

# TRANSCRIPT

## LEGISLATIVE ASSEMBLY ECONOMY AND INFRASTRUCTURE COMMITTEE

### **Inquiry into access to TAFE for learners with disability**

Melbourne—Wednesday, 10 March 2021

*(via videoconference)*

#### **MEMBERS**

Mr John Eren—Chair

Mr Brad Rowswell

Mr Gary Blackwood—Deputy Chair

Ms Steph Ryan

Ms Juliana Addison

Ms Kat Theophanous

Ms Christine Couzens

#### **WITNESS**

Dr Carina Garland, Assistant Secretary, Victorian Trades Hall Council.

**The CHAIR:** I want to start by acknowledging the Traditional Owners of the various lands on which we all gather today. I acknowledge that in this virtual environment we are gathering on many different lands. I pay my respects to elders past, present and emerging.

I advise that the sessions today are being broadcast live on the Parliament's website. Rebroadcast of the hearing is only permitted in accordance with Legislative Assembly Standing Order 234.

I would also like to welcome our guest this morning. We will start the broadcast, and I want to welcome you to the public hearings for the Legislative Assembly Economy and Infrastructure Committee's Inquiry into access to TAFE for learners with disability. If I can ask for all mobile phones to now be turned to silent.

All evidence taken by this Committee is protected by parliamentary privilege, therefore you are protected against any action for what you say here today, but if you repeat the same things outside this hearing, including on social media, those comments may not be protected by this privilege.

All evidence given today is being recorded by Hansard. You will be provided with a proof version of the transcript for you to check. Verified transcripts, PowerPoint presentations and handouts will be placed on the Committee's website as soon as possible. Could I please remind Members and witnesses to mute their microphones when not speaking, to minimise interference.

I invite our first guest to make a brief—about 10 to 15 minutes—opening statement to the Committee, which will be followed by questions from the Committee. Thank you.

**Dr GARLAND:** Great, thank you very much, and thanks so much for the opportunity to participate in this Inquiry. Victorian Trades Hall Council believe very firmly that vocational education is the domain of working people and all workers deserve a high-quality public TAFE system as a critical intervention in addressing inequality and providing meaningful, well-paid and secure jobs. Trades Hall recognises that progress has been made over recent years to expand and improve access to TAFE, including restoring a significant proportion of funding and rolling out important programs such as free TAFE. However, there is still much work to be done, specifically in ensuring TAFE has the resources to address barriers that deny workers with disabilities the opportunity to access training.

We come to this with three key principles, which are people with disabilities have the capability and right to access the same opportunities as anyone else; TAFE is essential to address inequalities, so access to TAFE should be expanded as a mechanism to addressing lasting inequality and have its funding base made more secure; and TAFE workers are passionate about helping all TAFE students but are not given the resources, including secure employment and professional development, needed to do so. The picture right now for people with disabilities is a pretty stark one. One in six people with disabilities live in poverty. They are twice more likely to be unemployed and two a half times more likely to be underemployed, so they are not getting enough hours or they are in insecure work. Of part-time workers with disabilities, about 32% are underemployed compared to 12% of the general workforce, so there is a big difference there. Labour force participation is only 53% for people with disabilities compared to 84% for non-disabled people.

We think that TAFEs have the potential to improve employment status for students with disabilities, but that is currently falling short. We know that workers with disabilities are more likely to be employed or in the labour force if they have a Certificate IV or higher qualification, but enrolments from students with disabilities in TAFE are falling. In 2018 it was about 7% of enrolments, and that is down from 9% in 2017, so we are seeing those numbers drop. Very few students with disabilities enrol in a diploma or above—only 5% in 2018. The existing system is not delivering. Even for students with disabilities who complete training, their employment rates are getting worse. We have seen 44.1% in 2019 compared to 52.5% in 2016.

We see that the Victorian Government has the opportunity here, and the need, to urgently intervene to ensure that TAFE fulfils its potential as a lever to improve equality. We believe that if TAFEs are fully funded, they can properly support students with disabilities.

The marketisation of the sector has significantly diminished specific funding, including the community service obligations fund, which was designed to help make campuses inclusive and improve facilities more broadly. A lack of funding to build inclusive infrastructure has led to discrimination, which has shut out students with disabilities. Our affiliated unions at Trades Hall have reported that their members are having to fight tooth and nail for years to help students access basic entitlements such as bathroom facilities and ramps. The NDIS and

federal funding programs at the moment fail to support people with disabilities to access vocational education and training opportunities, so really it is up to the state government, to the Victorian government, to ensure that VET is properly resourced and accessible for students with disabilities through TAFEs.

In addition, a lack of funding in job security for staff at TAFEs also means that they do not often have the time, support and resources to provide the additional assistance required to help students with disabilities through their training, and a lack of professional development also means that TAFE staff are not supported in developing the capabilities needed to deliver better outcomes for students with disabilities. We have seen the massive investment and improvement in our vocational education and training system under this government, and we are also really heartened to have seen the work of the Macklin inquiry into skills more broadly in the state, so we think that the Victorian Government is really, really well placed to make the meaningful interventions needed.

We see a lot at Trades Hall that workers and apprentices are facing a lot of different kinds of discrimination in their workplaces too, so workers and apprentices with disabilities face both interpersonal and institutional discrimination in the job market when they are looking for work. Employers routinely refuse to make adjustments for workers with disabilities, even in the interview process, and that prevents workers of course from attaining or retaining employment. Many workers with disabilities are denied basic access entitlements because they do not meet reasonable adjustments and are rejected on the basis of business grounds.

The supported wage system enshrines discriminatory rates of pay, despite a worker's capacity to undertake the relevant tasks and regardless of whether their disability actually affects their ability to work. I think this is a very shocking figure. As of July 2020, the lowest possible hourly rate of pay under the supported wages services award—I understand that is a federal system—is \$2.48 per hour, with no minimum weekly pay, and the incorporation then of traineeship rates under that award means that wages can be cut even further. We think that the opportunities therefore that people are able to access with disabilities are limited and unfair and based on a system that does not see the whole person.

I thank the Committee for the opportunity to present to you today, and I look forward to seeing what comes out of this process to improve opportunities for people with disabilities in our TAFE system. Thank you.

**The CHAIR:** Thank you, Carina. That was very comprehensive. Can I just ask in terms of state government, what can we do to change the situation, some of the issues that you have highlighted? Is there an immediate action we can take as a government?

**Dr GARLAND:** Well, yes, I think funding, if that is an immediate step that can be taken, is something definitely that the state government can do. So, for example, we think that there should be some specific funding made available to TAFEs to support students with disabilities undertaking training, and we believe as well that there should be a maintenance fund for the ongoing upkeep of TAFEs. In terms of their buildings, making sure that basic accessibility is possible for people with disabilities, so things like doorways and points of entry having ramps, all stairs having wheelchair-accessible lifts, making accommodations in terms of the desk levels in classrooms and of course ambulant bathrooms being available in every facility across campus. We think broader reform in the system would have some very good impacts for people with disability, so establishing a unified public TAFE system where TAFEs get a guaranteed 70 per cent of VET funding, which will enable them to put that funding towards improving accessibility. We think that there needs to be higher minimum standards within a unified system for students with disabilities to access the system.

In terms of the workforce—of course we represent a lot of the education unions in Victoria—making sure that professional staff have ongoing and secure jobs and have the ability to support students with disabilities through their journey, whether that is in the classroom or outside of the classroom with those wraparound support services so we really have quite a holistic approach. Making sure that the staff are supported in secure employment is a very important step in making sure that then students are supported too. I mean, it depends on how immediate funding can be of course, but we think that there is an urgent need for this issue to be addressed.

**The CHAIR:** Thank you. Gary, did you have a question?

**Mr BLACKWOOD:** So, Carina, just to explore that previous question and answer you gave a bit further, you mentioned in your introduction that staff were feeling insecure in terms of their workplace arrangements. Could you give us a bit of an indication of how the Government could allocate funding for staff in a better way

or support them in a better way, and also in regard to infrastructure too, how could the Government allocate that funding better across the TAFE sector?

**Dr GARLAND:** Great. Thanks for that. Well, in terms of the support services, so the staff that work in TAFEs providing those support services, really we would be seeking for the Government to reinstate recurrent funding for those support services, which would lift those levels of staff up to about 40 to 50% of staff on campus. So that is, I guess, where we would see the funding model working there. More broadly across TAFE, really making sure that we have got 70% of all VET funding guaranteed for the TAFE system, so that they are able to have that assurance—the funding—offer people secure jobs and then invest in making sure that the curriculum is something that is accessible for all. So that is how we would break down the funding.

**Mr BLACKWOOD:** And infrastructure, how can we improve the way funding for infrastructure is allocated across the system?

**Dr GARLAND:** I guess going back to the previous question and the answer there, around providing really specific, identifiable funding to a maintenance fund, for instance. So making sure that there is clear money set aside for infrastructure both in terms of making sure it is there in the first place but then making sure that as standards change, as campuses expand, as numbers grow it is always going to be fit for purpose.

**Mr BLACKWOOD:** Okay. Thanks, Carina.

**The CHAIR:** Kat, do you have a question?

**Ms THEOPHANOUS:** Thank you, Chair, and thank you, Carina, for your evidence so far. My question goes to part of your submission. You have got recommendation 11 which relates to a licensing system for employers seeking to take on apprentices, trainees and VET students for placement. Could you just expand on what barriers emerge when trying to set up work placements for students with disabilities and how that might be overcome?

**Dr GARLAND:** Yes, certainly. Thank you. So recommendation 11, the licensing system, it would be something that there would be benefits for students with disabilities, if that were in place, but also for all students that we see undertaking apprenticeships or traineeships. To give you some context, we deal with a lot of young workers through the Young Workers Centre here at Trades Hall, and we have been inundated with inquiries and issues from young apprentices who are experiencing all sorts of issues at work—wage theft, discrimination, bullying and harassment, and often these workers do suffer from some kind of disability also. And we see that employers are pretty unscrupulous when it comes to taking on some of these young workers and there are really no checks and balances or accountabilities in place to make sure that the employers are actually both meeting their legal obligations in terms of paying people correctly, providing them with payslips and all those things that I think we would expect an employer to do, but they are also not providing safe workplaces, and that also goes to bullying young workers when they might disclose that they have a disability.

So we think that we need in Victoria to institute a licensing system so that we are able to ensure that employers are able to properly supervise apprentices and trainees when they are trying to learn their vocation. So that is really where that recommendation comes from—what we see is unfortunately pretty widespread exploitation of young people in apprenticeships and traineeships in this state. We have one of the lowest completion rates in Australia for apprenticeships at the moment, so we think that if we are able to lift the standard of employers and get some real rigour in the system we will have apprentices actually complete rather than drop out citing workplace bullying, harassment, wage theft, discrimination and all of those other awful things.

**The CHAIR:** Thank you. Juliana, would you like to ask a question?

**Ms ADDISON:** Thank you, John, and thank you, Carina, for some thought-provoking ideas put forward so far. Thank you for all that you have done and to Trades Hall for the work they do, particularly with our vulnerable young workers. It is so important.

Just continuing on from this idea of licensing and wanting to make sure that our Victorians with a disability get looked after on the job, what else could the Victorian Government be doing to increase the participation of learners with a disability in apprenticeships and traineeships? We have talked about what we could do to make it safer for them, but what else could we be actually doing to increase their participation?

**Dr GARLAND:** Thank you so much for the question. Look, our recommendation 8 probably goes to this point, which is really about introducing a mandatory minimum ratio of disability support officers to work with students with disabilities to navigate through this system. It is a really tricky system sometimes to navigate through, vocational education and training. And if you have already got some obstacles in your way, it is going to of course be even harder, so some really targeted funding for people whose job it is to help those students with disabilities really make the most of the opportunity of vocational education and training.

**Ms ADDISON:** Thanks.

**The CHAIR:** Excellent. Thank you. Any further questions by Members?

**Mr ROWSWELL:** Chair, if I may.

**Dr GARLAND:** Brad, hi.

**Mr ROWSWELL:** Hi. Thanks for your presentation, Carina, and for the work that Trades Hall Council has put into their submission. A couple of things. You mentioned the infrastructure needs on particular campuses and how that is an initial barrier. That is concerning to me, that that would still be the case in 2021. Have you got a sense of the scope of that? Is there a suggestion that there are entire campuses without accessibility options for people with a disability, or is it targeting some parts of campuses? Have you got a sense of what that actually looks like?

**Dr GARLAND:** Look, I could not answer that in I think the sort of accurate detail that I would want to, but certainly we do hear from our workers who are from our affiliate unions that they do have to spend a lot of time trying to help students with disabilities access the campuses in various ways, whether that is trying to book classrooms where people are able to actually go to class and of course the issue of bathrooms as well. It is a basic dignity question there I think of course—making sure that the facilities are appropriate and not on the other side of campus for someone who is trying to learn.

In terms of those details, I would not have that data for you, but I think that it is really great that there is that recognition that it is important that we make sure that our campuses are able to be accessed so that every Victorian has the opportunity to learn and pursue a life with a great, secure job.

**The CHAIR:** Excellent. Any further questions? Yes, Juliana?

**Ms ADDISON:** John, I am happy to jump in. Carina, I was wondering if I could talk to you about the workforce capacity. How can the Victorian Government ensure all TAFE teachers and frontline staff are equipped to successfully interact with, teach and support learners with a direct disability? I am a former schoolteacher, and I know it can be very difficult in a classroom when you have got a very large classroom and some students do need additional support. What could we be doing in the TAFE sector to provide these learners with a disability with more support?

**Dr GARLAND:** Thank you. I think that as a starting point making sure we have got the disability support officers on campus, but in addition, reinstating the recurrent funding for the support staff—that 40 to 50% level of staff on campus—so that it is easier for students, not just inside the classroom but outside the classroom too, to access libraries and other facilities on campus, counselling services as well, all of those sorts of services that can be provided outside of the classroom.

In terms of inside the classroom, I think there is a real role that the Victorian Government can play in terms of educating TAFE teachers and providing them with the practical skills they will need to feel confident in their ability to support students adequately, and also, if there are issues that emerge in a classroom that they need to escalate, that they know how to do that. Of course the best way that teachers and all workers in their workplaces can try and get that sort of support is through joining their unions and working with the unions.

**The CHAIR:** Okay. Any further questions?

**Mr BLACKWOOD:** Yes, John, I have one, mate, for Carina. Carina, your submission mentions that most students with a disability undertake and achieve a Certificate I or II course, which I suppose is less likely to improve employment outcomes than higher course levels. What is limiting learners with disability from studying higher level courses, and how can this be addressed?

**Dr GARLAND:** Thanks for the question. I mean, I think those more intense courses at those higher levels obviously require a lot more both classroom and on-the-job training time, and we are seeing obviously the physical access issues are going to be an obstacle there, as well as I think the willingness from employers to actually give opportunities to young people who might want to undertake an apprenticeship or traineeship to do that critical on-the-job training that really will help them get the great jobs that I think we want all Victorians to have.

**Mr BLACKWOOD:** Thank you.

**The CHAIR:** Thanks, Carina. Is there anything further you would like to add?

**Dr GARLAND:** No, nothing from me.

**The CHAIR:** Thank you very much. Thanks for your submission today, very helpful. Thank you.

**Dr GARLAND:** Thank you so much.

**Witness withdrew.**