on health and wellbeing during the COVID-19 pandemic, provides opportunities for systemic change in academia, as elsewhere.

Other things that institutions and individuals can do to better support colleagues with chronic illness and disability include:

- Not scheduling meetings or other commitments very early or very late
- Being aware that chronic illnesses are common and often impose 'invisible' limitations
- Contributing to a supportive workplace culture, where work-life balance is openly discussed and valued
- Paid leave and flexible working arrangements that support researchers who experience chronic illness or disability, or who have caring responsibilities.

None of these things will take away the uncertainty and difficulty of chronic illness, but they might just help make research a better place to work, for everyone.

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## Contingent collaboration: inside New Zealand's 'what works, when' approach to joined up government

By **Rodney Scott**.

Published online June 21, 2022 by **Global Government Forum**

***The ability to solve problems through cross-agency collaboration has become something of a holy grail for public servants, but best practice examples have become almost overwhelmingly prolific. In his new book, professor Rodney Scott draws on New Zealand's approach to helping officials choose the right model for the right context. Here, he summarises that approach.***

Chronic illnesses (or conditions) are characterised by their long-lasting effects and typically interagency collaboration, horizontal coordination, joined-up government are all various terms we've given to the challenge of getting the different administrative units of government to work together. This has been one of the main topics of interest for public administration for generations, variously described as the 'philosopher's stone' and 'holy grail.'

There are hundreds, perhaps thousands, of papers on interagency collaboration. Most of them are based on case studies and report elements of practice that their respective authors believed contributed to the success or failure of the case studies. Then, from time to time, a review article is published, which inevitably concludes that most of the findings from all those individual case studies or even multi-case studies were not replicated. There is comparatively very little about what works in joined-up government that is consistently true across most or all studies.

There are a couple of possible interpretations for this finding. One is that nothing works and all these reported success factors from these hundreds of studies were illusory. Another interpretation is that they worked in a particular context, but don't work in all contexts. In 2017, the New Zealand Public Service Commission began looking at dozens of examples from the last twenty years of practice in New Zealand. Echoing findings from the public administration literature, it became clear that there were many different ways to organise interagency work and not a lot in common between them. Further, specific models for organising joined-up government appeared to work in some settings and not in others – there was no one right way.

The policy challenge, therefore, was not to develop a best practice model, or even a list of good practice models, but to help public administrators to answer the question of when to use which model. Having a wide variety of tools was great, but the challenge was knowing when to use them.

A group of senior New Zealand public servants worked together to document the historic examples and then inductively generate categories that could align aspects of the problem context with aspects of the successful solution. The New Zealand government combined lessons and insights from twenty years of practice into a contingent framework for collaboration, where practitioners could answer a series of questions about their problem context and select from eighteen archetypal models for things like governance structures, strategy setting, decision-rights, and funding arrangements.

In New Zealand's case, the salient differences in problem context were problem type, and the degree of sacrifice required by an agency of their own individual work in order to pursue collective goals. Problems were grouped into public policy problems (like how to develop a plan for combatting family and sexual violence), public administration problems (like how to achieve economies of scale in public procurement), and service delivery problems (like how to join-up social, health, education, and justice services around a family with complex needs). The required

level of sacrifice of individual goals was divided into six types, with greater levels of self-sacrifice typically associated with more formalised, or 'harder', systems for decision-making and accountability. These three problem types and six degrees of 'hardness' were arranged into a simple three-by-six grid of eighteen models.

None of the eighteen different models are better than the others. Informal, 'soft', bottom-up approaches can be fluid and innovative; formal, 'hard', top-down approaches can facilitate resource trade-offs and have greater longevity due to their exit costs. Collective accountability may be appropriate for a policy problem involving a handful of agencies, but a designated leader may be needed to progress public administration problems that involve dozens of agencies. Co-location can help facilitate tacit knowledge exchange, but tends to be insufficient for full service integration.

It's not clear that these same contingencies will apply in other jurisdictions. We consider it more important that other jurisdictions go through the process of inductively identifying their own contextual factors in which different practices are more likely to be successful. In documenting the process that New Zealand went through, and how others might do the same, Eleanor Merton, who co-wrote the book, and I aim to help practitioners around the world to think more deeply about contingency – discriminatorily applying different collaborative models to different contexts. We contend that the most important question isn't "what works?", it's "what works, when?".

## Seven ways to harness consultants to improve public sector policy capability

By **Catherine Althaus**.

Published online June 13, 2022 by **Apolitical**

***What government can do to address brain drain. This post is written by Professor Catherine Althaus at UNSW Canberra and ANZSOG.***

- **The problem:** People are questioning government use of consultants in a binary way – consultants are either seen as great or terrible.
- **Why it matters:** Capability and democracy issues are implicated by government use of consultants.
- **The solution:** Use consultants in creative and careful ways to boost capability rather than see them as a one-way drain of talent and democracy away from government.

For better or for worse, contractors and [management](#) consultants now play a key role in advising governments across the globe in policy and public sector delivery. Their use has risen dramatically since the 1980s with jurisdictions such as Australia now featuring mature consultancy markets, ranked amongst the highest income generating per GDP in the world. The proliferation of public sector activity has been particularly occupied by Tier 2 consultancy firms, often referenced as the 'big four' here in Australia (Deloitte, EY, PwC and KPMG) but Tier 1 activity is also significant and strategic from firms such as McKinsey, BCG, PiP, Bain, and EY-Parthenon. A host of smaller consultancies also abound, ranging in size and scope of activity. Many of these groups include staff with significant public sector experience.

Consultancy dominance hasn't gone [unnoticed or uncriticised](#). Various reports and reviews of public sectors across Australia have called out the use of consultants on grounds that they are costly, curtail democratic accountability and corporate memory, and hollow out public service capability.

### **Injecting skills back into the public sector**

However, an interesting experiment by the Queensland Treasury Corporation (QTC), evaluated by the Australia and New Zealand School of Government (ANZSOG), has sought to harness the strategic deployment of Tier 1 consultants to help boost capability improvement and skills development back into the public sector. Careful and deliberate attention to the way that consultants are commissioned may well prove a helpful way for public sectors to rebuild or inject policy capacity back into their policy systems.

In Australia, QTC is the central financing authority of the Queensland Government. It generated a competitive market using a unique financing model between Tier 1 companies by inviting their partnership with core government agencies and QTC staff to tackle defined projects with specific performance targets, skills upgrade opportunities and positive budgetary outcomes. For QTC, skills transfer had to feature as a deliberate component of the project to leverage consultancy expertise across relevant areas such as commercial and contracting management, data and supply chain analysis and to enable skills learning and transfer back into the public sector. In this way, consultants were viewed as sources of [skills development](#) or upgrading, rather than policymaking thieves. The projects spanned a wide array of portfolios including health, justice and social housing.

A recent analysis of the QTC case by ANZSOG's Althaus, Carson and Smith in Policy Sciences found that the initiative generated several key benefits at multiple levels - the individual,

organisational and systemic levels. Analytical capability and tacit knowledge were improved (especially for QTC), as was tangible savings, combined with better service delivery outcomes, and the generation of economies of scale.

**Rather than hitting a binary brick wall about whether to use consultants or not, the QTC case suggests there are clever ways to harness what consultants can contribute.**

Some [key lessons](#) were observed that the public sector can enact to make the most of commissioning consultants. Most briefly, these revolve around the need to:

- 1. Define and determine commissioning capability:** By identifying and building actionable consensus around what the clear purpose is for engaging external consultants. How best to engage is contingent on nuanced understandings of the particular environment and reputable levels of trust.
- 2. Pay attention to authorisation, governance, and political nous:** For example, for QTC, the authorising environment wasn't always as clear as it needed to be to get broad buy-in into the project. While a clear role existed for QTC to commission consultants, the authorisation for this and taking ideas or recommendations coming out of each project process to political decision-makers was a matter for the members of the project-specific governance group. Thus, being politically astute and having the right authorisation and governance environment is key to ensuring successful implementation.
- 3. Clarify scope and invest in preparation:** The nature of Tier 1 'sprints' necessitates significant preliminary baseline work by the public service, including production and access to relevant materials and data, and a willingness for all stakeholders to work in a fast-paced and continuously engaged way.
- 4. Strengthen knowledge and skill transfer processes:** Clear expectations need to be established from the outset about the degree of anticipated skills transfer which needs to be carefully considered and agreed upon by all parties and reflected upon throughout.
- 5. Pay attention to implementation from final report to delivery:** The extent to which and how agencies implement the final recommendations from Tier 1 consultancy-related projects is a critical phase when it comes to realising value, one that can be facilitated by follow-up at key points, rather than a definitive and single endpoint.
- 6. Widen evaluation to include broad conceptions of success:** There's often a need to look beyond what might be specific project aims, to broader conceptions of success that may be tangible or intangible such as opening up new ways of thinking, collaborative pathways, and creating concerted efforts around particular issues.
- 7. Define acceptable risks:** Careful consideration at the outset and at all stages is needed about the risks to realising the benefits of using Tier 1 consultants. Some of these risks may be around the authorising environment, managing relationships over the longer term, maintaining confidentiality, and demonstrating value for money in the overall project outcomes.

Rather than hitting a binary brick wall about whether to use consultants or not, the QTC case suggests there are clever ways to harness what consultants can contribute. In many ways, 'brain-drain' can occur back into the public sector rather than the other way around. The innovation here was to adopt a strengths-based approach about what consultants can bring into the public sector and by doing so, contribute to recalibrating the expertise that public sectors can bring to policy, with the ultimate aim of better outcomes for citizens.

More information about the commissioning model and its practical and theoretical implications can be found here: [Catherine Althaus, Lisa Carson & Ken Smith. \(2021\). Rethinking the commissioning of consultants for enhancing government policy capacity.](#)

## Public Sector Informant: APS to play crucial role in crises ahead

By Russell Ayres, Trish Mercer and Wendy Jarvie.  
Published online June 7, 2022 by **The Canberra Times**

"Never waste a good crisis". This aphorism, sometimes wrongly attributed to Winston Churchill, was used by Rahm Emanuel, chief of staff to former United States president Barack Obama in 2008. He was talking about the Sub Prime Crisis (known in Australia as the Global Financial Crisis), and the opportunity it presented to do things that the US government did not otherwise have the political capital to try.

Our new Prime Minister, Anthony Albanese, has seen more than his share of crises, including when he was Leader of the House and minister for infrastructure, helping deal with the GFC and, subsequently, the challenges of minority government for the Gillard government.

While "never waste a good crisis" is often a political call to action, it is also a mantra for public servants seeking to improve public policy and its implementation, often behind the scenes. Crises can open a "policy window" for actions that were not previously on the government's agenda.

Public servants need to be ready with solutions in anticipation of a crisis that may embolden political leaders to take serious action. John Kingdon, the American political scientist, talks about how "policy entrepreneurs" (including politicians and public servants) can "lie in wait within and around government with their solutions at hand, waiting for problems to float by to which they can attach their solutions, waiting for a development in the political stream".

Let's look at an example from the pandemic. In 2021, the race to vaccinate Australians was stymied by limited supply. The Morrison government was seen as flat-footed in its negotiations with Pfizer for its new vaccine. Subsequently, as part of a broader emphasis on "modern manufacturing", the government - with support from the Andrews Labor government in Victoria - was impelled to take the unprecedented step of establishing a multi-billion-dollar deal with a big Pharma company (Moderna) to manufacture its vaccines in Melbourne.

While there is no certainty that their ideas will fall on fertile ground, public servants should be tactical in offering up ideas that might normally be anathema to the government, when the flames of crisis are about to burn the house down.

Sometimes governments - especially new ones - look to promote a sense of crisis to justify a political agenda.

"The fiscal cupboard is bare" was long employed by new administrations. It was certainly used by Prime Minister John Howard in 1996: the parlous state of the federal coffers provided political cover to redefine election promises into "core" and "non-core". It was, however, also Howard who made this political tactic more difficult, with the Charter of Budget Honesty Act (1998) requiring Treasury and Finance to publish an independent pre-election fiscal and economic update.

That has not, of course, prevented our new Treasurer Jim Chalmers from [raising "serious concerns"](#) within a few days of becoming Treasurer.

Crises carry risks, of course. The Rudd government took urgent action to shore up business and consumer confidence in the face of the GFC in 2008 and 2009. They won international plaudits for their rapid response.

Treasury secretary Ken Henry publicly indicated that the government had acted on his advice to “go early, go hard, go households” with its fiscal stimulus package. But the government was subsequently seen to have overreached with its Home Insulation Program, where failure to adequately address risks associated with an immature industry and low regulation controls led to the deaths of four young installers and significant fraudulent activity.

We have drawn on our combined experiences and the lessons from the GFC that were well articulated in a [paper](#) by two experienced bureaucrats (David Tune and Megan Edwards), to distil some lessons for the public service about policy in periods of crisis.

First, taking up Kingdon’s advice, public servants need to be ready to offer well-grounded policy options when political leaders become receptive to new ideas. Monitoring emerging issues, engaging in scenario and horizon planning, scanning international policy trends all help with this.

The “wargaming” that Ken Henry and his Treasury colleagues had done with other key economic players such as the Reserve Bank was crucial to their ability to confidently brief Kevin Rudd in 2008 on a recommended fiscal stimulus.

As Tune and Edwards observe, it is crucial to invest in such relationships during “peace time”. During the pandemic, for example, Steven Kennedy as Treasury secretary was able to reach out to Matt Comyn of the Commonwealth Bank for real-time data on consumer spending, rather than waiting for much slower data from the ABS - as both men reported in a [discussion](#) with Jessica Irvine, for the Institute for Public Administration Australia.

Second, encourage a culture of innovation and creativity within the APS, including among the lower and middle ranks. This can deepen the ability to offer “pragmatic innovation” during times when fast and effective solutions are needed. And if the APS has no good ideas, governments will very quickly turn to outside advice - often proffered by those who are motivated more by self-interest than the public good.

Third, screw up your courage! In a crisis, political leaders may be prepared to act contrary to their ideological preferences.

The former treasurer, Josh Frydenberg, displayed this in the pandemic’s first year with the JobKeeper program and the JobSeeker coronavirus supplement, as both he and commentators were quick to [remark](#).

While there is no certainty that their ideas will fall on fertile ground, public servants should be tactical in offering up ideas that might normally be anathema to the government, when the flames of crisis are about to burn the house down.

At the same time, public service advisers need to be able to caution ministers on the risks involved in new programs and impossible deadlines. The hard advice on trimming a broader policy agenda should be provided, as Tune and Edwards counsel, notwithstanding that this can be particularly galling for ambitious new governments. This requires public servants to be finely attuned to the government’s “peace-time” agenda and the sequencing of reforms.

Fourth, the trend towards the dominance of central agency advice highlights another potential weakness when crises overwhelm a government. The lesson from programs such as the Home Insulation Program is that direct investment proposals need the close involvement of policy experts and those responsible for delivery, including line departments and state and local governments, in order to be aware of, and manage, risk.

The relationships and knowledge built up over time among experts and bureaucrats are invaluable resources to draw on. When Howard as a new prime minister took the bold step following the Port Arthur massacre of securing the National Firearm Agreement in 1996, he was able to do so because officials in the attorney-general’s and police departments had spent many years patiently developing legislation for uniform gun control in preparation for when it was needed.

Paradoxically, governments sometimes need to be prepared to not act in the face of a crisis, to hold their nerve and trust that they have appropriate policies and safeguards in place.

This is particularly hard when the unrelenting media scrutiny creates intense pressure for action, any action. We have seen this recently when Western nations held firm on not declaring a “no fly” zone over Ukraine, to avoid direct confrontation with Russia.

What crises will the new Albanese government face? Military flashpoints in the South China Sea or the Taiwan Strait? Another pandemic? The Ukraine-Russia war triggering global economic panic and civil unrest over food and energy supplies? Mass population movements driven by climate change? Who knows!

What we can be certain of is, regardless of the crisis, the government’s response will be more effective if it has a public service that has the capacity, the capability and the courage to give hard advice when it is needed most.

How well the APS responds to whatever unanticipated challenges arise over the next few years could well determine the future of the government and the nation. It’s that important.

Russell Ayres is an associate professor at the University of Canberra; Wendy Jarvie is an adjunct professor at the University of NSW, Canberra; and Trish Mercer is a visiting fellow at the Australia and New Zealand School of Government.

# With a return to Labor government, it's time for an NDIS 'reset'

By **Helen Dickinson** and Anne Kavanagh.  
Published online May 31, 2022 by **The Conversation**

Labor's election win sees a return of the National Disability Insurance Scheme (NDIS) to the control of the party that first [passed legislation](#) for it. Bill Shorten's [appointment](#) as NDIS Minister makes him responsible for the scheme he championed and helped establish.

Many in the disability community feel the NDIS has moved a long way from its initial design and recent proposals have [created a rift](#) between the scheme and those it is supposed to serve.

Getting the NDIS back on track will be a big task but we have some sense of what Labor's plan will be given its campaign commitments.

## **First priority: rebuild trust**

Over the last few years it has become clear that things are not well with the NDIS.

The former government spoke widely about its concerns NDIS costs would [blow out](#) over the next decade. While committing to fully funding the scheme in the last budget, a number of changes have been undertaken in recent years aimed at curbing spending.

Last year the National Disability Insurance Agency (NDIA – the agency that runs the NDIS) created a taskforce to cut growth in funding packages and participant numbers. Around the same time we saw a [failed proposal](#) for the introduction of Independent Assessments.

Many participants [reported significant cuts](#) to their budgets, forcing them to miss out on essential supports and their family members to give up work.

About one in ten participants dispute planning decisions, resulting in an [internal review](#). Participants going through this process are much less likely to be successful now than in the past. Between January 2021 and March 2021, [70% of these reviews saw changes to plans](#). Just 12 months later, [only 21%](#) were successful.

Participants and supporters report the NDIA justifies its decisions on the basis the requested supports are not ["value for money"](#) and a lack of evidence. Faced with unsuccessful reviews, participants have increasingly turned to the Administrative Appeals Tribunal (AAT) with the number of appeals in the first quarter of 2022 some [244%](#) higher than in the same quarter of 2021. By the end of April, NDIA's [legal spend](#) had reached A\$41 million for the financial year to date.

## **Haves and have-nots**

The NDIS is an incredibly important source of support for people with disability but in recent years [a large gap](#) has opened between those who make it on to the scheme and those who don't. Of the 4.4 million Australians with disability, [only around 12%](#) are eligible for the NDIS.

The original intent was that all levels of government would continue to provide supports for Australians with disability who were not eligible for the NDIS. But we have seen governments withdraw funding from these services such as [Partners in Recovery](#) funded by the then Commonwealth government for people with severe mental illness. This has seen some people with disability with no services or incurring significant out-of-pocket expenses to pay for supports such as allied health.

## **6 NDIS election promises, now mandated**

Labor has outlined six strategies it hopes will return the scheme ["to its original vision"](#) because being on the NDIS shouldn't be like "having a second full time job".

1. Removing the NDIA staff cap While originally designed to have just under [11,000 staff](#), under the Abbott government the number of staff at the NDIA was restricted to 3,000. While this has been [gradually lifted](#) it is still well short of the amount needed, meaning external labour hires are [widely used](#).
2. Fewer lawyers, less waste Labor committed to reducing the use of external lawyers such as those associated with tribunal hearings. They will also seek to cut down on waste through [criminal activities and fraud](#).
3. Better planning Labor will streamline the planning process to ensure plans are more "efficient, fair and investment focused".
4. Justifying cuts to plans There has been a commitment to stop arbitrary cuts to plans and to introduce an expert review process to sort out disagreements. This should reduce the number of people who are forced to take the government to tribunal.
5. Regional service improvements In regional areas of Australia, there are often insufficient numbers of providers to deliver services to those with plans, leaving some individuals with allocated funds but no ability to use them. Nationally the average proportion of allocated budgets spent sits at about [71%](#), [in East Arnhem this sits at just 38%](#).
6. Collaboration with people with disability Labor committed to co-designing changes with people with disability. Previously proposed initiatives have been formulated without their input. Labor also promised more people with disability on NDIA's board. It is likely the new minister will seek to remove the current chief executive officer and to employ more people with disability at senior levels in the agency.

## **What to look for**

More money for advocacy and changes to improve disability access housing and support have been promised. Importantly, there is also a commitment to bridge the gulf between people with disability who don't get on to the NDIS and those who do.

Once the short-term personnel changes are effective and staffing shortfalls (including the lack of staff with disability) are addressed, the sector can reassess. We will see whether these initiatives rebuild trust with the community and move away from the defensive dynamic that has developed.

# How should hybrid working be regulated in the public sector?

By **Sue Williamson** and Alicia Pearce.  
Published online May 5, 2022 by **The Mandarin**

A state of 'COVID-normal' is emerging, as [public servants return](#) to their pre-pandemic workplaces. Within this new normal, a fundamental shift has emerged: many more employees are working hybridly – working some days at home and others at their employers' premises.

Organisations are considering what the new world of work [might look like](#), how teams can work together in a hybrid environment, and what systems are needed. An area receiving less attention, but also of importance, is how hybrid working should be regulated to ensure fairness and meet business needs.

In our recent [article](#), we argue that working from home is no longer an "individual flexibility", and should be regulated as a collective condition of employment. Our current conception of how to regulate working from home is outdated.

Working from home is currently largely regulated through human resource policies. These policies are subject to change without consultation with employees. This is why unions would like to see working from home provisions be formally included in enterprise agreements. This is difficult, as the current APS bargaining framework requires trades offs for any enhancements to conditions of employment.

Regardless, the Community and Public Sector Union is planning on negotiating for working from home provisions to be included into collective agreements. While individual working from home arrangements would be negotiated between an employee and their manager, as currently occurs, the big change is that a collective presumption that employees can work from home would underpin the agreement.

Legislation also regulates working from home, but only for some employees. Under the Fair Work Act, only certain groups of employees have a right to request to work flexibly, including to change their location of work. [Researchers](#) have argued that eligibility should be broadened to enable more workers to be able to request to work flexibly.

Industrial awards came to the fore in the pandemic as the most flexible form of regulation governing working from home arrangements. During the 2020 lockdown, employers and unions agreed to temporarily amend awards to allow, among other things, workers and employers to agree on locations and patterns of work to support public health initiatives. While important, these amendments have since lapsed.

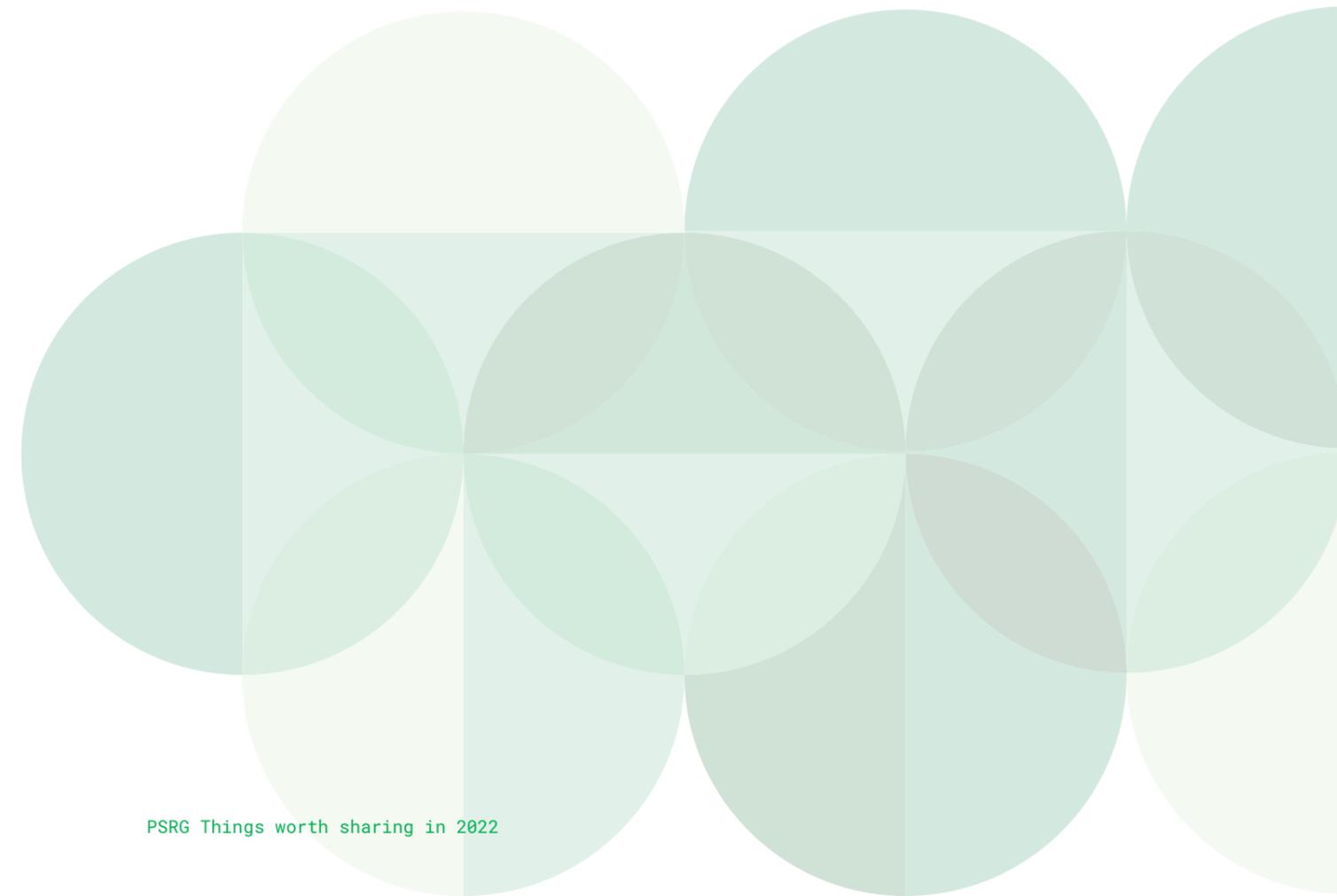
It appears that all forms of existing labour regulation have some limitations when it comes to regulating working from home. How then might this increasingly common form of working be best regulated in the "new normal"?

International practice could be instructive for the public sector. In the US, the *Telework Enhancement Act 2010* requires that public servants "work from home to the maximum extent possible". With the advent of the pandemic, guidance reinforcing this requirement was issued to public sector agencies. This is a collective approach, covering a whole sector.

In Europe, the *European Framework Agreement on Telework (2002)* contains provisions on work health and safety, provision of equipment, and principles of non-discrimination against teleworkers. It also enables working from home to be terminated by individual or collective agreement – again demonstrating a collective approach.

More recently, various European countries [were reviewing](#) and/or amending their working from home regulation. In Italy, public sector organisations are required to consult with unions and develop a plan for teleworking. In Luxembourg, regular teleworking may require agreement through collective bargaining. In Germany, legislation has been proposed to create a right to telework for all employees.

The current forms of regulation governing working from home need reviewing. Now that COVID-normal is being established, it is time for policymakers, unions and human resource practitioners to craft regulation that is fit for purpose as employees work hybridly.



# Australia's next government must tackle our collapsing ecosystems and extinction crisis

By Euan Ritchie, Ayesha Tulloch and Megan Evans.  
Published online May 5, 2022 by The Conversation

Australia's remarkable animals, plants and ecosystems are world-renowned, and rightly so.

Unfortunately, our famous ecosystems are not OK. Many are hurtling towards [collapse](#), threatening even iconic species like the koala, platypus and the numbat. More and more species are [going extinct](#), with over [100](#) since British colonisation. That means Australia has one of the worst conservation records in the world.

This represents a monumental [government failure](#). Our leaders are failing in their [duty of care](#) to the environment. Yet so far, the election campaign has been [unsettlingly silent](#) on threatened species.

Here are five steps our next government should take.

## 1. Strengthen, enforce and align policy and laws

Australia's environmental laws and policies are failing to safeguard our unique biodiversity from extinction. This has been established by a series of [independent reviews](#), [Auditor-General reports](#) and [Senate inquiries](#) over the past decade.

The 2020 review of our main environmental protection laws offered [38 recommendations](#). To date, no major party has clearly committed to introducing and funding these recommendations.

To actually make a difference to the environment, it's vital we achieve policy alignment. That means, for instance, ruling out new coal mines if we would like to keep the world's largest coral reef system alive. Similarly, widespread land clearing in Queensland and New South Wales makes [tree planting initiatives pointless](#) on an emissions front.

Despite Australia's wealth of species, our laws protecting biodiversity are much laxer than in other developed nations like the United States, Canada and the United Kingdom. These nations have mandatory monitoring of all threatened species, which means they can [detect species decline](#) early and step in before it's too late.

## 2. Invest in the environment

How much do you think the federal government spends on helping our threatened species recover? The answer is shockingly low: [Around \\$50 million](#) per year across the entire country. That's less than \$2 a year per Australian. The government spent the [same amount](#) on supporting the business events industry through the pandemic.

Our overall environmental spending, too, is [woefully inadequate](#). In an age of mounting environmental threats, federal funding has fallen sharply over the past nine years.

For conservationists, this means distressing decisions. With a tiny amount of funding, you can't save every species. That means ongoing neglect and [more extinctions looming](#).

This investment is far less than what is needed to [recover threatened species](#) or to reduce the very real financial risks from [biodiversity loss](#). If the government doesn't see the environment as a serious investment, why should the [private sector](#)?

The next government should fix this [nature finance gap](#). It's not as if there isn't money. The estimated annual cost of recovering every one of Australia's ~1,800 threatened species is roughly a mere 7% of the Coalition's [\\$23 billion of projects](#) promised in the month since the budget was released in late March.

## 3. Tackle the threats

We already have [detailed knowledge](#) of the major threats facing our species and ecosystems: the ongoing destruction or alteration of vital habitat, the damage done by invasive species like foxes, rabbits and cats, as well as pollution, disease and climate change. To protect our species from these threats requires laws and policies with teeth, as well as investment.

If we protect threatened species habitat by stopping clearing of native vegetation, mineral extraction, or changing fishing practices, we will not only get better outcomes for biodiversity but also save money in many cases. Why? Because it's vastly cheaper to conserve ecosystems and species in good health than attempt recovery when they're already in decline or flatlining.

Phasing out coal, oil and gas will also be vital to stem the damage done by climate change, as well as boosting support for green infrastructure and energy.

Any actions taken to protect our environment and recover species must be evidence-based and have [robust monitoring](#) in place, so we can figure out if these actions actually work in a cost-effective manner against specific objectives. This is done routinely in the US.

Salvaging our damaged environment is going to take time. That means in many cases, we'll need firm, multi-partisan commitments to sustained actions, sometimes even across electoral cycles. Piecemeal, short-term or [politicised conservation](#) will not help Australia's biodiversity long-term and do not represent best use of public money.

## 4. Look to Indigenous leadership to heal Country

For millennia, First Nations people have cared for Australia's species and [shaped ecosystems](#).

In many areas, their forced displacement and disconnection with longstanding cultural practices is linked to further damage to the environment, such as more [severe fires](#).

Focusing on [Indigenous management of Country](#) can deliver environmental, cultural and social benefits. This means increasing representation of Indigenous people and communities in ecosystem policy and management decisions.

## 5. Work with communities and across boundaries

We must urgently engage and empower local communities and landowners to look after the species on their land. Almost half of Australia's threatened species can be found on [private land](#), including farms and pastoral properties. We already have [good examples](#) of what this can look like.

The next government should radically scale up investment in biodiversity on farms, through rebates and [tax incentives](#) for conservation covenants and sustainable agriculture. In many cases, caring for species can improve farming outcomes.

## Conservation is good for humans and all other species

To care for the environment and the other species we live alongside is good for us as people. Tending to nature in our cities makes people [happier and healthier](#).

Protecting key plants and animals ensures key "services" like pollination and the cycling of [soil nutrients](#) continues.

We're lucky to live in a land of such rich biodiversity, from the ancient Wollemi pine to remarkable Lord Howe island stick insects and striking corroboree frogs. But we are not looking after these species and their homes properly. The next government must take serious and swift action to save our species.

# Using interagency cooperation to lift government performance in Aotearoa New Zealand

By **Rodney Scott** and Ross Boyd.

Published online April 6, 2022 by **The Australia and New Zealand School of Government**

Australia's remarkable animals, plants and ecosystems are world-renowned, and rightly so.

***A new book by Professor Rodney Scott and Ross Boyd looks at the innovative program that improved performance in ten of the most challenging cross-cutting problems in Aotearoa New Zealand. In this article the authors explore the importance of collective accountability, what motivated public servants to achieve better outcomes, and whether the New Zealand experience could be applied elsewhere.***

Effective interagency cooperation is one of the oldest problems governments face, variously described as the 'holy grail' and 'philosopher's stone' of public administration. It is much easier to manage problems vertically and assign accountability to an individual. When multiple parties are involved, this creates a problem of many hands, where it is difficult to disentangle who is responsible for what.

For decades, more progress has been made on problems that fit within the responsibility of a single agency than on those spanning agency boundaries. This means that those problems that persist are more likely to be complex and cross-cutting. In many jurisdictions, the COVID-19 pandemic saw agencies pull together to face a crisis. As former New Zealand prime minister Rt. Hon. Sir Bill English observed: "The hard problems of entrenched disadvantage and public agency siloes have been pushed into the background for now but in time will appear as larger challenges than ever."

From 2012 until 2017, a government-wide program ran in Aotearoa New Zealand that demonstrated progress was possible in addressing ten of the most challenging and persistent social problems that society faced. The government selected ten of their top priorities that had proven resistant to previous interventions and required some level of cross-agency cooperation to solve. These included social problems like long-term unemployment, participation in early childhood education, childhood immunisation, assaults against children, high school graduation rates, crime and criminal reoffending, and system problems such as the way that government interacts with citizens and businesses. In each case, the government chose a simple measure of progress, and set an ambitious target to be achieved over five years (with six-monthly progress reporting). Performance increased for all ten problems, both relative to baselines and historic trends.

While an initial evaluation suggested that the program had achieved successes through reducing transaction costs, this wasn't consistent with the lived experience of public servants, several of whom we interviewed when writing the book. We concluded that successes were hard-won – outcomes improved not because collaboration was easy, but because public servants were so committed to making a difference that they could overcome barriers, learn from past mistakes, and persist until the target was achieved.

Our recent book explains the successes of the program as being due, in significant part, to goal commitment. In the literature, goal commitment refers to the volitional bond between an employee and the achievement of an outcome. For us it also exemplifies the 'spirit of service' that lies at the heart of New Zealand's Public Service Act 2020. Public servants are motivated by goals that improve the lives of the people they serve. Faced with multiple competing problems, and changing priorities, the public servants involved in the program persisted in striving toward achieving better

outcomes for New Zealanders over five years. Some of the features that seemed to support goal commitment were:

Setting goals that matter to public servants and to citizens

Making it difficult to back out or change those goals

Picking only a few problems to focus on, so that each had a high profile

Regular feedback on progress to celebrate success and learn from failure, including a schedule of public reporting

Using data, including lead indicators, so that public servants can learn and adapt

Holding small groups of leaders collectively accountable

It is this last point, of collective accountability, that may be the most contentious. The New Zealand system of government has long emphasised single point accountability. It was assumed that having more than one person accountable for a result would result in less felt responsibility. Instead, Aotearoa New Zealand had historically tried to divide problems such that they could then be assigned to individuals. This did not allow for the collaborative management of problems where the solutions couldn't be anticipated at the start, and where multiple departments would need to experiment, fail, and learn together.

One such example was rheumatic fever. Successive governments were both appalled and mystified by its high incidence in Aotearoa New Zealand and for several years had charged the health system with reducing it, but to no avail. Rheumatic fever is a disease associated with poverty and could not be solved by the health system alone – contributions were required from the education sector to improve awareness, from the housing sector to improve the overcrowded living conditions in which rheumatic fever spread, and by agencies that had connections into the communities where rheumatic fever was most prevalent. By working together, the incidence of rheumatic fever was halved over five years.

Collective accountability is not a panacea, and the problem of many hands is very real. We concluded that the biggest successes were observed when collective accountability was only applied to a small number of leaders, and to a small number of problems at any given time. It is likely that governments will make the best progress by prioritising the efforts on a few harms that really matter and maintaining focus until those harms are meaningfully reduced.

In exploring each of the ten problems, one common feature was the entrepreneurial or innovative spirit of key committed individuals. Some of these people contributed to the book and their stories demonstrate both the commitment and the collaborative capacity of public servants at all levels. A key challenge for researchers and governments alike will be to gain greater insights into the competencies and behaviours of successful collaborators and select and cultivate more of them.

As with any case study, it is not clear that Aotearoa New Zealand's successes could be replicated exactly in another setting. But conceptually similar programs, implemented at various times in places like Virginia, Washington, Scotland and some of the Australian states (for example, 'Growing Victoria Together', and the New South Wales 'Premier's Priorities') demonstrate that the same principles can be applied but with variations to adapt to context. Our follow up study (in progress) tackles this very topic of context contingency, and asks when to use different models for interagency performance.

Addressing cross-cutting problems is not easy, but governments do not have a choice in facing them. Otherwise, over time the simplest and most manageable problems will be managed, and the complicated cross-cutting problems will persist and prevent societies and government from achieving their goals. As Sir Bill put it: "Social indicators that were worsening before the pandemic will now accelerate, at the same time as governments must deal with slowing economics, aging

populations, and very high levels of public debt." New Zealand's recent experience highlights that solutions will never be easy, but that sometimes hard-won success is still possible when people are committed to a goal.

This book is about more than public administration theory. It is a story about the hopes and innovative spirit of real people, both public servants and politicians, dealing with complex problems and difficult system issues and striving to improve lives. It is a story about today's public service.

**Professor Rodney Scott is an Adjunct Professor of public administration at the University of New South Wales. Ross Boyd is Adjunct Research Fellow of the Australia and New Zealand School of Government.**

**'Targeting Commitment: Interagency Performance in New Zealand' by Rodney Scott and Ross Boyd is published by the Brookings Institution Press and features a foreword by former prime minister Rt. Hon. Sir Bill English. It is available at all good bookstores or via the Brookings Institution at <https://www.brookings.edu/book/targeting-commitment/>**

## Overcoming the challenges of working across government boundaries: how interagency performance was transformed in New Zealand

By **Rodney Scott** and Ross Boyd.

Published online April 6, 2022 by **Global Government Forum**

**A new book details the innovative New Zealand programme that improved performance in ten of the most challenging cross-cutting problems. Professor Rodney Scott and Ross Boyd explain how it was done.**

Governments have found it necessary to divide themselves into smaller administrative units (ministries, departments, agencies) in order to make the scope of operations more manageable. However, regardless of how such units are configured, inevitably some problems cross-agency boundaries.

Boundary-spanning problems are harder to solve than those that fall to one agency. Working together involves higher transaction costs – the time and effort spent communicating and coordinating multiple agencies. Interagency work typically involves many meetings, dozens of officials, and progresses slowly by consensus decision-making. Accountability is complicated by "the problem of many hands", where an individual leader cannot solely be held responsible for the results of a collaborative initiative. Interagency working has been called the 'philosophers stone' and 'holy grail' of public administration.

So it has been for many decades, where more progress has been made on single agency problems than on those that span agency boundaries. This means that those problems that persist are more likely to be interagency ones. In many jurisdictions, the COVID-19 pandemic saw agencies pull together to face a crisis. As former New Zealand prime minister Sir Bill English observed: "The hard problems of entrenched disadvantage and public agency siloes have been pushed into the background for now but in time will appear as larger challenges than ever."

From 2012 until 2017, a programme ran in New Zealand that demonstrated progress was possible in addressing ten of the most challenging and persistent social problems that society faced. The government selected ten of their top priorities – problems like long-term unemployment, participation in early childhood education, childhood immunisation, assaults against children, high school graduation rates, crime and criminal reoffending, and meta-problems such as the way that government interacts with citizens and businesses. In each case, the government chose a simple measure of progress, and set an ambitious target to be achieved over five years (with six-monthly progress reporting). Performance increased for all ten problems, both relative to baselines and historic trends.

Read more: [Trust and teamwork: Hannah Cameron on how New Zealand dodged the COVID bullet](#)

While an initial evaluation suggested that the programme had achieved successes through reducing transaction costs, this wasn't consistent with the lived experience of public servants. A follow-up study revealed that successes were hard-won – outcomes improved not because collaboration was easy, but because public servants were so committed to making a difference that they could overcome barriers, learn from past mistakes, and persist until the target was achieved. Our recent book explains the successes of the programme as being due, in significant part, to goal commitment. Goal commitment refers to the volitional bond between an employee and the achievement of an outcome. Public servants are frequently faced with multiple competing problems, and changing priorities – nonetheless, in this case they persisted in striving toward a target over five years. Some of the features that seemed to support goal commitment were:

- Setting goals that matter to public servants and to citizens
- Making it difficult to back out or change those goals
- Picking only a few problems to focus on, so that each had a high profile
- Regular feedback on progress to celebrate success and learn from failure, including a schedule of public reporting.
- Using data, including lead indicators, so that public servants can learn and adapt
- Holding small groups of leaders collectively accountable

It is this last point, of collective accountability, that is most contentious. The New Zealand system of government has long emphasised single point accountability. It was assumed that having more than one person accountable for a result would result in less felt responsibility. Instead, New Zealand had historically tried to divide problems such that they could then be assigned to individuals. This did not allow for the collaborative management of problems where the solutions couldn't be anticipated at the start, and where multiple departments would need to experiment, fail, and learn together.

Read more: [From clenched fists to handshakes: top officials debate how to get departments working together](#)

One such example was rheumatic fever. Rheumatic fever is a disease associated with poverty. Successive governments were both appalled and mystified by its high incidence in New Zealand and for several years had charged the health system with reducing it, but to no avail. Rheumatic fever could not be solved by the health system alone – contributions were required from the education sector to improve awareness, from the housing sector to improve the overcrowded living conditions in which rheumatic fever spread, and by agencies that had connections into the communities where rheumatic fever was most prevalent. By working together, the incidence of rheumatic fever was halved over five years.

Collective accountability is not a panacea, and the problem of many hands is very real. New Zealand concluded that the biggest successes were observed when collective accountability was only applied to a small number of leaders, and to a small number of problems at any given time. Its likely that governments will make the best progress by prioritising the efforts on a few harms that really matter and maintaining focus until those harms are meaningfully reduced.

Read more: [New Zealand's collective accountability experiment improves results, report finds](#)  
In exploring each of the ten problems, one common feature was the entrepreneurial or innovative spirit of key committed individuals. These people demonstrate collaborative capacity. A key challenge for researchers and governments alike will be to gain greater insights into the competencies and behaviours of successful collaborators, and selecting, training and cultivating more of them.

As with any case study, it is not clear that New Zealand's successes could be replicated exactly in another setting. But conceptually similar programmes – implemented at various times in places like Virginia and Washington state in the United States, and Scotland – demonstrate that the same principles can be applied but with variations to adapt context. Our follow up study (in progress) tackles this very topic of context contingency, and asks when to use different models for interagency performance.

Addressing cross-cutting problems is not easy, but governments do not have a choice in facing them. Otherwise, over time the simplest and most manageable problems will be managed, and the complicated cross-cutting problems will persist and prevent societies and government from achieving their goals. As Sir Bill put it: "Social indicators that were worsening before the pandemic will now accelerate, at the same time as governments must deal with slowing economics, aging populations, and very high levels of public debt." New Zealand's recent experience highlights that solutions will never be easy, but that sometimes hard-won success is still possible when people are committed to a goal.

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## Hybrid working could promote equality, harness untapped potential in labour market

By **Sue Williamson**.

Published online April 5, 2022 by **The Canberra Times**

As employees start to return to pre-pandemic workplaces, it's timely to ask: Will hybrid working increase or decrease gender inequality in the public sector?

[Research](#) has shown that during lockdowns, women bore the brunt of domestic responsibilities, supervising home schooling, undertaking domestic duties, while also engaging in paid employment. The picture was grim, but as hybrid working becomes embedded, there is potential for this form of working to progress workplace equality.

Last year we surveyed more than 5000 employees in the Australian Public Service about their experience of working from home. Since publishing an [initial report](#), further analysis reveals some interesting findings for organisations to consider.

One of our most important findings relates to productivity. Across most age groups, more women than men considered that their productivity increased while working from home. Three quarters of women with caring responsibilities stated that they could get more work done while working at home, compared with two-thirds of men carers. Almost two thirds of women managers considered they were more productive at home, compared with just over half of the male managers.

Perceptions of increased productivity may be related to working longer hours. Our findings show that women (including managers) worked longer hours than did their male counterparts. Women undertaking longer hours, and outside the usual bandwidth, is not good for gender equality, as it can lead to increased work/family conflict.

While work/family spillover is a risk when working from home, this form of working can enable women to increase their part-time working hours. Working more hours is good for gender equality as it can progress women's careers, boost retirement income and decrease the gender pay gap.

More women than men across most age groups said that being able to increase their part-time working hours was an important reason to work from home. Working more hours wasn't an issue for men as relatively few work part-time. Two to three times as many women compared with men in peak child rearing years indicated that being able to increase their part-time working hours was an important factor when deciding to work from home. These findings highlight that hybrid working may be a lever to increase women's labour force participation.

As well as being the majority of part-time workers, women are also the main users of flexible working arrangements. However, our findings show that more men than women had their request to work flexibly approved. [Researchers](#) have found that men who access flexible working arrangements can be stigmatised. Our findings suggest that men working flexibly may be becoming normalised in the APS.

This may help to explain our finding that more men than women think that their agency and direct manager is supportive of flexible working. More men than women with caring responsibilities also agreed that their agency and manager support the use of flexible work arrangements. In contrast, people with disabilities are more likely to disagree that their agency, and their manager supports working flexibly. This finding was slightly more pronounced for women with disabilities,

compared to men with a disability. Women with a disability were also slightly more likely to have their request to work flexibly denied compared to women without a disability.

This is a concern, as more employees with disabilities considered that their productivity was higher working from home, than those without disabilities. Almost 70 per cent of women with a disability stated they were more productive working from home, compared with just under half of men without a disability. Yet, it is men without disability whose requests to work from home were granted more often. Our findings show that people with disabilities are one of the groups most at risk of leaving their agency if they are unable to work from home for at least part of the week. The other main group is young women (aged 20 to 24), with more than half stating they were more likely to change agencies if they were unable to work from home, compared with just over a fifth of young men.

As well as valuing working from home, younger women value autonomy. Women across all age groups stated that autonomy was an important factor in working from home, but this was especially so for younger women. However, increased autonomy resulted in less collaboration, and younger women stated that they found it slightly more difficult than other demographic age groups to collaborate with colleagues while working from home.

So, what does all this mean? First, it tells us that there are untapped sources of labour and potential which could be harnessed if part-time women workers and employees with disabilities work hybridly. Second, these findings show that different groups of employees have different preferences and needs in relation to working from home. An intersectional approach which takes into account employees' diverse identities can reveal previously hidden nuances, as shown by this analysis. In a nutshell, hybrid working can progress gender equality, but the associated opportunities and risks to employees and agencies varies according to the different cohorts of women.

Associate Professor Sue Williamson is a member of the Public Service Research Group at UNSW Canberra. This research was conducted with Professor Linda Colley from CQUniversity, with assistance from the Community and Public Sector Union.

## What we know about the NDIS cuts, and what they'll mean for people with disability and their families

By **Helen Dickinson** and Anne Kavanagh.  
Published online March 28, 2022 by **The Conversation**

The latest National Disability Insurance Scheme's (NDIS) [quarterly report](#) shows the average plan size per participant fell 4% between 2020 and 2021.

This confirms what many disability advocates have been warning about for some time: that the government is seeking to rein in costs of the NDIS by reducing individual plans.

While 4% does not sound a lot, the impact is being felt more by some groups, and some future changes mean care funding may get worse in the future.

### **Making the NDIS sustainable**

For some time, the government has been warning the NDIS is [financially unsustainable](#), with predictions spending on the NDIS could grow to [A\\$40.7 billion](#) in 2024–25. This figure is more than \$8.8 billion above what the government estimated the NDIS would cost annually.

There have been [criticisms](#), by disability advocates and also Labor opposition, of these estimates of a cost blowout, so at the end of last year the government commissioned a review of these predictions, known as the [Taylor Francis](#) report.

This report confirmed the baseline estimates for the NDIS are likely a moderate underestimate, but the upper predictions are probably a slight overestimate.

The higher than anticipated costs for the scheme seem to be largely driven by a [greater number of participants](#) entering the scheme than originally projected, and fewer children (0–14 years) exiting the scheme, rather than increases in participant spending.

The National Disability Insurance Agency (NDIA - the agency that runs the NDIS) has cited [concerns](#) over its financial sustainability, and it appears to be attempting to reduce costs by reducing individual budgets to participants.

Last year we saw the proposed introduction of Independent Assessments [fail](#). The government argued these were an important mechanism to improve [equity of access](#) to the scheme, but many in the disability sphere were opposed to these as they were seen as a cost-cutting measure designed to reduce the average plan size.

Around the same time these measures were being explored, there were reports the NDIA had created a [task force](#) aiming to cut growth in funding packages and participant numbers.

The government argues this task force is no longer active, but over the past few months we have seen many NDIS participants report they have had their [funding package cut](#) during their regular review.

### **What does this mean for NDIS participants?**

The headline figure of an average of 4% reduction does not seem like a lot, and represents a shift in the average plan from \$71,200 in 2020 to \$68,500 in 2021. But as that's an average, some people would be worse affected, and the overall trend is concerning.

Unfortunately, the report doesn't give much detail on who is experiencing the cuts, but we do know [34%](#) of participants saw a cut of more than 5% in their budget in the last six months of last year. That's 3% more than in 2020-21 and 10% more than in 2019-20.

There has also been a large increase in the number of people disputing these decisions. Between July 2021 and January 2022, an extra 1,423 people with disability have asked the Administrative Appeals Tribunal for a review, a [400% increase](#) in people disputing their NDIS plan.

Not only do these disputes take time and effort on the part of the individuals contesting plans, but the NDIA also spends a lot on external legal firms to represent them at these reviews. In 2020-21 we saw a 30% increase in spending on legal firms, bringing this amount to [\\$17.3 million](#).

For individual participants these cuts can be devastating. It means existing supports that facilitate their lives disappear overnight. Some people will lose independence and suffer significant disruption to the lives of them and their entire families. All of this can provoke severe anxiety and distress.

It is not just the individual NDIS participant who feels the impact of packages being cut. One of the original drivers for the scheme was the argument that introducing the NDIS would prove a good return on investment because it would support more people with disability and their families to enter the workforce.

For many, the supports the NDIS has provided to their family members have allowed them to go back to work. But there have been several [recent media stories](#) about family members who are going to have to quit work following NDIS cuts and move on to welfare payments. While costs to the NDIS might be lower, the overall government spend will be higher.

#### More changes ahead

For some, the cuts to plans will also be accompanied by changes that are being made to the [NDIS Price Guide](#). From the [middle of this year](#), disability service workers will need to be paid for a shift that is at least two hours long rather than the previous one hour.

Those who work broken shifts will also get an additional allowance and changes are being made around client cancellation rules. All of these mean participants may find their plans do not go as far as they did before. NDIS participants may be in for a more tough time than ever in the months ahead.

Everyone wants a financially sustainable NDIS, most of all people with disability and their families, but this cannot be achieved by simply cutting individual budgets and causing trauma for people with disability and their families.

## Paying what it takes to create impact

By Sam Thorp and Jeremiah Brown.

Published online March 25, 2022 by [The Power to Persuade](#)

**Financial vulnerability is a significant and ongoing issue for the Australian not-for-profit (NFP) sector with a variety of causes and effects on the sector. In a [new report](#) we explored one critical aspect of this financial vulnerability, the NFP 'Starvation Cycle' in philanthropic\* funding of Australian NFPs. The Starvation Cycle has previously been identified in the US and researched there, but has yet to be studied in the Australian context.**

#### The Starvation Cycle

The Starvation Cycle is a cycle where (for a variety of reasons) NFPs experience systematic underfunding of their indirect costs over the long term. This leads to a range of issues linked to NFP effectiveness and financial vulnerability, and it can undermine their capacity to fully achieve their aims.

To deliver impact, an NFP must employ people, support them, and have the necessary infrastructure for them to work effectively. These costs have historically been separated out into 'direct' costs and 'indirect' costs based on whether they can be assigned to a particular project, even though they are all essential to creating impact. Indeed, indirect costs (or overheads) have become a fraught topic in the not-for-profit world. Some funders, donors, and even NFP staff view them as wasteful or unnecessary. Yet [they are essential](#) to running an effective organisation, and organisations that spend more on indirect costs are often more efficient, rather than less.

#### The Extent of the Problem

By one measure, Australian businesses spend twice the amount that NFPs do per employee on key capabilities such as training, information technology (IT), quality, and marketing. This leaves NFPs both less efficient and more vulnerable to external shocks. Funding the full cost of program delivery would allow NFPs to train their staff more effectively, have more efficient IT infrastructure, and report more accurately on their impact.

In the report we estimate the extent to which NFPs are underpaid for their indirect costs in Australia. Nine Australian NFPs, which ranged in size from \$100m to \$100k in revenue and worked across the arts, disability, and family services sectors, agreed to open their books for analysis. These NFPs had average indirect costs of 33% of their total expenses, with a range from 26% to 47% (see Figure 1). This far exceeded what is normally included in funding agreements (which generally range between 0% and 20%). This figure is also higher than what NFPs regarded as the maximum that philanthropy is willing to pay.

Figure 1. Surveyed NFPs had average indirect costs of 33%



### **'Pay what it takes' is a perennial issue**

To 'pay what it takes' is to fund the full cost of running a project, including a share of the indirect costs that are needed to support it. However, indirect costs have an image problem and this means that funders (including the general public) will sometimes choose not to fund NFPs which have 'high' indirect costs. According to Genevieve Timmons, Senior Associate with the Alliances Portfolio at the Paul Ramsay Foundation, foundations find it a complex subject:

*"In my early work with foundations and philanthropic donors, people talked about admin costs as if they were an unnecessary impost, and not relevant to charitable activities. This view has run counter to their priorities and experience as high level business people, where investment in staff, infrastructure and research is recognised as essential to success."*

This attitude towards indirect costs is common despite [significant evidence showing](#) that *indirect costs do not indicate the efficiency or effectiveness of an NFP*. In fact, the opposite is often true. Spending insufficient resources on indirect costs [has been shown](#) to reduce overall NFP effectiveness. This is intuitive – an organisation that can invest in training its staff, building good financial systems, and measuring its impact is much better placed to be effective than one that cannot.

The underfunding of indirect costs is not a new issue. As Jack Heath, CEO of Philanthropy Australia, says, funding difficulties have been a constant through his career:

*"In my 20 years of leading not-for-profit organisations, getting the true costs of delivering programs and services paid for has been a perennial problem."*

Even where funders are willing to pay the full costs of programs, NFPs regularly under-report their indirect costs. There are many reasons that NFPs find it difficult to be honest about their indirect costs. The power imbalance between funder and fundee can make it difficult for NFPs to have honest conversations about costs with their benefactors. The competitive nature of the funding environment means that NFPs are discouraged from revealing information they believe could be potentially damaging to their grant opportunities, even if it may lead to better funding arrangements. There are also significant reputational concerns about indirect costs, with media commentary often being highly negative.

The funding of direct costs without indirect costs leads to what Jack Heath calls the "volcano funding approach", where program delivery is funded but core costs are not:

*"It leads to organisations where the centre is hollowed out, but it's built up around the edges. And, you know, volcanoes do two things: they blow up, or they go dormant."*

### **Perverse incentives**

NFPs have been battling with this issue for so many years that it has become ingrained in their processes. This includes many NFPs creating deliberate inefficiencies to reduce the 'observed' indirect costs of a project. For example, having frontline staff take on administrative duties as a component of their role, since their wages are easier to incorporate into a budget as a direct project cost.

But as noted above one of the strongest effects is long-term underinvestment in the areas covered by indirect costs. This not only decreases effectiveness, it increases risk as well – complying with regulations and funder requirements is, after all, an indirect cost.

### **What can be done**

According to interviews with philanthropic sector leaders, philanthropic practice in Australia has started to shift towards paying for the full costs of creating impact.

Indeed, there is not only one way to pay what it takes. There are a variety of ways to fund the full costs of organisations, including providing full-cost project funding, untied funding, or capacity-building funding. Which of these models is best depends on the goals of the funder and the sector/ issues they focus on. By having honest conversations with NFPs, funders get a better sense of how they can best support the NFP's work and create the most impact.

Even where funders are open to paying for indirect costs, they still need to ensure they proactively understand their fundees' true costs and demonstrate willingness to pay what it takes. Otherwise, as mentioned above, it is likely that NFPs will continue to deliberately under-report their indirect costs.

Part of this issue is a lack of good data. Funders are often unsure of the true costs of creating specific outcomes. NFPs can have a limited understanding of their own actual costs and how they should be allocated by project. A better understanding of cost allocation methods and better data on the cost of achieving outcomes will help to shift the power differential.

The public narrative about indirect costs also needs to change. The beliefs of the media and general public play a role here, often creating a situation where many people new to philanthropy or the NFP sector have a dim view of indirect costs that needs to be consciously reversed.

### **What you can do**

Philanthropic funders are invited to join a community of practice around paying what it takes, led by Philanthropy Australia. The purpose of the group is to share best practice and help philanthropic organisations to maximise their impact.

Non-profit staff and executives are invited to join workshops later in 2022 on how to define and budget for indirect costs, and the best ways to 'make the ask' for full-cost funding.

To register your interest in either of these groups or to read the full report, "Indirect costs in the Australian for-purpose sector – Paying what it takes for Australian for-purpose organisations to create long-term impact", see this page: <https://www.philanthropy.org.au/tools-resources/paying-what-it-takes>

This work was supported by the [Paul Ramsay Foundation](#) and [Origin Energy Foundation](#).

\*While government is the primary funder in the not-for-profit sector, philanthropic funders make significant contributions to this sector and many have already begun moving towards full-cost funding. They have started to solve the funding issue by creating trusted relationships and offering full-cost funding or untied grants, yet more must be done on both sides to create a sustainable and effective NFP sector.

# Public sector organisations aren't ready to unleash the power of data

By **Vindhya Weeratunga, Miriam Glennie, Massimiliano Tani and Fiona Buick.**  
Published online March 17, 2022 by **The Mandarin**

Now, more than ever, data is essential for planning the future of work. The pandemic upended traditional ways of working, with employees now having completely different expectations of their employers, particularly around flexible working.

But what does the future of work look like and how should agencies plan for it? As hybrid working becomes embedded, understanding employees' use of technology and patterns of building access could help agencies develop a picture of both current flexible working practices and future requirements.

Public sector organisations have bucketloads of data on all these things, but are they ready to use it?

A team at UNSW Canberra is carrying out cutting-edge data analytics research on flexible working with the ACT Public Service (ACTPS). This research is funded by the Australia and New Zealand School of Government.

The research planned to analyse Microsoft 365 analytics and building use data for activity-based-working to identify how employees undertake activities specific to their location. For example, when do they use areas set aside for quiet working, use breakout rooms for collaboration and creative tasks, and use booths for a quick chat with a colleague.

It was expected that existing metadata could be analysed to show who was working in which workspace, how long they spent there, and whether certain employees were using the space more. We wanted to identify the usage of different groups of employees, such as women, employees with caring responsibilities, employees with disability and older employees.

However, the project hit a roadblock. The data exists, but cannot be easily used to answer complex questions about flexible working, or produce insights about planning for flexible, remote and hybrid work practices.

Here are some of the problems encountered and our recommendations to overcome them.

## **Problem 1: Data silos**

When data is owned and stored in silos it can't easily be used or shared between agencies. In fact, different sub-units might not even know what data exists in other units. We recommend that agencies actively plan to link datasets. This enables a holistic picture of how different factors are connected; e.g., how public sector employees are using technology and how that is impacting their flexible working.

We also recommend that agencies develop and share a 'data catalogue' to make datasets discoverable, so that all agencies know what can be found and where.

## **Problem 2: Most data concerns individuals**

This means nobody knows what happens at the team level, where several problems can arise and can be solved. We recommend that agencies collect teams-related data.

## **Problem 3: Data-related activity is often outsourced**

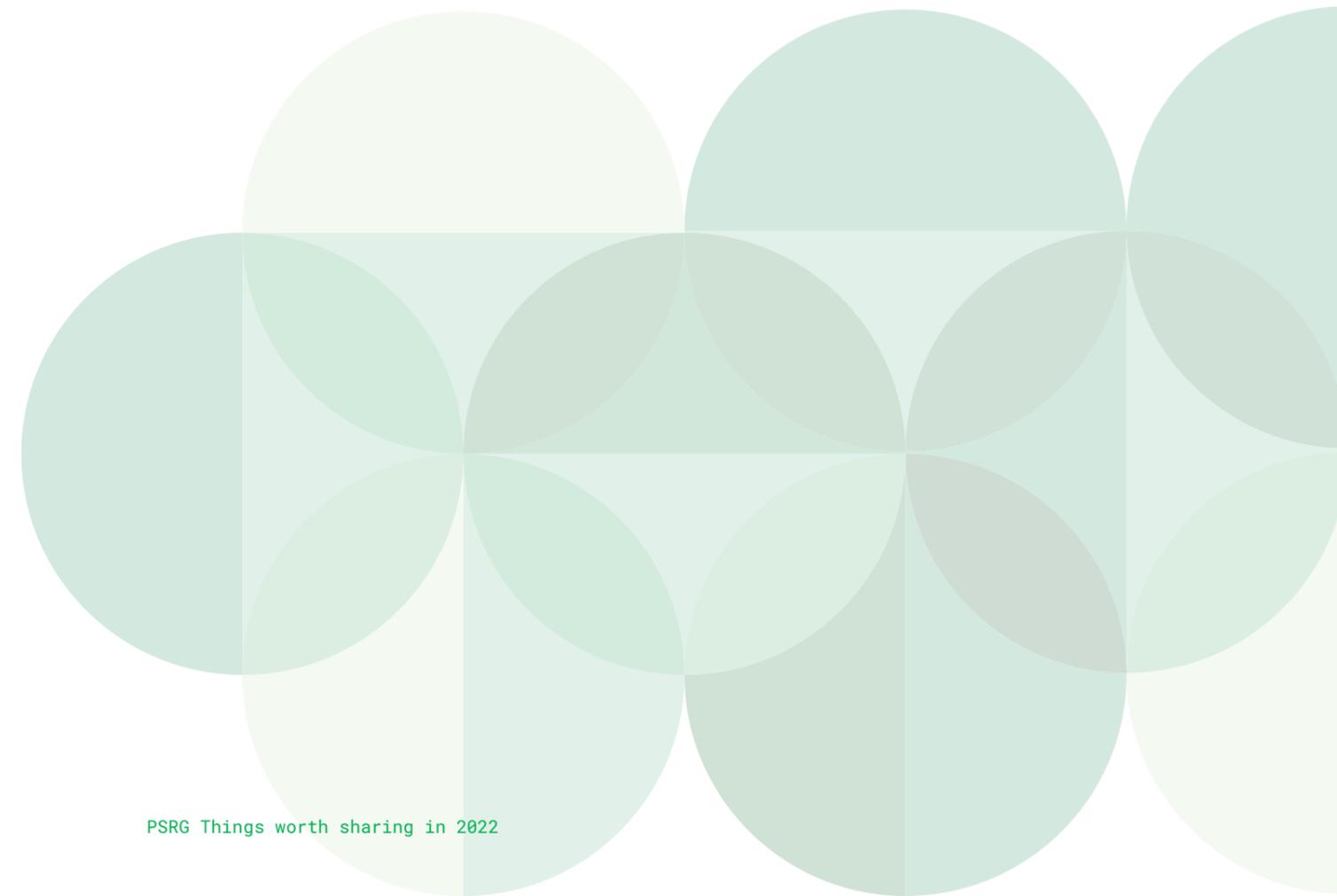
This prevents public sector organisations from actually using the data it collects without entering into new and expensive commercial arrangements.

We recommend agencies develop in-house HR analytics capability. This will: (1) equip public sector organisations with the capability to realise the potential of data; (2) use the data for internal evaluation purposes and decision-making; and, ultimately, (3) save a lot of money!

The bottom line is that the public sector needs to make its databanks actionable (ready to use). In 2015, an in-house study commissioned by the Secretary of the Department of Prime Minister & Cabinet found that data is under-utilised in the APS. Seven years down the road, our project finds that this is not isolated to the APS and is in fact occurring across other public sector organisations.

It's time for public sector organisations to unleash the power of their data and be ahead of the game in the future of work!

Fiona Buick is the research project lead.



# Women are still angry – even as the public sector shows the way forward

By Sue Williamson.

Published online March 8, 2022 by The Mandarin

The old stereotype that feminists are angry is being realised at the moment. Will women ever be happy?

Well, no, not with the current state of gender equality in Australia. [Recent data](#) shows that the gender pay gap sits at 22.8%, men are twice as likely to be in the highest income brackets than are women, women make up only 20% of CEOs, and [more than 50%](#) of women have been sexually harassed.

Last year's Global Gender Gap [report](#) ranked Australia 50 out of 156 countries on gender equality, a decline from being ranked 15th in 2006. While this year's figures are not yet available, Australian women may have gone further backwards. The pandemic [disproportionately affected women](#), increasing gender inequality as women lost jobs, received less government assistance than men, and took on more of the domestic and caring load.

Last year we saw an outpouring of women's anger, culminating in the March for Justice. Since then, the Australian government has taken some actions to improve gender equality. As [reported this week](#), the government has increased funding for domestic and family violence prevention, educational campaigns about consent and changing men's behaviour.

While essential, these initiatives do not go far enough and women are still angry. [This week](#) a coalition of women leaders came together to call on the Australian government to do more. To fix the gender pay gap, to ensure women are safe at home and at work, to provide accessible early childhood education and care, expand paid parental leave, introduce 10 days' paid domestic violence leave and implement the National Plan for First Nations Women and Girls.

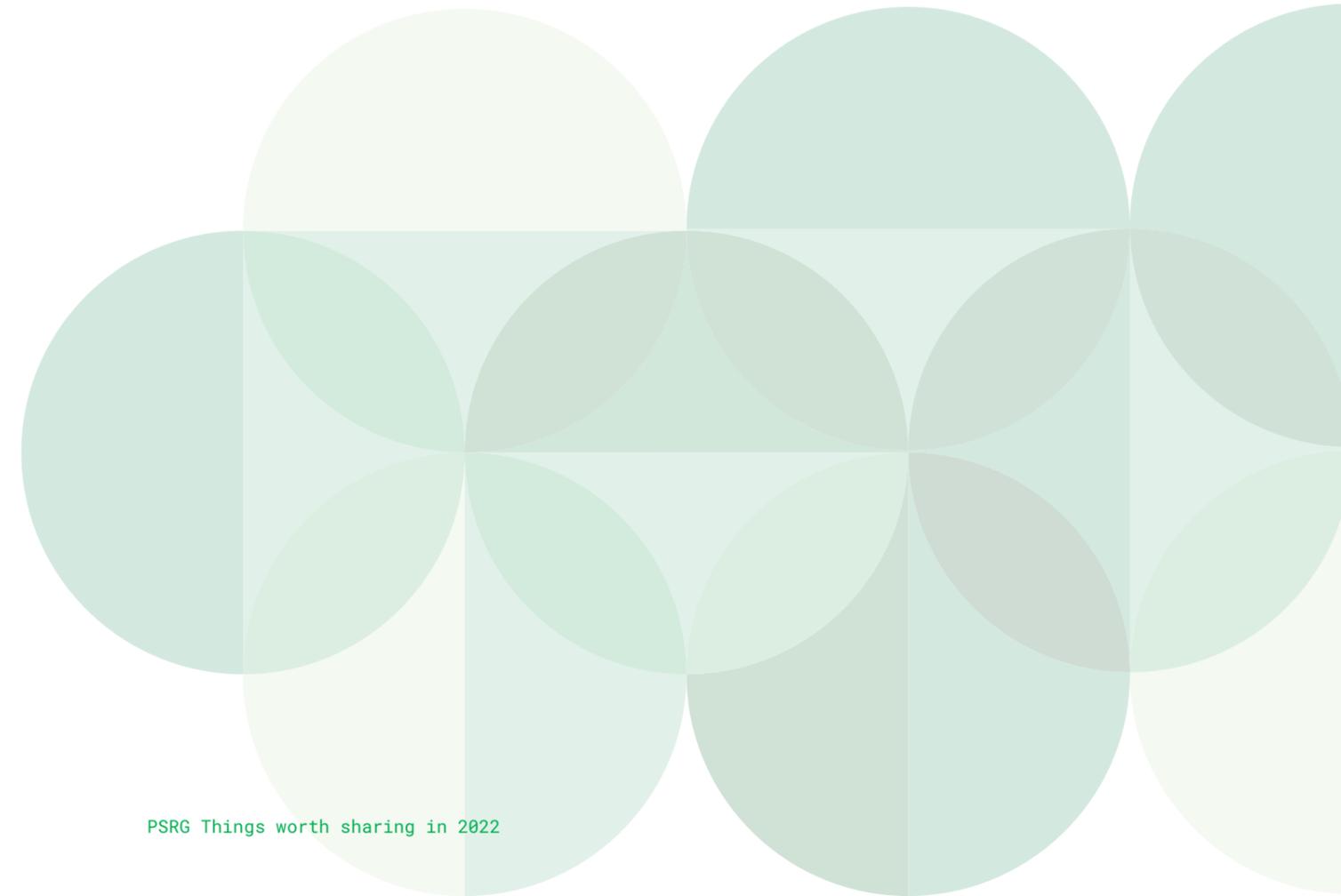
This coalition is also calling on the government to implement a key reform of Sex Discrimination Commissioner Kate Jenkins' [Respect@Work report](#). The recommendation to include a positive duty in the Sex Discrimination Act would require employers to proactively take action to prevent sex discrimination and sexual harassment.

Government intervention on all these areas is welcome. Organisations have their part to play too, of course. Over the last few months, the APS has progressed several important initiatives to progress gender equality, namely:

- [The APS Gender Equality Strategy](#) was released late last year, and focuses on progressing gender equality through leadership and accountability, making workplaces more respectful, shifting gender stereotypes, increasing flexible working arrangements, including usage by men.
- [Review of the Maternity Leave Act \(Commonwealth Employees\) Act 1973](#). This is long overdue, as the current legislation is outdated and reinforces traditional gender roles. This review provides an opportunity for paid parental leave to be expanded in the APS, as my colleagues and I [have recommended](#).
- [Increased scrutiny of non-disclosure agreements](#) – agency heads are now required to consult with or report to the APS Commissioner before entering into an agreement with an employee that includes a non-disclosure provision. Non-disclosure provisions prevent those who have experienced sexual harassment from talking about the abuse. Removing the non-disclosure provisions was an important recommendation in the Respect@Work report.

- [Reporting to the Workplace Gender Equality Agency](#) – also as a result of the Respect@Work report, APS agencies will report progress on gender equality to WGEA. This is also important, as monitoring, evaluating and reporting are essential to see what's worked, and which areas need further attention.

While the Australian government is taking some actions to progress gender equality, we can see that the APS is leading the way in this area. In an election year, a comprehensive policy to progress gender equality in Australian society, and across all industry sectors may see all sectors become employers of choice for women.



# Masks, RATs and clean air – how people with disability can protect themselves from COVID

By Anne Kavanagh and Helen Dickinson.  
Published online February 24, 2022 by The Conversation

People with disability bear a disproportionate burden of COVID [infections](#), [serious disease](#) and [death](#). Every time a support worker enters their home, people with disability risk COVID exposure.

But while Australian states have evidence-based measures to reduce the spread of COVID in schools and hospitals – such as improving [ventilation](#), mandating [masks](#), and using rapid antigen tests to detect cases – few strategies exist to reduce transmission to people with disability in their homes.

Last Thursday, Australia's disability royal commission released a "[statement of ongoing concern](#)" about how Omicron is impacting the health, safety and well-being of people with disability.

So what do governments need to do to protect people with disability from COVID? And what can people with disability do to mitigate their risk in the meantime?

## **Free RATs and regular testing for disability workers**

When community prevalence of COVID is high, rapid antigen tests (RATs) are an [important tool](#) to identify cases of COVID and prevent transmission.

But RATs are not freely available to all Australians with disability. And there is no clear advice about how RATs should be used by people with disability or support workers who enter their home.

While National Disability Insurance Scheme (NDIS) participants [can claim](#) the cost of RATs in their NDIS plans, they're [not currently recommended](#) for surveillance of workers, except those working in group homes.

But not all Australians with disability are on the NDIS. Nor are all people with disability on health care cards and entitled to ten free RATs every three months.

Given the risks of COVID and the high levels in the community, free RATs should be provided to all people with disability and support workers who come into their homes.

This should come with clear guidance on how frequently to test workers and other people who come into contact with a person with a disability.

In the absence of clear guidelines, support workers should test at least twice a week. But daily testing might be required where a worker is in contact with many people and when someone with a disability is at high risk of serious disease or death if they catch COVID.

However some caution is needed. When there are high levels of community transmission, one negative RAT in someone with symptoms may well be a false negative. So someone with symptoms [should isolate](#) irrespective of the RAT result.

## **Mandate N95 masks for disability workers**

Cloth and surgical masks are [not enough](#) to prevent the spread of Omicron.

Respirators, also called N95, P2, FFP2 and KF94 masks, offer substantially better protection. Respirators [cut transmission 2.5 times as much as surgical masks](#), even when they haven't been

professionally fit-tested. And there are [good online videos](#) and infographics to help people ensure their respirators have a good fit.

Respirators can also be re-used, [rotating daily over five days](#), as independent scientific advisory group [OzSAGE recommends](#).

The United States government is [providing free respirators to the public](#), yet Australian governments only recommend respirators in the disability sector when someone with disability is COVID-positive or a worker is a close contact.

Given the obvious benefits, and relatively few downsides of respirators, it's critical they are mandated for disability workers when supporting people with disability indoors.

In the absence of guidelines, people with disability should get workers to wear well-fitted respirators when they are supporting them indoors.

## **Improving ventilation**

Good natural or mechanical ventilation can [reduce COVID transmission](#).

This can involve simple measures such as opening doors and windows – preferably at the opposite ends of an indoor space to ensure a cross-breeze – and using ceiling fans or pedestal fans placed near a window.

Sometimes it's not possible to open doors or windows because it's too hot or cold, especially given some people with disability, such as those with [spinal cord injury](#) or [multiple sclerosis](#) have greater difficulties regulating their temperature.

Spaces like toilets, bathrooms, lifts, and stairwells are also hard to ventilate.

You can check the quality of the air inside using [CO2 monitors](#). The concentration of CO2 is higher in areas that are poorly ventilated, while outside it's around 400 ppm. If the level is [below 800 ppm](#), the risk of infection is relatively low.

In situations where CO2 levels are high, a [portable HEPA air purifier](#) could be used. The HEPA filter helps remove very small particles from the air, including the SARS-CoV-2 virus that causes COVID. They [range in price](#) from A\$200 to A\$2,000.

CO2 monitors [vary in design and cost](#), with prices starting from around A\$50.

CO2 monitors and air purifiers should be available to people with disability requiring support in their own homes for free, potentially through NDIS plans.

In group settings, such as day programs and disability residential settings, services should be required to audit CO2 levels and purchase air purifiers if needed.

In the absence of clear guidance on ventilation, people with disability should make sure they have as good an airflow as possible and check their air conditioning and heating are working properly.

If they have the resources, they could purchase a CO2 monitor (or borrow one from someone) to check ventilation and where CO2 levels are high, consider an air purifier.

## **Governments need to step up**

Nearly two years into the pandemic, it feels like Australians with disability are being forgotten. Mandatory respirators, RATs for surveillance and cleaner air are relatively inexpensive strategies critical to protecting people with disability in their home. Governments should provide free of cost for all people with disability who need them, not only NDIS participants.

Governments must be proactive and have guidelines and resources in place as we face Omicron and in future, as new variants emerge.

# Who to believe about productivity – employees or managers?

By **Sue Williamson**.

Published online February 15, 2022 by **The Mandarin**

Managers and employees have different perceptions of how productive employees are when working from home. Further, our research shows that managers' perceptions have changed over the past two years.

We surveyed Australian public sector employees in 2021 and 2020 about working from home. In 2021, almost three-in-five employees stated their productivity was higher when working from home than in the office. Two-thirds of managers, however, considered their team's productivity was about the same.

Further, in our previous survey, more managers believed their teams' productivity had increased. How can these discrepancies be explained?

The decrease may be attributable to reduced work intensification once the initial burst of work at the start of the pandemic subsided. Emerging literature has identified a phenomenon known as 'panic productivity' – the pandemic crisis drove people to work harder, and productivity increased. Throughout 2021, however, employees became fatigued and the initial burst of productivity may have waned.

As one respondent told us: "initially, at the beginning of COVID I was more productive, but it's exhausting to keep up that pace and [productivity] is now about normal".

Managers told us their teams were fatigued. More than half of the written comments provided by managers in our latest survey mention negative impacts of working from home on their staff. Many managers identified 'COVID-fatigue', with employees feeling exhausted and burnt out.

COVID-fatigue was evident with many of our survey respondents. One respondent told us "...I'm just not myself working from home and it stresses me out. I get less done, I feel lazy and guilty and my brain gets foggy and less able to process complex issues. I don't know what this is. It doesn't seem like depression or anxiety or burnout but my mental health is definitely not as good as it was".

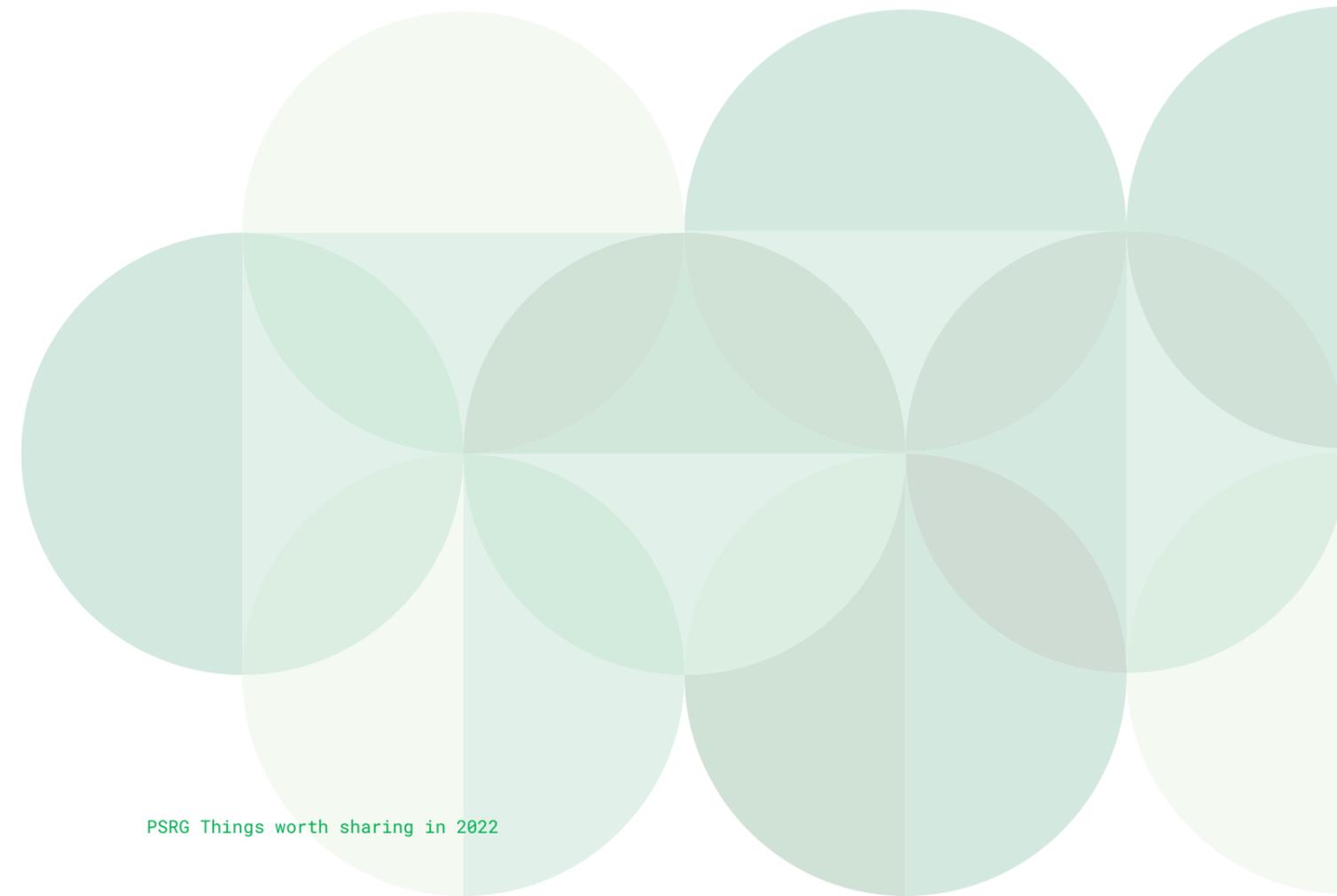
Employees may also consider they're more productive, as some worked longer hours when working at home, even though working more is not a measure of increased productivity. A third of the 2021 respondents stated they worked more hours than in pre-pandemic times, compared with 28% of respondents in 2020. More than one-in-ten employees worked outside their usual working hours, due to management expectation or workloads. This number has almost doubled since 2020.

More than 90% of public sector employees told us they wanted to spend some part of their working week at home. The most preferred arrangement is to spend three days a week working from home, with over a fifth of respondents stating this was their preferred working arrangement. Working some of the week at home and some at the employers' premises is known as 'hybrid working'. This form of working is becoming increasingly popular.

As hybrid working arrangements become more entrenched in many public sector agencies, agencies and managers would do well to not only monitor workloads to prevent burnout, but also assess the physical workspace. Many respondents stated they wanted to work from home due to their home having fewer distractions, and also being quieter. The noise in open-plan offices was a distraction for some respondents.

Many factors influence levels of productivity – including noise and disruptions, levels of employee motivation, team cohesion, and autonomy. Public sector productivity is also notoriously difficult to quantify. One thing is clear, however – for levels of productivity to be at least maintained, employee wellbeing is key.

"Working from Home: The future of work is hybrid" will be [launched](#) on 15 February. The Community and Public Sector Union partnered on this research with Associate Professor Sue Williamson from UNSW Canberra and Professor Linda Colley from CQUniversity.



# Women make up half the disability population but just over a third of NDIS recipients

By **Sophie Yates**, Eleanor Malbon, Gemma Carey and Jen Hargrave.  
Published online February 2, 2022 by **The Conversation**

Australia's National Disability Insurance Scheme (NDIS) provides individualised funding to [nearly 500,000 Australians with disability](#).

Despite an even male-female split among under-65s with a disability ([49 per cent female](#)), [only 37 per cent](#) of NDIS participants are women and girls.

To better understand what's behind the disparity, [we interviewed](#) 30 women about their experiences with the NDIS.

The thing that struck us the most was how many women talked about what hard work it was being on the NDIS, or applying for it. Three women told us it was like "a full time job".

We already knew the NDIS was very administratively complex, and [increasingly](#) people have needed [to appeal](#) their budgets [to get the right supports](#).

So we started thinking about "administrative burden", or load, and how it fits into the story of women's experiences with the NDIS.

## **What is administrative burden?**

[Administrative burden](#) is the work people have to do when they access government programs.

This can manifest as:

- learning costs (how hard it is to learn how to apply for and use a program)
- psychological costs (how emotionally draining or confronting it is) and
- compliance costs (how difficult it is to comply with program rules and requirements).

Research has [increasingly explored](#) how administrative burden falls unevenly on different groups, finding those with the least resources have the largest administrative burden. This includes Aboriginal and Torres Strait Islander people, people with disability, people with lower socioeconomic status, and people from non-English speaking backgrounds.

These groups are more likely to be gatekept from government programs because of how difficult it is to access and manage them.

## **Time consuming and difficult**

Some women we interviewed experienced a smooth, supportive NDIS experience. However, this wasn't the norm.

Women told us being on the NDIS took a lot of time and effort. They said communicating with the National Disability Insurance Agency (NDIA) was difficult, and the application process was challenging and emotionally draining.

Interviewee January said it was impossible to phone or contact any specific person:

The NDIA is like dealing with ... you know those octopuses that live a thousand metres down in the

ocean, and no one's ever seen them? So we don't actually know how they work, just every so often they'll put a little piece of themselves above the surface and like, wreck a ship. But then you don't know which animal it's attached to and you've got no way of contacting it, to try and do peace talks. ... So it just seems like this faceless monster.

## **Administrative burden can be gendered**

Although all people accessing and applying for the NDIS (and their families and carers) face administrative burden, our results show this can manifest in gendered ways.

While men and women experience disability at similar rates, men are more likely to be diagnosed with disabilities that are more straightforward to gain access to the NDIS for.

Autism, for example, is male-dominated and comprises about a third of the scheme (although [this may reflect gender bias in diagnosis](#) rather than true prevalence).

Women are more likely to be diagnosed with disabilities that don't fit as well within the medicalised model of disability that has taken over the NDIS. [One analysis](#), for example, found "painful and socially disabling disorders" such as arthritis, [fibromyalgia](#) and chronic fatigue syndrome are more common in women – but it's difficult to get support for these conditions.

Support needs are supposed to be assessed according to the person's level of functioning, but applicants are required to [provide extensive medical evidence](#). This means it is more administratively burdensome to apply for support for those disabilities, and women may not be willing to expend so much effort for such an uncertain outcome.

A new [analysis of the NDIS application form](#) shows it is long and complicated, partly because it makes assumptions about people's lives being relatively straightforward. Seemingly simple questions like "does the person require assistance with self-management because of their disability?" can be difficult to answer if you have fluctuating support needs, as is often the case with disabilities more common in women.

## **Women have less time to manage their own disabilities**

Another gendered dimension is that balancing administrative labour and family care is often harder for women, who shoulder more of the caring work.

Women represent [over 70 per cent](#) of primary carers to people with disability and older people. Of those providing primary care to children with disability, nearly 90 per cent are female. And 35 per cent of female primary carers have a disability themselves.

Women also tend to take on more of the administrative work of family, which includes managing the government-related administration of family members.

This leaves them less time to manage their own disabilities.

Some of the women we talked to said it was sometimes too hard to balance self-care, life responsibilities, and fighting for what they needed on the NDIS. Peta, a mother of young children, told us:

"I called the NDIS the other day and said I just need some more therapy ... She listed this litany of things you had to do. I was like, so I'll just add that to the list of death by admin tasks. And I said, thanks but no thanks, I'll just pay for it myself. And I just hung up."

While Peta could luckily afford to pay for the support herself, many women on the NDIS are not in a similar position.

Women with disability are [less likely to be in paid work](#) than men with disability, and [more economically disadvantaged overall](#), so if they give up on accessing a support because it's too hard, they are more likely to just go without.

This was not the first work to examine the administrative burden of the NDIS, but it was the first to do so through a gendered lens. We need more evidence on the nature of administrative barriers for women in the NDIS and what can be done to address them.

The NDIA should also develop and implement an NDIS gender strategy, in partnership with women's disability organisations.

Sophie Yates is a research fellow at UNSW. Eleanor Malbon is a research fellow at Fellow at UNSW. Gemma Carey is an associate professor at UNSW. Jen Hargrave works with the University of Melbourne. This piece first appeared on [The Conversation](#).

## Is a new era in public sector gender equality upon us?

By **Sue Williamson**.

Published online December 8, 2021 by **The Mandarin**

Just as the year commenced with a focus on gender equality in public institutions, the year is closing with a similar focus. This time, however, there is a relatively positive story to tell.

The Australian government has just released the [Australian Public Service Gender Equality Strategy 2021-26: Realising the benefits for all](#). While the APS is tracking well on gender equality, the strategy notes that further action is needed, including to combat "everyday sexism".

The previous strategy was rather piecemeal, as [Largued](#) in 2017. The new strategy, however, adopts a holistic approach to overcoming barriers experienced by employees of all genders, but particularly women and those identifying as women.

The strategy covers six action areas. These are presented as 'minimum standards' and are seen as a starting point. This is a good approach, as organisations are increasingly being encouraged to assess their progress against [roadmaps](#), or [diversity maturity models](#).

The minima are:

1. Leadership and accountability – with a strong focus on increasing inclusive leadership
2. Respectful workplaces – to prevent and address sexual harassment and domestic violence
3. Shifting gender stereotypes – particularly to overcome unconscious biases in recruitment and selection
4. Flexible ways of working – with an emphasis on gender neutral flexible working policies
5. Collecting gender data – monitoring and evaluating the implementation of initiatives in the strategy and publishing results
6. leveraging external influence – which includes ensuring procurement is with suppliers that are compliant with the *Workplace Gender Equality Act 2012*.

There are several aspects of the strategy which embody best practice. Firstly, the strategy is underpinned by principles of inclusion, as well as equality. Adopting an inclusive approach can assist in overcoming resistance to gender equality – it ensures that everyone is on board.

Secondly, the strategy is also informed by theories of intersectionality. This approach recognises that individuals can experience multiple forms of disadvantage based on the intersection of multiple dimensions of identity. The Strategy specifically encourages agencies to implement initiatives targeted to employees of Aboriginal and Torres Strait Islander heritage, and those of diverse age, cultural and linguistic background, abilities, and sexualities.

Thirdly, the strategy requires agencies to report on progress. APS agencies will be required to report to the Workplace Gender Equality Agency (WGEA) from 2022-23. The Australian government made this commitment in its [Roadmap for Respect report](#) released earlier this year. This is a major advance. The public sector has traditionally been exempt from the Workplace Gender Equality Act and it has therefore been [difficult to ascertain](#) how much progress has been made in securing gender equality.

Fourthly, the strategy aims to normalise conversations and actions around gender equality. My colleagues and I have found that [gender fatigue](#) exists within the public sector. The strategy contains initiatives and suggestions to keep the conversations alive within agencies and across the APS.

A couple of other initiatives are also worth mentioning. As Australia embarks on a national conversation about targets in political parties, the APS strategy encourages agencies to consider whether specific targets should be introduced. As well as the use of targets to drive change, the strategy also encourages agency agencies to use “nudges”, such as “a visible Internet campaign highlighting senior men caring for elderly relatives or taking parental leave”. Gender equality experts have long recommended the use of nudges to progress behavioural change.

Regulatory change is also planned, with the strategy committing the APS to reviewing current parental leave arrangements. The current bargaining strategy and relevant legislation would also be considered as parental leave arrangements are reviewed.

Sex discrimination commissioner Kate Jenkins [stated](#) last week that the recommendations in the [Set the Standard](#) report should be implemented as a whole package. Similarly, while the APS Strategy recognises that there will be some variation between agencies, implementing this as a holistic package will assist in progressing gender equality, and build on current gains.

While there is much work to be done in progressing gender equality in the APS, this strategy sets a robust roadmap on how to achieve this laudable, and essential, aim.

## 'The second betrayal': abuse by ADF brass triggers defence and veteran suicides

By **James Connor**.

Published online November 29, 2021 by **Crikey**

***When victims of abuse in the Defence Forces speak up, officers and NCOs ensure they are treated like 'rats': isolated, bullied and powerless.***

***Note: this story mentions suicide.***

The Royal Commission into Defence and Veteran Suicide begins public hearings today – and it is desperately needed. At least 1200 serving and former Australian Defence Force (ADF) members have committed suicide in the past two decades.

The royal commission must focus on the common thread linking these suicides: the culture and practices of the ADF that create conditions for abuse to occur and that then further traumatise victims who report it. The deaths are not just the result of combat trauma; they also occur as a result of abuse within the ADF – soldiers abusing each other.

Australian Research Council-funded research at the University of New South Wales focused on ADF members who were abused by other ADF personnel (from 1970 to 2020). Abuse – physical, mental and emotional – continues to be a regular feature of the culture within the ADF and its effects on victims are real.

Our research has revealed a particular pattern of abuse within the ADF that we have called the “second betrayal”. This is abuse via administrative systems and processes inflicted on the victim by those with power in the ADF after they report abuse. At its simplest, this is secondary abuse that occurs because a member has complained about the first abuse. The perpetrators are senior non-commissioned officers and officers who are meant to be looking after their soldiers, sailors and aviators.

A range of abuses occur. Whisper campaigns that target the survivor begin – often because the complaint is “leaked” to the perpetrators or others in the unit. Suddenly they are singled out for “special” duties or, worse, excluded and ostracised. Survivors are gaslit by those they report to: questioned about complicity in their own assault; asked if it wasn't just “all a bit of fun”; warned they will be investigated; asked if they really want to “destroy” the perpetrator's career. These techniques of denial and minimisation will be familiar to many. When the survivor pushes for action, reports are lost, witnesses forget what happened and the “system” takes as long as possible to resolve anything.

The hierarchy turns on the survivor. Many we spoke to talked of commanders telling them they “were going to break them” as a result of the initial complaint. This manifests via the differential application of the formal rules on the survivor versus everyone else.

Minor transgressions that would normally be overlooked or the subject of low-level admonishment – being a few minutes late, having your kit not perfect – suddenly become formal charges. This singling out for punishment is legitimate and “within the rules” – but the survivor and everyone else knows why it is being done: to “get them”.

This pernicious application of the rules cannot be challenged by the victim. Not surprisingly, survivors can quickly accrue many charges, poor reviews and disciplinary action.

Further, the survivor is treated like a rat because they have broken the code of silence that is a strong informal norm of the ADF: you don't "go jack" on your mates. Social exclusion follows and often leads to further bullying: uniforms tampered with; rooms messed up before inspections; vital components of kit going missing. These compound the trauma of the first assaults, isolate the survivor further and often lead to further charges against the survivor – as they are no longer performing at an appropriate level. The survivor is now alone, isolated and the target of constant low-level abuse, with no way out nor avenue of complaint. Imagine how powerless and vulnerable this leaves them.

No doubt the ADF will claim it has changed its cultures of abuse and fixed its systems, yet we have [distressing footage of an assault last year](#). You might be shocked by the footage but for me it is the same as hundreds of other stories and reports over the decades: abhorrent – yes; unusual – no. Even [ADF chaplains are being investigated for harassment and bullying](#).

The Australian National Audit Office (ANAO) released a [damning report on the ADF's 10-year change program](#), "Pathway to Change", that is meant to have fixed the culture problem after the last set of reviews and inquiries in 2011. Then there is the Brereton report into alleged war crimes in Afghanistan that devotes an entire chapter to the problem of ADF culture.

If there is to be real reform, the ADF needs to accept that it has a deeply entrenched cultural problem – and fix it. Sadly, another finding of the research is that the ADF is very bad at fixing its problems.

## Does working from home increase or decrease productivity?

By **Sue Williamson**.

Published online November 29, 2021 by **The Mandarin**

It was [reported last week](#) that APS employees would be required to return to their usual pre-pandemic workplaces earlier than originally planned. This week, the Hon Ben Morton, MP, the minister for the public service, [reportedly](#) stated that APS employees will need to show productivity gains before they will be permitted to work from home.

Morton has recommended that employees start gathering evidence to make the case for why they should work at home.

Last month, my colleagues and I released an [evidence-based report](#) examining the future of work and new ways of working. We examined 10 years of academic literature on working from home and other forms of remote working. We also analysed an enormous amount of practitioner research that has emerged over the past 18 months on remote working and the future of work. I also spoke about these issues at a [webinar](#) hosted by *The Mandarin*.

The majority of existing research shows that productivity is maintained or even increased when employees work from home or work hybridly. The Productivity Commission also [states](#) that, as organisations adapt and learn as they experiment with new ways of working, productivity will remain the same or improve in the longer term.

Morton has been reported [as saying](#) that employees will need to "outline the productivity gains from working from home". Measuring productivity in the public sector is notoriously difficult. While it is not unreasonable to require employees to provide reasons as to why they should work from home, requiring employees to assess productivity and provide examples to support their business case might not be easy. Clear guidance will be needed to assist employees and managers as they conduct these negotiations.

My colleagues and I [conducted research](#) last year that showed APS managers were very supportive of employees continuing to work from home. Many APS managers experienced an epiphany, realising that working from home could be undertaken successfully. Academic research has also shown, however, that managerial discretion on who can work flexibly is variable across an organisation. This makes the need for clear guidance even more essential.

It is understandable that managers and organisations prefer employees to be in their pre-pandemic workplace. Working from home has limitations and is not for everyone. It is more difficult for people to network and have incidental meetings with colleagues, which are so important. Working from home can be isolating, and blur the work/family boundaries. The overwhelming research [emerging](#), however, shows that many employees want to work hybridly and the organisations are assessing their policies and their physical workspaces to determine how this can happen.

Other public sector jurisdictions are recognising the benefits of working from home and hybrid working. The Victorian government has introduced a new flexible by default policy. The starting position is that all roles can incorporate some form of flexibility and the policy enables employees to work hybridly. The ACT government is also [reportedly](#) supportive of employees continuing to work from home. The Queensland government has reviewed the working from home experiment in the Queensland public sector, and [concluded](#) that flexibility 'is a key enabler of productivity'.

New times are upon us and new ways of working are emerging. As we [argued](#) a few months ago, the public sector has an opportunity to lead the way with flexible working arrangements. It is an opportunity that must not be lost.

# Finding work after prison: barriers and opportunities for former detainees in the ACT

By **Caroline Doyle**, **Sophie Yates**, Lorana Bartels, Anthony Hopkins and Helen Taylor.  
November 26, 2021 by **The Power to Persuade**

**Over half of the people in Australian prisons have been incarcerated before, which means that interventions to help people stay out of prisons are crucial. If people find employment after they are released, they are less likely to return to prison. Here [Dr Caroline Doyle](#), [Dr Sophie Yates](#), [Professor Lorana Bartels](#), [Associate Professor Anthony Hopkins](#) and [Dr Helen Taylor](#) and discuss their research into the employment experiences of people released from prison in the ACT.**

Australia's prison population is almost as high as it's ever been, and more than half of all people in prison here have been incarcerated before, some of them many times. There is a large [evidence base](#) to suggest that employment is very helpful for helping people avoid returning to prison, but there are many barriers to employment for people after their release from prison. [We talked to people who had been in prison in the Australian Capital Territory \(ACT\)](#) and asked them about their experiences with employment and what services might help them find and keep jobs.

## **The link between employment and recidivism**

Decades of research has underscored that, while prison significantly disrupts people's working lives, being employed is one of the things most likely to prevent recidivism (i.e. committing further crimes and getting further criminal penalties). If people can find stable employment suitable to their needs and skills, they are more likely to be reintegrated (or even [integrated for the first time](#)) into society, and much less likely to go back to prison. But, upon release, people face [a range of challenges](#) in their efforts to find work, such as discrimination, due to their criminal record; low education levels; lack of housing and/or transport; addiction and/or mental health issues; and rehabilitation or parole commitments. The very high levels of recidivism and reincarceration rates across Australia, coupled with high unemployment rates for people who have been in prison, show that the current policy and program settings do not help people reintegrate and find jobs when they are released.

## **The ACT context**

There is only one prison in the ACT, the Alexander Maconochie Centre (AMC). It was designed as a 'human rights prison' – the only one in Australia – and has a range of opportunities for people serving time to work and complete employment-related programs (although there are [problems with program](#) implementation and service gaps for some detainees). Recidivism rates in the ACT are even higher than in the rest of the country, [with 77.7% of detainees](#) in the AMC having been incarcerated previously. Detainees in the AMC have relatively [low levels of education](#), compared to the population of the ACT as a whole, which is a problem because the ACT and federal public service (the ACT's two biggest employers) often require a certain level of education for prospective employees.

## **What we did**

In 2019, we recruited former detainees by leaving flyers in the offices of agencies providing services to former detainees. We interviewed 11 people (nine men and two women) who had been sentenced or on remand inside the AMC and released in the last six months. Most had been in prison before, some of them several times – highlighting the cyclical nature of incarceration in many detainees' lives. We asked them about their experiences with services inside prison and after release, how things had been going for them since release (e.g. with housing and employment), their strengths as a potential employee, and what a 'perfect' release would have looked like for them. The full report is [here](#).

We use pseudonyms here to protect participants' anonymity.

## **Our findings**

What our participants told us demonstrates the interconnected nature of the challenges that people experience after being released from prison. While some were working and one owned his own business, most were not in employment. Gaining and keeping a job was intimately intertwined with other facets of their lives, such as physical and mental health, addiction recovery, housing, education, and transport. John reflected:

Probably one of the biggest things coming out of jail would be employment. If guys got accommodation and job, where they're getting a decent wage... They've got no reason to go back to their old lifestyle.

## **CRIMINAL RECORD CHECKING**

One of the biggest barriers participants talked about was the requirement for criminal record checks for many jobs, or worrying about what to say if they were asked about whether they had a criminal history:

Renee: A lot of [potential employers] do police checks... honesty is the best policy. So, you've got to be honest and say 'yes, I do have a criminal history', where you get knocked back a lot for.

Brian: An employer turns around and says to me, 'so what have you been doing with your life over the last 12 months?' And you say 'jail'... There's your anxiety flaring up.

Brian also felt that if he got a job now and had a certain level of income, he might go down the pub or to his dealer's place and end up 'getting back down the same path' that landed him in prison. This reveals the important links between substance abuse recovery and employment.

Vivian told a poignant story about filling in an online application for a job, thinking 'I wish I could lie' about her criminal record. She changed her mind several times about whether to tick the criminal record box: 'I went no, yes, yes, no, yes, no. Because it is, it's personally challenging'. She felt that, in an interview, she would have no problem talking about her history and experiences, but worried that, if she were honest in the application, she might not even get to the interview stage.

## **INDIVIDUAL-LEVEL BARRIERS**

The issue of anxiety and self-confidence also came up as a barrier for participants, when thinking about finding employment. James talked about 'a fear of failing' and Brian said that 'having to approach someone and apply for a job, [there's a] big anxiety factor there for a lot of us'. Carl mentioned not being 'qualified at anything, and I'm not much of a studier either'. Michael was insecure about not having any top teeth. Some participants talked about people being incarcerated for so long they became 'institutionalised' and could find it difficult to live and work in the outside world, especially if they were released without much support.

## **PRACTICAL BARRIERS**

Transport and housing were also big barriers for some participants. Stable and safe housing was a challenge for most and Kevin pointed out the obvious connection: 'It's pretty hard to sort of hold down a job with no stable accommodation'. The average wait for standard public housing in the ACT is currently [more than 3½ years](#).

Several participants had no car – a very common post-release issue – and were therefore limited in the kinds of jobs they could travel to. Carl had needed to leave home at 5am to cycle to a job induction for 7am start, but many people in a similar position would not be able to do this. Lack of public transport is [also a perennial issue in Canberra](#).

## **PROGRAMS AREN'T ALWAYS USEFUL OR RELEVANT**

Several people spoke about the disconnection between jobs and programs they had access to in the AMC and what would be useful on the outside. It can be difficult to run educational programs in prison, because of [timetable disruptions](#), due to lock-ins, or difficulties with different cohorts not being allowed to mix. As Michael said: 'you might have to go three times a week. But pretty much every week, you'll miss a day, you know what I mean?'

Several felt the jobs worked and skills gained inside the AMC weren't applicable to the outside world. For example, Brian said: 'I don't think it meets the level that would be required in the community', while Kevin observed that 'It's not like they would do [these jobs] on the outside...it's only to get a bit of money'. John had gained several tickets (licenses) for things like forklift operation while incarcerated in another state, but felt that, at his stage of life, 'I'm getting a bit too old to be bouncing around machinery'. Likewise, Carl felt 'I can't see... my life being defined by I'll go and dig a hole'.

### What's needed to help prisoners gain and keep employment

Participants had some suggestions for what might help them. Carl spoke about the importance of connecting people with potential employers, before they are released:

having an agency for prisoners, only prisoners, and trying to get employers to take them on, certain people... While they're still in there and when they come out, when they go to the job, they know they've been in jail and they're going to give them a go. That's what I think what's needed.

There are [some organisations](#) in Australia that only employ people who have been in prison, but many companies [are reluctant to do this](#). Carl said: 'I think people should be shown... [the] skills to go into the workforce, what to say or to do', when approaching employers or filling in applications. For James, counselling would have helped:

Probably more programs. You know, therapeutical stuff. I don't know, maybe having some counsellors that help with building people's confidence and stuff like that and not thinking they can't break that mould and they're destined to fail, you know what I mean?

And John wanted people to get qualifications for any work they did inside:

If we're going to do a job out there, at least get trained in it properly. If you're going to do cleaning, you're training them so they can walk into a cleaning job [out] here. Or if they're going to be in the kitchen, they get qualified for the time they're working... Or just a kitchen hand. Go wash dishes, or like go work in a sandwich bar or go do a short-order cook course or things like that...

The AMC has made some moves in this direction: it opened a bakery in 2017 and people working there have the opportunity to complete [a Certificate II in Retail Bakery Assistant](#). One of our participants had done this and found it useful.

We think the thing that could make the biggest difference in a way that's achievable to implement is to have a focused, individually-tailored employment service for detainees (both sentenced and on remand), that begins the day they are incarcerated, links to other services, such as housing and health, and remains consistent both during and after incarceration. This kind of tailored service would be able to determine and meet detainees' individual needs and connect them to meaningful employment before they leave prison, while ensuring that this employment situation fits with the circumstances, challenges and restrictions of their individual lives. This type of service [is not a new suggestion](#), but it's still far from being adopted or implemented in the ACT or consistently in most Australian prisons.

Source: Doyle, C., Yates, S., Bartels, L., Hopkins, A., & Taylor, H. (2021). 'If I don't get a job in six months' time, I can see myself being back in there': Post-prison employment experiences of people in Canberra. Australian Journal of Social Issues. <https://doi.org/10.1002/ajs4.197>

## From 'hot-desking' to 'hotelling': The next wave of flexibility in the APS?

By Sue Williamson.

Published online November 18, 2021 by Government News

The Department of Agriculture, Water and the Environment is introducing hot-desking and employees would book a desk to work in the office. This is known as 'hotelling', and just like a hotel room, employees book a space. According to a union survey, employees are opposed to this move.

As increasing numbers of Australian Public Service employees return to their pre-pandemic workplaces, new forms of flexibility are being trialled. Where once the main form of flexibility offered to employees was flexible working hours, the focus has now shifted towards spatial flexibility – or flexibility in location of work. This was a necessity due to the pandemic where many employees were required to work at home and has now become ingrained in how public servants work.

As my colleagues and [I have written](#) in a report released last month, some public sector organisations have trialled activity-based working. This is based on discrete areas being set aside for specific activities. For example, workplaces have quiet areas for policy work, break-out areas for more creative and collaborative work, as well as meeting rooms.

Both hot-desking and activity-based working can be advantageous for organisations as it reduces the office footprint and hence cost. Activity-based working can lead to increased productivity and creativity. It also increases the autonomy of employees and recent research shows that increased autonomy is even more important to employees than working from home. There are disadvantages to both activity-based working and hot-desking, however, which includes the potential for staff to become isolated and not work with their teams and disruptions due to noisy workplaces.

Employees also like to have their own desk with their own personal artefacts, which is discouraged with hot-desking. Personal belongings in the workplace can contribute to employee wellbeing. Mind Tools recommends giving people other ways of expressing 'ownership' at work. This could include having photo boards where people post personal, hard copy photos.

Some years ago, I visited a public sector workplace where employees had photos of their pets on one of their organisation's walls. Employees loved this initiative, and while the purpose of the photos was to highlight the importance of work and family balance, this initiative would also work just as well in a hot-desking or hotelling environment.

Where once the main form of flexibility offered to employees was flexible working hours, the focus has now shifted towards spatial flexibility – or flexibility in location of work.

The pandemic has accelerated changes which were occurring pre-pandemic, such as flexible location of work. At the start of the pandemic, some commentators predicted the demise of the office and of CBDs. Both offices and CBDs are here to stay but will change in response to the pandemic. Offices may be repurposed and become more creative and collaborative spaces. Employees will come into the office for teamwork and creativity, but then also work from home as part of their hybrid working arrangement.

Employees and organisations rapidly adjusted to working from home during the pandemic and [are now considering](#) what future workplaces might look like. As organisations move towards a Covid-normal environment, it will be crucial that managers bring employees along with new ways of working and that employees apply the same agility as was evident throughout the pandemic.

# The NDIS is letting women with disabilities down

By **Sophie Yates**, Gemma Carey and Jen Hargrave.  
Published online November 10, 2021 by **BroadAgenda**

You'd think that the National Disability Insurance (NDIS) scheme would be equally as accessible to men and women. But our new research suggests this isn't the case.

Only 37% of participants in the NDIS are women and girls, even though they make up about half of people with disability under 65. There was also [some evidence](#) (p. 49) from early in the NDIS roll-out that women were more likely to have unmet support demands than men (e.g. they were funded for supports that they then couldn't access).

So, women are underrepresented in the NDIS and may also be less likely to get the supports they need once they are on the scheme.

For example, Deaf Aboriginal woman Nellie told us:

I've also experienced a lot of gender issues with the NDIS. I've never had one woman contact me, ever. They've all been men, and I'm not completely comfortable with that. I mean it's fine, but if you had a white hearing man, then the power is there, and they don't understand disability on top of that, I feel very uneasy and passive and it's a little bit like they become the aggressor and I retreat.

Nellie's experience – and many of the other women we spoke to – is consistent with international evidence that women with disability tend to be a [particularly marginalised group](#) when it comes to health and social care.

[According to the NDIS](#), female underrepresentation is due to the scheme supporting a lot of younger people with autism, developmental delay and intellectual disability – and those things are most likely to be diagnosed in men and boys. But that only covers who gets onto the scheme, not what their experiences are like once they have been accepted.

Women's disability advocacy agencies have been concerned [for some time](#) about gender equality in the National Disability Insurance Scheme (NDIS). But we couldn't find any academic research about gender and the NDIS, so [we interviewed](#) 30 women from the ACT and Victoria, with a range of ages and disabilities, about their experiences with the NDIS.

## **Our study**

Most were on the scheme already, but some were applying or had thought about applying. All the names in this article are pseudonyms.

We found that some women had a great experience on the NDIS, or felt that the good significantly outweighed the negative. When it works, the NDIS can be truly transformative.

## **However, many women had experienced significant difficulties in applying for the NDIS, interacting with the NDIS, or using their plans once they were on the scheme.**

Others had thought about applying but were too discouraged from what they had heard about other people's experiences.

## **Gendered barriers to the NDIS**

There were lots of barriers that women talked about, including the burden of NDIS administrative processes and how difficult it can be to learn how the scheme works, but we have just [published an article](#) exploring some of the most gendered barriers.

Firstly, dealing with the NDIS can be difficult for people – especially for women – because as [a personalised funding scheme](#) it requires participants to know what their needs are and to articulate them and advocate for them on an individual basis. But from what we heard, the system is not very flexible in accounting for participants' varying experience of self-advocacy and service navigation. We know that getting the right services on the NDIS requires a lot of individual effort because women used words like 'push', 'fight', 'battle', 'struggle' to talk about their experiences. Marjorie said that "everything I've gotten from the NDIS I have had to push for". While some felt confident to self-advocate (Daphne said she had "more front than Myer"), more than half the women mentioned difficulties with self-advocacy, said they didn't feel disabled enough to be on the scheme, or felt it was more important to put others before themselves.

This is gendered because women are socialised or expected to be more selfless than men, to be the care providers, and can be [penalised more than men](#) for speaking up for themselves. For example, Peta told us:

"I just think like being a woman ...just this idea that you just kind of have to accept to some degree, you just have to put up with it. You know, you're conditioned to care and just put up with shit that comes along or to not speak up if someone offends you."

Some women also felt that NDIS system actors (such as planners or disability service providers) react differently when men with disability self-advocate – for example being more likely to give men what they want, or being more intimidated by male anger, or more likely to label women who self-advocate as stubborn and difficult.

Several participants felt that self-advocacy was compromised by caring roles. Dianne was particularly concerned about this in the context of women with disability caring for children with disability:

"I know of cases where women have been advocating for a child with a disability or an adult child with a disability, and they've had to fight all those battles, and then they're literally too exhausted to fight their own NDIS battle. And if like me, if they've hit a brick wall at some point with what they've asked for, they've just gone oh, I can't do this. So they'll actually go without, rather than continue trying to advocate for themselves."

Other difficulties with caring responsibilities included feeling like the NDIS did not recognise and support their mothering roles, that it tried to keep their disability needs separate from those of their children (which did not work in practice), or that it did not recognise caring responsibilities for extended family members.

For example, Melissa said, "My motherhood gets completely thrown out the window". Nellie, who is an Aboriginal elder, had significant caring responsibilities for her extended family and community, but had not been given support to carry out these responsibilities. She told us:

"I don't believe that the NDIS themselves really have any sort of clue of what it means when you're talking about the Aboriginal context and you're talking about women within the Aboriginal context."

Lastly, some women talked about the types of diagnoses that men and women are more likely to have, and the fact that it's easier to get NDIS support for male-dominated disabilities than female-dominated. As January (who had [ME/CFS](#)) described it:

"The things that women are more likely to be diagnosed with, which are overwhelmingly autoimmune conditions, chronic illness-based conditions, these are the things the NDIS spends a really enormous amount of energy trying to convince you that you can't use NDIS for."

There is also a [growing evidence base](#) that autism is diagnosed more in males for gendered reasons, and not because the condition genuinely occurs in three times more men and boys than women and girls. So, there are likely to be many girls with autism that are missing out on the support they need because it is harder to get a diagnosis.

### What action is needed

We were only able to scratch the surface in our exploratory study, but from talking to these women about their experiences, we think that the NDIS should do more to support women and girls to participate fully in the scheme.

Advocacy groups have been recommending an [NDIS Gender Strategy for years](#). We also think there needs to be better integration between the NDIS and existing women's services – for example, building a system interface between the NDIS and critical women's services such as specialist domestic and family violence services, sexual and reproductive health services, and parenting and carer support services.

And women's disability advocacy organisations need to be better resourced to create information pathways and peer networks to support women in getting more fair treatment in the NDIS, as well as to help the NDIS improve at a systemic level.

We'd like to thank our partner organisations, [Women with Disabilities Victoria](#) and [Women with Disabilities ACT](#).

## Moving on from the pandemic in Bhutan. Is it time the government focused on other priorities?

By **Lhawang Ugyel**.

Published online October 19, 2021 by **Policy Forum**

***As Bhutan's government kicked into gear to focus on fighting COVID-19, other important priorities, like poverty reduction and the worrying state of some of its most important investments, went overlooked, Lhawang Ugyel writes.***

Bhutan has made international [headlines](#) for its successful management of the COVID-19 pandemic and, in particular, its [vaccination](#) rollout. As of 7 October 2021, Bhutan has [had](#) a total of 2,617 cases and three deaths from the virus, with more than 64 per cent of its total population now fully [vaccinated](#).

These statistics are particularly impressive given that Bhutan shares its borders with India, one of the pandemic's worst-affected countries, and China, the country where the first case of COVID-19 was detected.

Bhutan's successful management of the COVID-19 pandemic can be partly attributed to its small size, both in terms of its land area and population – only 735,000 people live in the country. The other more compelling reason is Bhutan's leadership. Its king, as head of state, and the prime minister and health minister led a bipartisan and collaborative effort against the virus that enabled the implementation of targeted policies that have minimised the health and socio-economic impacts of the COVID-19 pandemic.

In implementing COVID-19 interventions, the government was to protect the limited health workforce available in the country.

Bhutan also initiated a series of social and economic policy interventions, for example, the [deferment](#) of loan repayments and waivers of interest payment for loans, and the provision of supplementary income for some of those who were adversely affected by the COVID-19 pandemic.

Despite this success in managing COVID-19, Bhutan still faces many other problems. The fact remains that Bhutan is still a developing country, with a gross national per capita [income](#) of just \$3,140 in 2019.

Bhutan faces a number of the same socio-economic challenges it did before the pandemic, and many of these are now exacerbated by COVID-19, its successful health strategy aside. Global economic growth is projected to [improve](#) in the near future, but there is likely to be a significant divide in recovery paths between developed and developing countries.

Cumulative per capita income losses over the period of 2020 to 2022 are projected to be equivalent to 20 per cent of 2019 levels in developing countries, while in developed countries these losses are [expected](#) to be smaller, at 11 per cent.

According to the World Bank, Bhutan's economy [contracted](#) by 6.7 per cent in 2020, largely due to the COVID-19 pandemic. It is likely that it will continue to take a hit into 2021 due to decrease in revenues, particularly from [tourism](#).

Almost [32 per cent](#) of employees in the tourism sector lost their jobs in 2020, and in a worst-case scenario, projected by the United Nations office in Bhutan, the [unemployment](#) rate in the country

could go as high as 14.4 per cent. The best-case scenario was an unemployment rate of 8.3 per cent. In 2019, this rate was only 2.7 per cent.

This all comes at a crucial time for Bhutan, which has been in the process of graduating to a middle-income category, something it aims to achieve in 2023.

It may be lucky in one sense – whether it can do this largely hinges on whether its investments in hydropower will pay-off, a sector that hasn't been as vulnerable to pandemic impacts as some others. But, importantly, the government's focus has been on managing the pandemic rather than other issues.

In an update provided through the Ministry of Finance's September 2020 [Public Debt Situation Report](#), hydropower debt accounted for 75.1 per cent of the country's total external debt. The whole transport sector, by contrast, accounts for 1.7 per cent.

While the document [describes](#) Bhutan's investments in hydropower projects as 'commercially viable with significant export potential', due to lockdowns, the closing of international borders, and previous delays, some of these projects have [stalled](#), by as much as five years, with escalating costs.

Their success is economically crucial, albeit with social and environmental costs. The Druk Nyamrup Tshogpa government came into power in October 2018 on a platform of 'narrowing the gap' in incomes across Bhutanese society.

One of their pledges is to enhance hydropower development as a major source of national income. Some of their other pledges are aimed at reducing income inequality by eradicating poverty, improving jobs and livelihoods, and the introduction of a range of welfare schemes. As the government's focus and funds have been diverted to address problems directly related to COVID-19, other important national priorities, like these goals, the viability of its hydropower investments, and their social and economic impacts are being overlooked.

Distracted by a pandemic now largely under control in Bhutan, the government has been unable to capitalise on some of its previous policies. Investing in the areas Bhutan is known for, such as environmental conservation and the preservation of its rich tradition and heritage, may come with opportunity costs, but the government can't let them go ignored.

In the past, policies that focused on the preservation of Bhutan's rich Mahayana Buddhist and endogenous traditions and cultures helped in enhancing the country's global image. In turn, this helped promote tourism, an important sector for Bhutan's economy that benefits a wide range of stakeholders. With the pandemic coming under control, the government must look to being able to replicate these kinds of successes in the coming years.

Ultimately, with low COVID-19 case numbers and high vaccination levels, the government needs to turn its attention to other important national priorities if it hopes to keep its 2018 election promises.



## FOR MORE INFORMATION



[psrg@unsw.edu.au](mailto:psrg@unsw.edu.au)



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