



Disability support workers & the classification of their work in the Social, Community, Home Care & Disability Services Industry Award

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Executive summary

Prompted by indications there is increasing misclassification and underclassification of workers in the growing disability support workforce, this report examines the evidence relating to the correct classification of disability support work in the relevant Modern Award, *The Social, Community, Home Care and Disability Services Industry Award 2010* (the SCHADS Award).

Misclassification and underclassification of disability support work have negative impacts on workers' pay, conditions and progression opportunities. They will also impact on the quality of support provided and the safety of workers and people with disability. In the disability services consumer market, in which there is considerable competition based on service price, they are also likely to have negative impacts on workforce sustainability, as wages are suppressed, and on the viability of the disability services organisations that are classifying workers correctly.

In the developing National Disability Insurance Scheme (NDIS) market for disability services there are new disability services providers, a greater diversity of providers, new and inexperienced workers, a more fragmented sector, greater isolation of workers and increased financial pressures on providers. There has been enormous expansion in the number of disability services providers and in the disability support workforce and there has been growth in home-based support. All of these factors may be contributing to some service providers misclassifying and/or underclassifying disability support work roles.

Typically, *misclassification* of disability support workers occurs where workers are incorrectly classified as Home Care sector workers instead of Social and Community Services (SACS) sector workers under *The Social, Community, Home Care and Disability Services Industry Award 2010* (the SCHADS Award). *Underclassification* occurs where disability support workers are employed as SACS sector workers but at the wrong classification level, typically at level 1 when they should be employed at level 2, but also at level 2 or 3 when work requirements are at level 3 or 4 respectively. Both misclassification and underclassification of disability support workers result in lower wages. This report sets out the evidence for the correct SCHADS Award classification of disability support workers being as SACS sector (i.e. *not* home care sector) employees at a minimum level 2.

Misclassification of some disability support workers appears to have arisen because some service providers have taken the view that where support work is primarily undertaken in an individual's private home it is home care sector work and therefore is correctly classified under the Home Care sector schedule in the SCHADS Award. The first part of this report examines the key distinctions between definitions of the SACS and Home Care sectors in the SCHADS Award and shows that location of the work is *not* a defining factor in the distinctions. It considers the historical distinction between home care on the one hand and disability services on the other to show how, in the industrial system, these came to be separate streams. The report then turns to subsequent processes in industrial relations that have confirmed this distinction in the SCHADS Award. Some of the large body of evidence accepted in the SACS Equal Pay case is cited to show that disability support work requirements across different jurisdictions are commensurate with their classification at a minimum level 2 of the SACS stream of the SCHADS Award.

Comparisons of the SCHADS Award classification descriptors are provided to unpack in detail the differences between the employee and work requirements of a) Home Care and SACS sector work; and b) different classification levels of SACS sector work. These comparisons provide the basis for consideration of current industry requirements and expectations of support work and workers under the NDIS policy and regulation.

The second part of the report outlines the changing context for disability support work and examines contemporary expectations and requirements of disability support workers under the NDIS. In detailing these, the report highlights that, if there has been any change under the NDIS, it is that there are heightened requirements and expectations of support workers.

The recently established NDIS quality and safeguarding measures set new standards for service practice, requirements for worker conduct and expectations for worker actions and knowledge. These measures include the mandatory NDIS Code of Conduct and the new NDIS Workforce Capability Framework that is described as translating the Code of Conduct and other standards into 'clear and observable behaviours that ... workers should demonstrate when delivering services to people with disability' (NDIS Commission 2021a, p. 8).

Both the NDIS Code of Conduct and Workforce Capability Framework set standards and requirements that align with the classification of workers at a *minimum* level 2 of the SACS schedule of the SCHADS Award. Examination of the detail of the NDIS measures indicates that support provision under the NDIS carries knowledge requirements and increased scope for disability support workers to exercise judgement and take initiative that could, in many instances, more closely align with SACS level 3 than level 2 work requirements. There is no alignment with work described in the Home Care schedule of the SCHADS Award. Nor is there alignment with SACS level 1 requirements under the Award.

In highlighting the contemporary requirements of disability support work the report points to the importance of correctly classifying work for meeting the objectives of the NDIS. Classifying this work correctly underpins service quality and safeguarding for NDIS participants. If misclassification and underclassification go unchecked in the NDIS market, it will not only have negative implications for workers and NDIS participants but may undermine the viability of service providers that are correctly classifying workers, with broader implications for workforce sustainability and system quality.

The NDIS pricing arrangements carry the assumption that disability support work is classified at SCHADS Award SACS levels 2-4. The pricing arrangements are a policy mechanism that reflect both the expectations of the National Disability Insurance Agency (NDIA) regarding the nature of support and support work required as well as industry practice. In relation to the latter, pricing is formulated in consultation with disability services providers. While NDIS prices are set as the *maximum* amount the NDIA will pay for support items (and as the maximum regulated price that providers can charge), from the outset, the costs of wages and associated costs of employment contained within these prices were established on the basis they provided for support workers employed at 'the reasonable minimum qualification and experience level' (NDIA 2014, p. 3). This reasonable *minimum* qualification and experience level of support workers required for the provision of NDIS supports is at SACS level 2.3 in NDIS pricing for supports.

The report shows that there is no basis for classifying support workers providing disability services as home care workers or as SCHADS level 1 workers. Such practice is inconsistent with both the definitions in the SCHADS Award and the work requirements, including with NDIS requirements for workers to meet service quality and participant safeguarding standards. The correct classification of support workers is under the SACS stream of the SCHADS Award at a minimum level 2.

Introduction

Background

Misclassification and underclassification of disability support workers in the growing disability support workforce may be an increasing problem. In the light of this, this report examines the evidence relating to the correct classification of disability support work in the applicable Modern Award, *The Social, Community, Home Care and Disability Services Industry Award 2010* (the SCHADS Award). In conjunction with the National Employment Standards and national minimum wage orders, the Award is part of the 'guaranteed safety net of fair relevant and enforceable minimum terms and conditions' provided for under the *Fair Work Act 2009* (FW Act) (FW Act, s 3).

Misclassification and underclassification of disability support work have negative impacts on workers' pay and progression opportunities. They also impact on the quality of support provided and the safety of workers and people with disability. They have consequences for workforce sustainability as wages are suppressed. They also have impacts on the viability of the many disability services organisations that are classifying workers correctly but are losing out in a consumer market for disability in which there is considerable competition based on the price of services (Macdonald 2021).

Australia's disability support workforce has grown strongly in recent years and is expected to continue to grow rapidly over at least the next five years. Workforce growth has accompanied changed support and funding arrangements and the development of a new individualised consumer market for disability support services under the NDIS. In the NDIS market, through which most publicly-funded support for people with significant disability is now provided, there are new and a greater diversity of disability services providers, a more fragmented sector and increased financial pressures on providers as well as many new and inexperienced workers and greater isolation of workers.

Prior to the NDIS, in 2011–2012, there were 2,277 organisations providing government-funded disability services under federal-state government agreements (AIHW 2013). In 2020 there were 11,000 active NDIS-registered service providers and an unknown number of providers of disability services not registered with the NDIS (Macdonald 2021). By 2024, it is estimated there will be 353,000 workers in the NDIS-funded workforce, with 90% of these being support workers (Australian Government, 2021b, p. 8). There has been growth in home-based support and approximately 66 per cent of disability support is now provided outside of institutional residential settings (Australian Government 2021). NDIS pricing has been, and continues to be, a key issue for service providers. In 2021 over half of disability service providers responding to an annual industry market survey worried they would not be able to continue providing NDIS services at current prices (NDS 2021). All of these factors may be contributing to some service providers misclassifying and/or underclassifying disability support work roles.

The SCHADS Award determines minimum pay rates, terms and conditions for disability support workers along with other employees in the 'social and community services' (SACS) sector. A separate schedule of the SCHADS Award sets out the pay and conditions for employees in the 'Home Care sector'. Typically, *misclassification* of disability support workers occurs where workers are classified as Home Care sector (as described in the Home Care Schedule E of the SCHADS Award) instead of SACS sector workers. *Underclassification* occurs where disability support workers are employed as SACS sector workers but at the wrong classification level of the SACS Schedule B of the SCHADS Award, typically at level 1 of the Award when they should be employed at level 2, but also at level 2 when work requirements are at level 3 of the Award. Both misclassification and underclassification of disability support workers result in lower wages.

The 2021 financial benchmarking study of NDIS service providers provides some information about the classifications applied by service providers to their workforces. This report shows a substantial minority of providers may be misclassifying support workers as home care workers and it shows some providers are paying support workers below the appropriate SCHADS Award rate (Deloitte Access Economics, 2021, pp. 51, 131-137). Despite this, the vast majority of providers charge their NDIS clients in accordance with the NDIA maximum prices for supports – prices that are based on the employment of support workers at a classification of SACS level 2.3 or higher (Deloitte Access Economics, 2021, p. 56).

This report sets out the evidence for classification of disability support workers as SACS sector (i.e. *not* home care sector) employees at a minimum level 2 of the SCHADS Award. The SCHADS Award itself provides the starting point for identifying SACS level 2 as the correct classification for disability support work. However, it is necessary to look beyond the definitions and descriptions provided in the Award, to consider both the history of disability services as part of the social and community services industry sector and the work in its contemporary context under the NDIS, to provide a complete picture of how the SCHADS Award should be applied correctly to disability support work.

Report structure

The remainder of this report is organised in two parts. The first part considers the evidence relating to disability support work as part of the social and community services sector and correctly classified as SACS work in the SCHADS Award, not as home care work. In this section, first, the key distinctions in definitions of the SACS and Home Care sectors in the SCHADS Award are examined. Following that a brief discussion of the historical development of the separate SACS and Home Care schedules of the SCHADS Award further serves to locate disability services within the SACS sector. The SACS Equal Pay Case is briefly discussed as a significant case in the industrial relations tribunal that recognised disability support workers as belonging to the SACS sector. Some of the large body of evidence presented in that case regarding disability support work across different jurisdictions is considered as this shows support work requirements are commensurate with a minimum classification of level 2 SACS work. This section of the report then examines the SCHADS Award descriptors to unpack in detail the differences in the employee and work descriptors for a) home care and SACS work and b) between different classification levels of SACS work. This provides a basis for consideration of current industry requirements under the NDIS policy and regulation, the focus of the second part of this report.

The second part of the report outlines the changing context for disability support practice and examines contemporary expectations and requirements of disability support work and workers under the NDIS as key elements supporting Australia's actions to meet its obligations under the international Convention on the Rights of Persons with Disabilities (CRPD). This part of the report explains the recently established NDIS quality and safeguarding measures that set new standards for service practice and requirements for worker conduct. First, it examines the mandatory requirements of disability support workers that have been established under the NDIS Code of Conduct. Then, it considers the expectations of workers set out in the new NDIS Workforce Capability Framework. In the final part of this section the NDIS pricing arrangements are explained, including the assumptions and expectations they entail regarding the roles and classifications of disability support workers in the NDIS.

Main findings and conclusion

This report draws on both historical industrial developments and contemporary practice, policy and regulatory arrangements to show that the correct classification of disability support work is at a minimum SACS level 2 of the SCHADS Award. It shows there is a clear distinction in the SCHADS

Award between SACS work and home care work and that disability support work is not described in the home care descriptors of the Award. It explains the long-standing distinction in the Award and how the separation of home care and SACS work has been confirmed in Fair Work Australia (FWA) and subsequently Fair Work Commission (FWC) decisions and proceedings. In outlining contemporary expectations of support workers in the NDIS, the report highlights that, if there has been any change under the NDIS, it is that there are heightened requirements and expectations of support workers, including under the mandatory NDIS Code of Conduct.

In highlighting the contemporary requirements of disability support work the report points to the importance of correctly classifying work for meeting the objectives of the NDIS. Classifying this work correctly underpins service quality and safeguarding for NDIS participants. If misclassification and underclassification go unchecked in the NDIS market, it will not only have negative implications for workers and NDIS participants but may undermine the viability of service providers that are correctly classifying workers, with broader implications for workforce sustainability and system quality.

1: Disability support work in the SACS sector

1.1 Overview of key distinctions in the SCHADS Award

The distinction between the Home Care *and* SACS sectors in the SCHADS Award is an important one for ensuring disability support worker employment is not *misclassified*. Misclassification of some disability support workers appears to have arisen because some service providers have taken the view that where support work is primarily undertaken in an individual's private home it is home care sector work and therefore correctly classified as home care under the SCHADS Award. However, this is not the case.

The SCHADS Award came into effect in 2010 as a result of the award modernisation process that saw the rolling of multiple awards into the single SCHADS award. In the SCHADS Award, there are four streams: a SACS sector stream which includes disability services along with a diverse range of other social and community services (including, for example, youth and children's services, migrant and settlement services, family support services) and three other streams each containing separate classification structures: a stream for home care workers, a crisis accommodation stream and a family day care stream. As explained in the next section, in relation to the separate streams for disability services and home care, these reflect the development of the two sectors whereby, historically, home care has not been part of the broad social and community services sector of not-for-profit service providers.

In the SCHADS Award **the SACS sector** is defined as:

... the provision of social and community services including social work, recreation work, welfare work, youth work or community development work, including organisations which primarily engage in policy, advocacy or representation on behalf of organisations carrying out such work and the provision of disability services including the provision of personal care and domestic and lifestyle support to a person with a disability in a community and/or residential setting including respite centre and day services (SCHADS Award 2021, s 3.1).

The defining characteristics of work and requirements of SACS employees at eight classification levels (B.1 to B.8) are described in Schedule B of the SCHADS Award—'*Classification Definitions—Social and Community Services Employees*' (also referred to elsewhere in this report as SACS Schedule B). General features of the work and employee requirements are described for each level, including the nature and scope of activities, responsibilities and decision-making; skills, experience and qualifications requirements; organisational relationships; and extent of authority.

The **Home Care sector** is defined in the SCHADS Award as 'the provision of personal care, domestic assistance or home maintenance to an aged person or a person with a disability in a private residence' (SCHADS Award 2021, s 3.1). Schedule E of the SCHADS Award '*Classification Definitions—Home Care Employees*'—describes defining characteristics of work and requirements of home care employees at five classification levels (E.1 to E.5).

While the Schedule E description shows home care work is confined to work 'in a private residence', the distinction between SACS sector employees and Home Care sector employees cannot be determined on the basis of the location of the work. This is made clear in the 'Definitions and Interpretation' Section 3.1 of the SCHADS Award, where it is stated: 'To avoid doubt, an employee will not be precluded from being engaged under Schedule B, instead of another schedule, merely because they provide services in a private residence or in outreach' (SCHADS Award 2021, s 3.1). This clause was inserted as a variation to the SCHADS Award in 2012 specifically to clarify that SACS

Schedule B (rather than the Home Care Schedule E) applied to disability support and other social welfare and community development roles that may be undertaken in these locations.¹

So, the classification definitions or descriptors that outline *the requirements of the work* in the SCHADS Award Schedule B (SACS sector employees) and Schedule E (Home Care employees) are important for determining the correct classification of an employee as a disability support worker or a home care worker, rather than the location of the work. A key difference between a disability support worker and a home care worker concerns the nature of the support provided to a person with disability. While both disability support workers and home care workers may provide personal care and domestic assistance, a disability support worker doing so provides assistance as part of their support for the person to meet identified goals in personal support plans for capability-building, independence and/or social or economic participation. The peak service provider body, the National Disability Services (NDS), describes this difference as being that:

Home Care classifications do not apply where the support is provided in accordance with an individual care plan for the provision of disability support, such as supports aimed at promoting independent living skills, and/or social inclusion. ... Disability support work is classified under the SACS stream regardless of the location of the work (NDS, 2017, p. 5).

The other important distinctions in the SCHADS Award for ensuring there is no *underclassification* of disability support workers are the distinctions between *different classification levels* in the Award. These distinctions are examined later in this report. The next section provides a brief overview of industrial developments up to the establishment of the SCHADS Award to make clear the historical basis for the current distinction between disability support services and support work in the SACS sector and work in the Home Care sector.

1.2 The history of disability services in the Social and Community Services sector

Historically and to the current time, most organisations providing specialist services for people with disability operate within the broader social and community services sector that is comprised of mainly not-for-profit organisations. The types of disability support services that are provided by SACS organisations include personal care, supported accommodation, education, community access and inclusion, employment assistance, and advocacy. Some disability services providers provide other social and community services, for example, programs and supports for young people, family and children's services and/or support for people experiencing homelessness (Cortis and Blaxland 2020). The development of industrial awards covering the SACS sector from the 1980s to the current SCHADS Award made in 2010 reflects the development of the sector and, in relation to disability services, it reflects the location of these services in the SACS sector.

Prior to the establishment of the national system of Modern Awards under the 2009 FW Act, multiple industrial awards in different Australian jurisdictions covered disability services. In some states disability services were included in the social and community services award; in other states there were separate disability awards.² However, more generally, disability services were part of the

¹ FWA 2012, Consent Determination *Modern Awards Review 2012—application to vary the Social, Community, Home Care and Disability Services Industry Award 2010*. (MA000100 PR531544)
<https://www.fwc.gov.au/documents/awardsandorders/html/pr531544.htm>.

² For NSW see Statement of Sally McManus, in Application by The Australian Municipal, Administrative, Clerical and Services Union and Others for an Equal Remuneration Order in the Social and Community Services Industry, (C2010/3131), Exhibit ASU 34, para 32.
https://www.fwc.gov.au/documents/sites/remuneration/exhibits/exhibit_asu_34.pdf.

SACS sector, with many of the not-for-profit providers delivering a range of social and community services (Briggs, Meagher & Healy 2007).

The industrial distinction between home care services (and home care work) and disability services (and disability support work) is long standing. Historically, home care was not included in SACS awards. For example, in the largest state jurisdiction, New South Wales, a home care award was first made in 1993 (Briggs, Meagher & Healy, 2007, p. 501). With the making of the 2010 SCHADS Award, the distinction between the home care sector and the broader SACS sector was maintained. In the award modernisation process, 47 state and federal awards formed the new (current) SCHADS Award (Charlesworth, 2012, p. 116). Initially, the SCHADS Award was proposed to have several separate streams for different sub-sectors of the SACS sector, with each containing their own classification descriptors (NDS 2017). In relation to disability services, in a decision on 26 March 2010, a full bench of the FWA, having heard from employers and unions, agreed the work of disability support should be included in the definition of the SACS sector.³

Since the introduction of the SCHADS Award in 2010, major proceedings in the FWC have confirmed that these historic distinctions carry through to current understandings of the differences between disability support work in the SACS sector and home care work in the Home Care sector. These proceedings are the SACS Equal Remuneration Case (the SACS Equal Pay Case) and the review of the SCHADS Award as part of the Four-Yearly Reviews of Modern Awards by the FWC, explained below.

1.3 The SACS sector, the SACS Equal Pay Case and the Modern Award Review

A provision for 'equal remuneration for men and women workers for work of equal or comparable value' in the new FW Act removed historic barriers to equal pay claims, providing the opportunity for the SACS sector unions, led by the Australian Services Union (ASU), to seek an equal remuneration order for SACS sector work based on gendered undervaluation (Cortis & Meagher 2012). The SACS Equal Pay application was made in 2010 and, after 'a lengthy process involving more than 100 submissions, 20 site visits and evidence from numerous workers, managers, union officials and academic experts', in May 2011 a full bench of the FWA ruled in favour of making an equal remuneration order (Cortis & Meagher 2012, p. 381). In this decision it was accepted that SACS work was underpaid and that gender was a key factor in the undervaluation of work. In their final decision, in February 2012, a FWA full bench awarded increases of between 19% and 41% to the wages of SACS work performed at levels 2 to 8 of Schedule B of the SCHADS Award.

The Equal Pay Case is significant in regard to the current classification of disability support work for two reasons. First, in this recent major case disability support workers were recognised as belonging to the SACS sector, along with other employees in organisations providing social and community services (for example, youth and children's services, migrant and settlement services, family support services) and the distinction between disability support work and home care work was also maintained. Home care workers were not included in the SACS Equal Pay Case as they were not part of the SACS sector. Second, the evidence considered in this case concerning disability support work showed that, across the country, disability support work requirements were commensurate with level 2 and above of the SACS Schedule B of the SCHADS Award. The first issue is considered in more detail here, and the second is considered in the section that follows.

The distinction between SACS and home care as it is described in the SCHADS Award was accepted in the Equal Pay Case. The Equal Remuneration Order made by the FWA defined the SACS sector as it is

³ FWA 2010a, 'Decision, Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 Sch. 5, Item 14—Variation of modern award', [2010] FWAFB 2024, p. 2. Viewed 28 November 2021. <https://www.fwc.gov.au/documents/decisionssigned/html/2010fwafb2024.htm>.

described in the SCHADS Award (see section ‘the SACS Sector and the Home Care Sector’ above).⁴ The FWA Full Bench accepted submissions that home care work was distinct from disability support work with the distinction based on what was referred to as the ‘social or welfare’ nature of disability work. A witness statement of Sally McManus, then Secretary of the NSW & ACT Branch of the ASU, included:

Many workers in the disability sector will perform duties that are of a personal care nature, however this is only part of their role. They implement personal plans that cover all aspects of a person's life. They also perform work that includes teaching, promoting or maintaining living skills, client advocacy, promoting or supporting community access and social inclusion.⁵

The SACS Equal Pay Case was conducted prior to the implementation of the NDIS. However, individualised support packages (ISPs) for people with disability had already been introduced in many jurisdictions (Fisher et al. 2010) and there was a trend towards increased provision of disability support services (as distinct from home care services) in private homes prior to the NDIS. In a witness statement submitted in the Equal Pay Case, Lloyd Williams, at the time Secretary of the Victoria No 2 Branch of the Health Services Union (known as Health and Community Services Union [HACSU]), stated:

The provision of care for people with a disability living in their own homes is by far the fastest growing area of the disability services sector. It is considerably less expensive to provide disability services to a client in their own home than it is to provide those services and to accommodate them in a CRU. Further, providing services to clients in their own home reflects the increasing move towards recognition of the benefit of person centred care, which enhances individuality, choice and independence for the person with a disability.

ISPs place these decisions within the client's control. The client can use the funds to achieve his or her specific goals, or implement his or her individualised support plan. The client can change his or her mind about the choices that are made, such as choosing to engage in more or less community access activities in a particular month.⁶

Subsequent to the SACS Equal Pay case, in other major FWC proceedings—the Four Yearly Review of Modern Awards—the distinction between disability services and the home care sector was also acknowledged, by the FWC, by unions and by employer groups.⁷ For example, in 2019, following an

⁴ FWA 2012. Order, Equal Remuneration Case, Australian Municipal, Administrative, Clerical and Services Union and others (C2010/3131) [MA000100 PR525485], <https://www.fwc.gov.au/documents/awardsandorders/html/pr525485.htm>.

⁵ Statement of Sally McManus, in ‘Application by The Australian Municipal, Administrative, Clerical and Services Union and Others for an Equal Remuneration Order in the Social and Community Services Industry’, (C2010/3131), Exhibit ASU 34, paras 138-139. https://www.fwc.gov.au/documents/sites/remuneration/exhibits/exhibit_asu_34.pdf.

⁶ Statement of Lloyd Williams, in ‘Application by The Australian Municipal, Administrative, Clerical and Services Union and Others for an Equal Remuneration Order in the Social and Community Services Industry’, (C2010/3131), Exhibit ASU 51, paras 146-148. https://www.fwc.gov.au/documents/sites/remuneration/exhibits/exhibit_asu_51.pdf.

⁷ See ASU, Submission in reply of the Australian Services Union, s.156—Four Yearly Review of Modern Awards—Social, Community, Home Care and Disability Services Industry Award 2010, (AM2018/285), paras 39-43 <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am201826-sub-asu-160919.pdf>,

initial submission that assumed disability support services provided to people in private homes were part of the home care sector, Australian Business Industrial (ABI) conceded this was not the case.⁸

While the SACS Equal pay case and subsequent FWC proceedings and decisions have confirmed the distinction in industrial regulation between home care and disability services they have also generated a great deal of evidence and demonstrated there is some consensus about the nature and work value of disability support work. This is discussed in the next section.

1.4 Disability support work: Evidence presented in the SACS Equal Pay case

As explained above, a significant body of evidence concerning the nature and requirements of disability support work was brought together and considered in the SACS Equal Pay case. This evidence—from site inspections in three states and witness statements from employers and workers—demonstrated that, in all jurisdictions and in diverse service contexts, disability support work requirements and practice are commensurate with work at classification level 2 or above of SACS Schedule B of the SCHADS Award and are not aligned with work requirements described in the Home Care Schedule E of the Award.

The extensive evidence heard and accepted in the SACS Equal Pay Case showed that, while disability support work can include the provision of personal care and/or domestic assistance (as with home care work), it also involves a significant element focused on building individual capacities and it requires workers to actively support the life choices and aspirations of the people they support. This can include teaching, promoting and maintaining living skills; supporting a person's decision-making; advocacy and supporting self-advocacy; and actively promoting and supporting social and community participation. Workers not only implemented care and support plans but were involved in their development, including assessment of individuals' needs. A selection of some of the evidence presented in the Equal Pay Case is described here to illustrate the diversity of responsibilities and the complexity of the work undertaken by disability support workers, including where workers are supporting people who may live in private homes.

In a statement made by Catherine Dickson, Director, Community Support Services and Business Improvement, Disability Services Australia (DSA), Ms Dickson describes how she is 'responsible for over 250 direct support staff and a management and consultant team of thirty two' (p. 2). She explains that support staff at DSA are responsible for people with disability who may be living independently, in shared accommodation or living with family. Support staff skills contribute to developing individual's abilities to gain and maintain daily living skills, maintain a home and possessions, manage personal and shared budgets, access day time activities, develop relationships in the community, maintain relationships with family and friends and live healthy active lives. She identifies factors contributing to the complexity of the work as including the extent of impairment of the person, their behaviour and the range and type of interventions support staff may need to make to ensure their own and their client's safety.⁹

See FWC Decision, s.156–4 yearly review of modern awards—*Social, Community, Home Care and Disability Services Industry Award 2010*—Substantive claims, (AM2018/26), paras 788-800, https://www.fwc.gov.au/documents/decisionssigned/html/2021fwcfb2383.htm#P5070_449840 and ABI and others, Submission, s.156–Four Yearly Review of Modern Awards—*Social, Community, Home Care and Disability Services Industry Award 2010* - Substantive Issues, (AM2018/26) and others, para 5.3. <https://www.fwc.gov.au/documents/sites/awardsmodernfouryr/am201826-sub-abi-anors-020719.pdf>.

⁸ *ibid*, FWC and ABI.

⁹ Statement of Catherine Dickson, in 'Application by The Australian Municipal, Administrative, Clerical and Services Union and Others for an Equal Remuneration Order in the Social and Community Services Industry' (ASU ER Application) (C2010/3131), Exhibit ASU 95. https://www.fwc.gov.au/documents/sites/remuneration/exhibits/exhibit_asu_95.pdf.

At a site visit to Onemda, a day service for people with disability providing a range of support services aimed at improving living skills and supporting quality of life, the FWA heard about the range of support services provided. These included skill development programs such as cooking programs where workers provided instruction and guidance to people on how to keep themselves and others safe and develop healthy eating plans. Among other services there was a therapeutic gardening program and a social and living skills program to develop knowledge of and skills to demonstrate behaviours for different social situations. Support workers were required to present written reports on people's activities based on individuals' support plans.¹⁰

Witness 60 (W60) was employed as a Community Support Worker by Kirinari. This worker performed the same tasks in two community-based homes, one in NSW and the other in Victoria. She described her work responsibilities as including attending to people's personal financial arrangements to ensure their banking accuracy; menu planning, encouraging participation in meal preparation; distributing medication; responding to government services such as Centrelink on behalf of individuals; making personal and medical appointments and implementing supports to ensure appointments are met; recording health observations such as blood sugars, bowel monitoring and food and fluid intake; planning and implementing community-based activities; implementing behaviour modification plans and ensuring daily hygiene and a clean living environment.¹¹

These examples represent a small sample of the evidence relied on by the FWA Full Bench in the SACS Equal Pay decision that recognised the skills and complexity of SACS work and the undervaluation of the work. Significantly, the only evidence heard in the Equal Pay Case pertaining to SACS workers employed at classification Level 2 concerned disability support workers.¹² The FWA Full Bench decision in the SACS Equal Pay Case remains the most recent and authoritative in respect of disability support work. As demonstrated in the latter half of this report, changes in disability support work since this case have led to higher expectations of disability support workers, in all work contexts.

Before turning to expectations in the contemporary work context, the next section of the report provides a comparison of the classification descriptors in the SACS Schedule B and Home Care Schedule E of the SCHADS Award to unpack in detail the differences between the work requirements of disability support workers (employed in the SACS sector) and home care workers (in the Home Care sector). This section shows that disability support work as described in the large body of evidence presented to the SACS Equal Pay Case aligns with the SACS Schedule B employee descriptors rather than the Home Care Schedule E descriptors.

¹⁰ Site inspection of Onemda, in 'ASU and Others ER Application', (C2010/3131), Exhibit ASU 101. https://www.fwc.gov.au/documents/sites/remuneration/exhibits/exhibit_asu_101.pdf

¹¹ Statement of Witness 60, in 'ASU and Others ER Application', (C2010/3131), Exhibit W60. https://www.fwc.gov.au/documents/sites/remuneration/submissions/hsu_submission_w60.pdf

¹² Personal communication with Judith Wright, 29 September 2021.

1.5 The SCHADS Award: SACS Schedule B and Home Care Schedule E

As noted, misclassification typically occurs where disability support workers are classified as Schedule E Home Care employees (at any level) instead of at the appropriate level in the SACS Schedule B. In this section, the report looks more closely at the SCHADS Award descriptions of employees and their job requirements. This highlights the differences in the work contexts and tasks undertaken by disability support workers and home care employees.

This section focuses on some key descriptors. A full comparison of all relevant classification descriptors in the SCHADS Award SACS Schedule B and Home Care Schedule E descriptors is provided as Appendix A to this report.

The classification descriptors provided in the SCHADS Award Schedule B describe the SACS work context, the type of work responsibilities and the training or qualifications required by employees at each of eight classification levels. As described above, the SACS sector is defined in the SCHADS Award as including the provision of support services and policy, advocacy and representation. In addition, disability support work is also defined as:

... the provision of disability services including the provision of personal care and domestic and lifestyle support to a person with a disability in a community and/or residential setting including respite centre and day services (SCHADS Award 2021, s. 3.1).

The SCHADS Award descriptors provide indicative responsibilities but do not include a comprehensive list of the full range of typical duties a disability support worker might undertake. Some of the **SACS Schedule B descriptors** expressly refer to personal care and support work undertaken as part of the provision of disability services, including:

At SACS Level 1:

- 'resident contact and interaction including attending to their personal care...under direct or routine supervision and either individually or as part of a team as part of the delivery of disability services' (B.1.2(g)); and
- 'preparation of the full range of domestic duties including cleaning and food service, assistance to residents in carrying out personal care tasks under general supervision either individually or as part of a team as part of the delivery of disability services' (B.1.2(h)).

At SACS level 2:

- 'supervising or providing a wide range of personal care services to residents under limited supervision either individually or as part of a team as part of the delivery of disability services' (B.2.2(l));
- 'implementing client skills and activities programmes under limited supervision either individually or as part of a team as part of the delivery of disability services' (B.2.2(k));
- 'assisting in the development or implementation of resident care plans or the planning, cooking or preparation of the full range of meals under limited supervision either individually or as part of a team as part of the delivery of disability services' (B.2.2(m)); and
- 'possessing an appropriate qualification (as identified by the employer) at the level of certificate 4 or above and supervising the work of others (including work allocation, rostering and providing guidance) as part of the delivery of disability services as described above ...' (B.2.2(n)).

At SACS level 3:

- in the delivery of disability services as described in subclauses B.1.2 or B.2.2 taking overall responsibility for the personal care of residents; training, co ordinating and supervising other employees and scheduling work programmes; and assisting in liaison and co-ordination with other services and programmes.....' (B.3.2(o)).

The **Home Care (Schedule E) descriptors** refer to the provision of personal care, but not to this as part of the provision of disability services. References to 'support' are linked to domestic assistance and support. Personal care work is not referred to at all in the level 1 home care classification descriptors. The 'broad tasks' undertaken by an employee at this level involve 'the provision of domestic assistance and support' (Schedule E). The list of indicative tasks for a level 1 employee provides more insight into what 'support' means here, with this list as follows:

... the undertaking of semi-skilled work, including cleaning, vacuuming, dusting, washing and ironing, shopping, sweeping paths, minor maintenance jobs, preparation and cooking of meals, defrosting refrigerators, emptying and cleaning of commodes, banking and account payment, organising appointments, assistance with care of pets, and care of indoor and outdoor pot plants (SCHADS Award 2021, Schedule E, level 1).

At level 2 of the Home Care Schedule E 'the provision of domestic assistance and support' includes provision of personal care but, unlike in the SACS Schedule B, personal care is not provided in the context of delivering a broader program of services, activities or training, nor is it a 'wide range of personal care services'. Rather, personal care is provided as one of the following indicative tasks:

the provision of personal care, supervising daily hygiene, laying out clothes and assisting in dressing, make beds, tidy rooms, preparation and cooking of meals and assistance with meals, dry cleaning, perform gardening duties, undertake basic repairs, clean, fitting and removal of aids and appliances, monitoring medications, fitting and changing of catheters, assistance with communication, accompanying clients on outings, domestic assistance and organising appointments (SCHADS Award 2021, Schedule E, level 2).

At level 3 'the nature of the work is usually more specialised' and the indicative tasks include:

computer and other office skills; maintain mail register and records; sort, process and record invoices and correspondence; prepare meals and special functions; provide input into meal planning; order foodstuffs and commodities; liaise with dieticians on special needs; schedule work programs on a routine and regular basis; co-ordinate and direct the work of support staff including maintenance; ... oversee the provision of domestic services; provide personal care to clients with particular emphasis on those requiring extra help due to specific physical problems or frailty; schedule maintenance work programs on a routine and regular basis; plan, develop, and co-ordinate diversional therapy programs ... (SCHADS Award 2021, Schedule E, level 3).

Schedule E Home Care classifications clearly do not apply where personal care is provided as part of an individual support plan for people with disability. Home care work does not include the wider range of tasks involved providing supports aimed at promoting independent living skills, and/or supporting social inclusion, as is the case with disability support work in the SACS Schedule B.

1.6 Disability support workers in the SACS Schedule B

The previous sections address the question of *misclassification* of disability support workers and establishes that the classification of disability support workers in the SCHADS Modern Award is as SACS employees covered by Schedule B of the Award, not as home care employees under Schedule E.

Underclassification of disability support workers can also occur where employment is classified at a lower level of the SACS Schedule B than is commensurate with the work requirements.

Underclassification is probably most obvious where workers are incorrectly employed as SACS level 1 employees when they should be classified at level 2. The SACS level 1 classification has a very limited application to disability support work as shown by the comparison of SACS level 1 and SACS level 2 employee and job requirements below.

The large body of evidence presented in the SACS Equal Pay Case attesting to the nature and requirements of disability support work supports a conclusion that, across all types of providers and services, the job and skills requirements of disability support workers are highly unlikely to be aligned with SACS level 1 on the SACS Schedule B. The evidence provided in the latter half of this report—examining the contemporary expectations of disability support workers— confirms that disability support work is aligned with work requirements at SACS Level 2 and above.

However, before considering contemporary disability support worker roles and requirements, this section examines requirements at different classification levels of SACS Schedule B more closely. It briefly examines and compares the main requirements of disability support workers at levels 1, 2 and 3 of the SACS Schedule B. A full comparison of the relevant SCHADS Award SACS Schedule B descriptors for levels 1, 2 and 3 is provided as Appendix B to this report.

While many disability support workers' jobs are classified at SACS Level 2, examination of the SACS 2 descriptors shows, at this classification level, expectations of workers are fairly limited, including as work functions are well-defined by procedures and guidelines and there is limited scope for problem solving and exercising initiative. SACS Level 3 classifications apply where work is less routine, requiring employees to apply problem-solving skills that require knowledge and judgement acquired through qualifications and/or experience, or where employees have supervisory responsibilities.

A comparison of the Award descriptors for different levels also requires consideration of the characteristics and requirements that are *not* features of work at some classification levels but are present at higher levels. Notably, three key features of SACS Level 2 work that are not present at SACS Level 1 are: i) that the work provides limited scope for initiative; ii) the skills and knowledge requirements include developing knowledge of statutory requirements relevant to the workplace; and iii) the extent of authority includes the exercise of limited judgement. It can be inferred from this that SACS level 1 roles have little or no scope at all for use of initiative or problem solving and that knowledge requirements do not extend to policy and regulation. These limitations are significant when considered in the context of NDIS expectations and requirements of support workers to ensure quality and safeguarding, outlined in Section 2 of this report.

Summaries of requirements in the SACS Schedule classification descriptors for levels 1-3 are provided below. While some disability support workers roles carry work requirements commensurate with a SACS Level 4 classification the discussion in this report is mainly confined to SACS Levels 1-3, as underclassification may be occurring mostly within this range.

Summary SACS level 1 employee

The level 1 employee works under close direction and undertakes routine activities requiring the practical application of basic skills and techniques. General features of work consist of performing clearly defined activities with outcomes being readily attainable. Work is closely monitored with instruction and assistance readily available. Freedom to act is limited by standards and procedures. However, with experience, an employee at this level may have sufficient freedom to exercise judgement in the planning of their own work within those confines. The employee will be responsible for the time management of their work and is required to use basic numeracy, written and verbal communication skills, and where relevant, skills required to assist with personal care and lifestyle support. The employee applies established practices and procedures. Freedom to act is limited by standards and procedures. There is no scope for interpretation. Level 1 employees may include the initial recruit who may have limited relevant experience. An employee at this level will be involved in extensive on-the-job training.

Summary SACS level 2 employee

The level 2 employee works under general guidance and within clearly defined guidelines. This worker performs functions which are defined by established routines, methods, standards and procedures. Assistance is readily available and the worker has limited scope to exercise initiative in applying work practices and procedures. The employee may exercise limited judgement to solve problems, with guidance to be found in procedures, precedents and guidelines. Assistance will be available when problems occur. This worker implements client skills and activities programs under limited supervision; is responsible for managing time, planning and organising their own work and may be required to oversee and/or guide the work of a limited number of lower classified employees or volunteers. An employee at this level has knowledge of policies, developing knowledge of statutory requirements and knowledge of the application of techniques relevant to the workplace. The employee could be required to resolve minor work procedural issues in the relevant work area within established constraints.

Summary SACS level 3 employee

The level 3 employee works under general direction and applies well-established procedures, methods and guidelines under general direction. This worker solves problems of limited difficulty using knowledge, judgement and work organisational skills acquired through qualifications and/or previous work experience. There is scope for exercising initiative in the application of established practices, and problems can usually be solved by reference to procedures, documented methods and instructions. Assistance is available when problems occur. The employee may establish goals/objectives and outcomes for their own particular work program or project. The worker may be required to supervise lower classified staff or volunteers in their day-to-day work. They may undertake planning and co-ordination of activities within a clearly defined area of the organisation.

The above summaries (and detailed comparisons in Appendix B) show, at SACS level 1, an employee is likely to have limited or no experience, require close supervision and direction and be undertaking extensive on-the-job training. Their work activities are clearly defined and an experienced Level 1 employee's exercise of judgement is limited to planning their own work within well-established procedures, with assistance readily available and no scope for interpretation. This description is inconsistent with most support work requirements and practice described in the evidence presented during the SACS Equal pay case. It is also highly inconsistent with the expectations of disability support workers in the contemporary context, as outlined in the next sections of this report.

An employee at SACS level 2 also has limited responsibility and scope for decision-making. However, this employee is an experienced and skilled worker who applies their knowledge of established procedures, policies and the application of techniques to exercise judgement and solve problems

within established constraints. The requirements of a SACS level 2 employee are more closely aligned with disability support work as described in the SACS Equal Pay Case. However, where there is scope for exercising initiative in the application of established procedures, a requirement to solve problems of limited difficulty with reference to documents, and where a sound knowledge of procedures is required, disability support work requires a classification at SACS level 3. These requirements are indicated in some of the illustrative evidence from the SACS Equal Pay case, discussed in the previous section.

The first part of this report has focused on the distinctions between home care and disability support work in the SCHADS Award. It has briefly reviewed the history of the SCHADS Award and SACS sector, examined the Award descriptors and considered the evidence to FWC major cases and in decisions and industry evidence. The report now turns to disability support work in the context of the requirements and expectations in place under the NDIS.

2: Contemporary expectations of disability support work

2.1 Disability support work and the National Disability Insurance Scheme

The provision of publicly-funded support services for people with disability is now primarily through the NDIS. Implemented in stages from 2013 to 2020, the NDIS established a needs-based system of care and support for people that provides individualised support for approximately 500,000 people deemed to have ‘permanent and significant’ disability (NDIA 2019). Some support is also provided through states’ and territories’ transport accident compensation schemes and the Commonwealth Department of Veteran’s Affairs. Other supports for people with disability, including people not eligible for the NDIS, are expected to be provided by mainstream services providers.

For several years prior to the first NDIS trial sites being established in 2013, person-centred approaches to planning, design and delivery of disability support services had been implemented by many disability services providers. For example, before the NDIS, about one in five people with disability accessing support services under disability funding administered by states and territories had a personalised support plan with an individual funding package attached to the plan (Fisher et al., 2010). Person-centred support is strengths-focussed and emphasises responsiveness, support for self-determination and individual preferences. This shift to person-centred support is reflected in the changing requirements of the disability support work role over time whereby emphasis has shifted to be capability-building. The provision of direct personal care and support by employees can involve teaching skills and facilitating independence, undertaking advocacy and supporting self-advocacy, supporting decision-making, and promoting and assisting capability-development and community access, engagement and social inclusion, as outlined in this report.

The trend to adopting person-centred approaches to provision of services and supports for people with disability was rapidly advanced with the establishment of the NDIS. The *National Disability Insurance Scheme Act 2013* (the NDIS Act), in conjunction with other measures, gave effect to Australia’s obligations under the Convention on the Rights of Persons with Disabilities (CRPD) effective from 2008 (NDIS Act 2013, s. 3.1 (a); United Nations 2001). Enshrined in both the CRPD and the NDIS Act is the principle of respect for inherent dignity and individual autonomy, including the freedom to make one’s own choices. The CRPD represented a paradigm shift in attitudes and approaches to people with disability away from being objects of charity, treatment and social protection, as does the NDIS. This shift is underpinned by a social model of disability in which ‘disability’ is understood as arising from the interaction between people with impairments and the barriers they encounter in the external environment. This understanding requires change in the environment to accommodate people with disability rather than requiring people with disability having to adapt (People with Disability Australia 2021). It is in this context that individual choice and control over supports is considered central to citizenship, social inclusion and human rights.

Reflecting this shift, the objects of the NDIS Act include to ‘enable people with disability to exercise choice and control in the pursuit of their goals and the planning and delivery of their supports’, and to support their ‘independence and social and economic participation’. An individualised funding scheme, the NDIS provides for individual support plans to be developed based on each person’s needs, aspirations and goals. NDIS funding is directed to each ‘NDIS participant’ rather than to service providers, as was the previously the case. Individualised funding gives NDIS participants power to exercise choice and control in regard to the services and supports they receive, as they are re-cast as service consumers in the new system in which supports are purchased in the NDIS market.

Support workers are critical in achieving the changes demanded by these shifts. They make up the vast majority of the NDIS workforce and they provide many of the supports funded under the NDIS. They are the main determinant of service quality in disability support services. Further, under NDIS

arrangements disability services organisations have very low capital intensity (AbleInsight 2019). Disability support work is often undertaken without close oversight; supervisors oversee the work of a relatively large number of support workers and the workforce is dispersed (DSS, 2021, p. 8).

This suggests some aspects of the disability support worker's role will be more complex, there may be increased knowledge requirements and expanded scope for the exercise of judgement and initiative, as more individualised support provision requires greater responsiveness and may be less routine. As outlined in the sections that follow, this is certainly the case in the requirements articulated in NDIS policy and regulatory standards for workers.

With the establishment of the NDIS there is a suite of national policy and regulation for disability services providers and workers that underpins requirements to provide supports and services in ways that uphold the rights of people with disability and supports capability-building. A whole new set of rules, regulations, guidelines, policies and operational guidelines set expectations for disability support work and workers.¹³

In 2016 the *NDIS Quality and Safeguarding Framework* (the Q&S Framework) (DSS 2016) was developed as 'regulatory policy' to establish a consistent national approach to quality and safeguarding, in addition to advancing the rights of people with disability in the NDIS. The objectives of the Q&S Framework are 'to ensure NDIS-funded supports:

- uphold the rights of people with disability, including their rights as consumers,
- facilitate informed decision making by people with disability,
- are effective in achieving person-centred outcomes for people with disability in ways that support and reflect their preferences and expectations,
- are safe and fit for purpose,
- allow participants to live free from abuse, violence, neglect and exploitation, and
- enable effective monitoring and responses to emerging issues as the NDIS develops' (DSS 2016, pp. 6, 8, 11).

The Q&S Framework includes measures targeted to individuals, the workforce and providers, including developmental, preventative and corrective measures. In relation to workforce, the main developmental measure identified is capability development, the main preventative measure is worker screening and the main corrective measure is monitoring worker conduct (DSS 2016, p. 13).

With the establishment in 2018 of the NDIS Quality and Safeguards Commission (NDIS Commission) as an independent agency and regulator, a range of new NDIS rules were put into place, including the *National Disability Insurance Scheme (Code of Conduct) Rules 2018* (the Code of Conduct) for workers and service providers and the *NDIS Practice Standards* and associated quality indicators for service providers. A range of other rules address incident management and reportable incidents, complaints management and resolution, and behaviour support and restrictive practices (NDIS Commission 2021). In 2021 *The NDIS Workforce Capability Framework* (the Workforce Capability Framework) was released identifying core and additional capabilities applying to all workers funded under the NDIS (NDIS Commission 2021b).

¹³ Two other processes underway in late 2021 may see the development of changed and/or additional regulatory requirements. First, the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability is undertaking consultations on its *Issues Paper on Safeguards and Quality*. Second, the Federal Government has commenced a process aiming to align regulation of Commonwealth-funded care and support including aged care, the NDIS and other disability services and veteran's care (see <https://www.health.gov.au/initiatives-and-programs/aligning-regulation-across-the-care-and-support-sectors>).

The Code of Conduct and the Workforce Capability Framework are both lengthy documents setting out clear expectations and standards for disability support work; they describe obligations, skills and knowledge requirements. These regulatory and policy documents contain detailed advice and prescriptions for what workers need to know, how they should behave, what they must be able to do and the standards they must meet. The requirements of workers contained in these documents clearly establish disability support work as SACS work that at a minimum is SACS level 2 or 3 work.

The sections that follow address, first, the Code of Conduct and second, the Workforce Capability Framework. For each, one aspect of the requirements and expectations of workers that are set out in the policy or regulation is examined in detail for its implications for disability support workers and their classification under the SCHADS Award. This exercise shows that the requirements of disability support workers in the NDIS unquestionably line up with the SACS Schedule B rather than the Home Care schedule E SCHADS classification descriptors and that the *minimum* correct classification for disability support workers is SACS level 2.

2.2 The NDIS Code of Conduct

The Code of Conduct came into force on 1 July 2018. The Code of Conduct applies to all workers and service providers engaged in the delivery of NDIS-funded disability services. Section 6 of the Code of Conduct sets out seven requirements a 'Code-covered person' must abide by when providing supports and services to people with disability:

- (a) act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions; and
- (b) respect the privacy of people with disability; and
- (c) provide supports and services in a safe and competent manner, with care and skill; and
- (d) act with integrity, honesty and transparency; and
- (e) promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability; and
- (f) take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability; and
- (g) take all reasonable steps to prevent and respond to sexual misconduct.

In 2019 the NDIS Commission published two sets of guidelines to assist workers and service providers understand what compliance with the Code of Conduct means in practice and outlining factors that may be relevant when assessing compliance with the Code of Conduct. These are *The NDIS Code of Conduct, Guidance for Service Providers* (Guidance for Providers), and *The NDIS Code of Conduct, Guidance for Workers* (Guidance for Workers)(NDIS Commission 2019a and 2019b respectively).

The Guidance for Providers includes the requirement that NDIS providers ensure their 'employee engagement, human resource and governance arrangements' comply with the Code of Conduct (NDIS Commission 2019a, p. 5). The Guidance for Providers also requires providers to review their policies, procedures and training approaches to reflect Code of Conduct requirements. Workers engaged by providers are expected to comply with the Code of Conduct and with the providers' policies and procedures, in addition to applying their 'professional experience and judgment' (NDIS Commission 2019b, p. 6).

The Guidance for Workers covers all workers engaged in the delivery of NDIS services, regardless of their job. The document spells out in some detail expectations of workers and it provides scenarios for each of the seven elements of the Code of Conduct, pointing to the factors that may be considered in assessing NDIS workers' compliance. Some of the scenarios provided in the Guidance clearly involve disability support workers, while other scenarios depict other workers; for example, service co-ordinators and allied health workers. However, all seven elements entail requirements for all NDIS workers.

In the discussion below expectations of workers providing supports to NDIS participants are examined for just one of the seven elements or requirements of the Code of Conduct listed at (a) to (g) above. This is the first requirement to **(a) Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.**

Practices and scenarios described in the Guidance for Workers relating to this requirement clearly articulate expectations of support workers employed to provide NDIS disability services that align with requirements under the SACS Schedule B of the SCHADS Award at classification levels 2 and 3.

The Guidance for Workers states that, consistent with workers' obligations to act with respect for individual rights, 'factors that may be relevant when assessing if conduct complies with this element of the Code include (but are not limited to) a worker's actions' to:

- Deliver services in a way that maintains the rights, standards and principles underpinning the NDIS.
- Support people with disability to make decisions.
- Communicate in a form, language and manner that enables people with disability to understand the information and make known their will and preferences.
- Take into account the expressed values, and beliefs of people with disability, including those relating to culture, faith, ethnicity, gender, gender identity, sexuality and age, as well as disability (NDIS Commission 2019b, pp. 6-9).

Details are given in the Guide concerning each of these four areas of workers' action.

For the first action: *Deliver services in a way that maintains the rights, standards and principles underpinning the NDIS* two scenarios are provided as examples of worker conduct. One scenario involves an NDIS participant getting 'travel training support' to travel to a job. In this scenario a worker is accompanying an NDIS participant on public transport and is told by a bus driver that the participant's wheelchair is too big. The worker asks the participant how he feels about the incident and if he wants to make a complaint. The worker then identifies how the participant might be assisted to make a complaint and works with him and an advocate to do so (NDIS Commission 2019b, p. 6).

The second area of workers' actions under the first requirement of the Code is *Support people with disability to make decisions*. Workers' actions to meet this obligation are described as:

...to ensure they (workers) have the capacity to listen to and support the person to make decisions. ... Supported decision-making is a model for supporting people with disability to make decisions. The person with disability weighs options and makes a decision, with the support of an individual or a network of people who they choose to involve because they

trust them to provide reliable, unbiased support for decision-making (NDIS Commission 2019b, p. 8).

Communicate in a form, language and manner that enables people with disability to understand the information and make known their will and preferences is the third area of worker conduct relevant to the obligation to respect individuals' rights. This is described in detail in the Guidance for Workers as meaning that, in practice, workers should:

- a) communicate in a form, language and manner that is accessible and appropriate;
- b) be able to use a range of communication tools to communicate with the people they support, using assistive technology and alternative forms of communication, such as email, text messages or symbols;
- c) where the person speaks a language other than English or uses Auslan, organise for someone who speaks their language or uses Auslan (where possible) to assist with important discussions, or use qualified interpreters, where this support is covered by their NDIS plan;
- d) confirm that the person with disability – and their families, carers or advocates (where relevant) – understands what has been explained, and is aware of potential benefits and risks associated with any part of a proposed plan for the delivery of supports and services; and
- e) respond to the will, preferences and concerns of the person with disability in relation to their supports and services – raising requests or complaints to be addressed by the NDIS provider, where necessary (NDIS Commission 2019b, p. 9).

The final area of worker action relevant to meeting the Code of Conduct obligation to act with respect for individual rights is to take into account the expressed values, and beliefs of people with disability, including those relating to culture, faith, ethnicity, gender, gender identity, sexuality and age, as well as disability (NDIS Commission 2019b, p. 9). This is described as meaning that, in practice, workers should:

- a) have an inclusive attitude;
- b) acknowledge and consider individual contexts, values and histories;
- c) work in a way that enables people with disability to feel as comfortable and safe as possible in their day-to-day interactions with workers;
- d) encourage people with disability to communicate their preferences for how their supports are delivered;
- e) offer people with disability culturally-sensitive activities; and
- f) respond to needs related to gender.

The Guidance for Workers document provides a scenario relating to this action. The scenario concerns a male NDIS participant whose service provider agreed to provide a male support worker to undertake daily personal care support to be consistent with the participant's religious beliefs. The provider rostered mostly female workers for the support work as they were unable to recruit male workers. The family did not complain due to previous negative experiences and lack of confidence in the English language and the situation continued until a support worker who spoke the family's first language understood their concerns and encouraged and supported them to complain to the service

provider. The worker also acted as an interpreter at a meeting between the provider and the participant to find a solution to the problem (NDIS Commission 2019b, p. 10).

These practices and scenarios described in the Code of Conduct Guidance for Workers for the first requirement, for workers to (a) *act with respect for individual rights...*, clearly articulate expectations of support workers employed to provide NDIS disability services that align with requirements under the SACS Schedule B of the SCHADS Award at levels 2 and 3.

For example, the scenario outlined above involving a support worker providing travel training shows that the provision of what could be either NDIS core or capacity building support entails expectations that the support worker will use their judgement and adopt a problem-solving approach. In this scenario the worker took action that is outside clearly established procedures and he exercised judgment to provide support that included supported decision-making and assistance with self-advocacy. The second scenario also demonstrates an expectation that support workers will have considerable scope for exercising initiative. In this case the support worker takes initiative to support an NDIS participant and his family to make a complaint about the service to the provider, her employer.

These scenarios provide clear-cut examples of how a correct classification of disability support work must take account of the entirety of the role. This includes recognising that workers do require a level of independence and scope for exercising initiative—drawing on gained experience and knowledge—to perform their jobs and meet mandatory basic conduct requirements and expectations under the NDIS that they support individuals’ goals and aspirations and provide services in ways that actively progress these. They show that these requirements are not aligned with the classification of support workers as home care workers or as SACS level 1 workers.

The discussions and examples here have drawn on only the first of the seven elements of the Code of Conduct. The other six elements also carry expectations of support workers that align with SACS Classification level 2 or higher.¹⁴ They require workers to: understand and apply philosophical understandings of disability and human rights; understand the cultural values of the people they support; support individual decision-making and explain the likely consequences of people’s decisions to them; explain privacy issues; advise of the limits to their own qualifications and competencies and refuse work for which they are not qualified; and take all reasonable steps to prevent and respond to sexual misconduct.

While the Code of Conduct requirements set mandatory minimum standards for workers’ conduct in the NDIS, the Workforce Capability Framework provides additional information about how workers are expected to act and what knowledge they need to have to meet support work requirements in the NDIS. This is discussed in the next section.

¹⁴ In addition to the Guidance for Workers, a 2-page summary of the requirements of the Code of Conduct (NDIS Commission 2019c), provides a succinct description of the standards workers must meet. See <https://www.ndiscommission.gov.au/sites/default/files/documents/2020-12/ndis-code-conduct-summary-workers-ov.pdf>.

2.3 The NDIS Workforce Capability Framework

In 2021 the NDIS Commission released *The NDIS Workforce Capability Framework* (the Workforce Capability Framework) 'to support consistency in practice and delivery of quality disability services across Australia' (NDIS Commission 2021b).

The Workforce Capability Framework is described as 'translating the NDIS Commission's principles, Practice Standards and Code of Conduct into clear and observable behaviours that service providers and workers should demonstrate when delivering services to people with disability' (NDIS Commission 2021b). The Workforce Capability Framework applies to:

... any worker funded under the NDIS, from a receptionist, gardener or driver through to support workers, health and allied health professionals, managers and business leaders, and gives clear, practical examples of how workers deliver supports and what they need to know (NDIS Commission 2021a, p. 8).

While not mandatory, the Workforce Capability Framework 'articulates the Australian Government's expectations around workforce quality' (DSS, 2021, p.12). The *NDIS National Workforce Plan* states 'it will be crucial for governments and industry to provide support to embed the attitudes, behaviours, skills and knowledge described in the Framework in the workforce' (DSS 2021, p. 12).

Figure E1 in Appendix C presents the structure and elements of the Workforce Capability Framework, which:

is written from the perspective of the NDIS participant and describes the core capabilities that workers need to deliver services and supports. It also describes a range of additional capabilities required by workers when working with participants who have support needs requiring specialised knowledge and/or skills (NDIS Commission 2021a).

The Workforce Capability Framework describes three different levels of 'core' capabilities that reflect *three different types of work* in the range of roles that provide services under the NDIS:

- *Ancillary Services*: covers a variety of work that does not involve providing personal support to participants. For example, services provided by receptionists, gardeners, drivers, etc.
- *General Support*: applies to most support workers who provide personal supports.
- *Advanced Support*: applies to support workers who deliver more complex, specialised or intense support activities. It also applies to allied health assistants, health and allied health practitioners, and other specialists (NDIS Commission 2021a, p. 4).

According to the NDIS Commission, the three levels of core capabilities reflect 'the complexity, intensity or specialised nature of the work' but 'do not align directly with (worker) classifications, pay grades or training requirements' (2021a, p. 9). However, as shown below, in describing worker roles and requirements they do provide some clear guidance for identifying employee classifications.

The Workforce Capability Framework describes core worker capabilities needed to meet five key objectives:

1. Our relationship: Set up our relationship for success
2. Your impact: Know your capabilities, role and impact
3. Support me: Support me to pursue what's important to me
4. Be Present: Be present and provide the support I need
5. Check In: Work with me to evaluate and act on what is working and what is not

All five objectives apply to workers who provide general or advanced support. Two types of additional capabilities may also apply to workers in general or advanced level support roles. These are:

- Identity capabilities requiring a deeper level of skill and knowledge workers may need when working with participants who identify as Aboriginal and/or Torres Strait Islander, culturally and linguistically diverse and/or LGBTIQ+; and
- Specialised capabilities applying to workers who support participants with specific needs, such as health, allied health and psychosocial support. These typically apply to workers in advanced support roles. (NDIS Commission 2021a, p. 5)

The complete list of Workforce Capability Framework core capability descriptors as they apply to all *General Support Work* roles is provided in Appendix C, along with additional capability descriptors that apply in some circumstances. These descriptors include behavioural indicators and knowledge requirements for each of the worker core capabilities identified as needed to meet the five objectives listed above.

The descriptors for the core capabilities of general support work roles for just one of the five objectives in the Workforce Capability Framework—'Support Me'—is reproduced in Table 1 below to illustrate the requirements of general support work in the NDIS.

Table 1: NDIS Workforce Capability Framework: "Support Me" Core Capability

Core Capability: Descriptors and behavioural indicators	Knowledge required
<p>SUPPORT ME: Support me to pursue what's important to me</p> <p>Understand what a good life means to me Find out what a good life means to me and don't impose your own assumptions.</p> <ul style="list-style-type: none"> • Support me to express who I am, what matters to me and what a good life means to me. • Be aware of your own judgements and check your assumptions about what I need or want for my health, relationships, work, education and leisure. • Respect what makes me unique, including my values, beliefs, skills, choices, and culture. Recognise that I may identify with more than one cultural or community group. • Work with me and my support team to understand my current strengths and what else I need to support my goals. <p>Support me to make my own choices Support me to understand, explore and think creatively about my options, and uphold my decisions.</p> <ul style="list-style-type: none"> • Respect and support my right to make choices, try things out, and take the risks I want while supporting me to be healthy and safe. • Respect my right to choice, control and privacy about my sexual orientation, relationships, gender 	<ul style="list-style-type: none"> • Basic understanding of the NDIS and where to go for further information. • The key elements that make up an individual's experience of a good life, such as building connections, friendships and intimate relationships, participation in work, education, community life and leisure, and positive health and wellbeing (including a healthy diet, physical exercise, and sexual health). • Diversity of social needs, preferences, and ways of connecting and being included in communities or activities of choice. How this can change over time and at different stages of life. • Strategies to support participants to take control and make choices about their supports and how they live their lives. • Importance of independence, self-expression and connection to

identity and expression, and/or my experiences and decisions about my body.

- Support me to explore and think creatively about the options available to me that can help me to express myself and live a good life.

Build my capacity to participate Understand how I want to participate in society and support me to build my knowledge and connections so that I can live the life I want.

- Support me to develop and maintain my friendships and social connections.
- Encourage and reinforce my choices to participate in the learning, work, leisure, social and/or sexual engagements I choose.

chosen communities to quality of life.

- Factors that contribute to good health such as a good diet, oral health, exercise, sleep and regular check-ups.
- The concept of dignity of risk and practices that support participants to stay safe without limiting their right to independence and choice such as strengthening social connection.

Source: NDIS Commission, 2021, <https://workforcecapability.ndiscommission.gov.au/>.

Among other requisite behaviours and knowledge, these descriptors describe requirements that demonstrate scope for initiative and problem-solving, the centrality to the work of the provision of guidance/training and advocacy and the need for knowledge gained from qualifications and/or experience that are clearly not aligned with home care work as described in the SCHADS Award, are beyond the requirements of SACS level 1 employees and are commensurate with SACS level 2 or 3. For example, there is no expectation or requirement at SACS classification level 1 that a worker will have the scope for judgment and initiative or the knowledge necessary to support a person with disability to understand, explore and think creatively about their options. Nor does the work involve working with an individual and their support team to understand the person's current strengths and what else they need to support their goals. There is certainly no such work requirement in home care work in the SCHADS Award. These requirements are potentially within the scope of SCHADS SACS level 2 work, although in many circumstances may require work at SACS levels 3 (See SCHADS classification descriptors for levels 1, 2 and 3 in Appendix B).

2.4 Disability support workers in NDIS pricing arrangements

The discussion above has shown that NDIS quality and safeguarding policy and regulation contain mandatory standards for conduct and expectations for worker capabilities that clearly align with disability support work requirements described in the SCHADS Award SACS Schedule B for employees at classification level 2 and above. NDIS arrangements for support pricing are also based on assumptions and expectations that workers are employed as SACS workers at level 2.3 and above. These expectations are derived from industry consultations and practice.

While NDIA prices are the *maximum* amount the NDIA will pay for support items, when price levels were first established by an NDIA and NDS Joint Working Group, they were identified as providing for support workers employed at 'the reasonable minimum qualification and experience level' (NDIA 2014, p. 3). The reasonable *minimum* qualification and experience level of support workers required for the provision of NDIS supports in NDIA pricing is SACS level 2.3.

As explained below, prices of all NDIS support items involving a disability support worker are based on employing a support worker at SCHADS SACS level 2, 3 or 4. There are no support items involving disability support work that are based on employing a worker at SCHADS SACS level 1. There are no NDIS support items involving support work that have prices based on workers employed under the Home Care Schedule E of the SCHADS Award.

The NDIA sets prices for support items in NDIS individual support plans. These prices determine the level of funding allocated to NDIS participants for them to purchase their supports. There are three broad categories of NDIS support, two of which include items involving disability support workers: *Core Supports* enable NDIS participants to complete activities of daily living and *Capacity Building Supports* enable NDIS participants to build their independence and skills. NDIS pricing arrangements are funded for supports in both these categories to require disability support workers employed as SCHADS SACS workers at Level 2 or higher.

The purpose of NDIS *Core Supports* is to help NDIS participants achieve their individual goals in the NDIS 'outcome domains' of daily living and social and community participation. *Core Support* categories include personal support provided in individuals' private homes, as described here: 'Assistance with Daily Life', describes supports 'assisting with or supervising personal tasks of daily life to enable the participant to live as autonomously as possible. These supports are provided individually to participants and can be provided in a range of environments, including the participant's own home' (NDIA 2021c, p. 41). 'Assistance with Social and Community Participation' is described as relating to 'assisting with or supervising a participant to engage in community, social, recreational or economic activities. These supports can be provided in a range of environments, such as in the community or a centre' (NDIA 2021c, p. 61). NDIS *Capacity Building Supports* assist participants achieve goals in the NDIS 'outcome domains' of 'Choice and Control, Home, Social and Community Participation, Work, Relationships, Health and Wellbeing, Lifelong Learning, and Daily Living' (NDIA 2021c, p. 12).

Pricing of *Core Supports* is explicitly based on expectations that disability support workers are employed as SACS workers. The basis of *Capacity Building Supports* pricing is not always explicit but the descriptions of supports also indicate job and skills requirements for disability support workers employed as SACS workers.

Disability support work and the NDIS Disability Support Worker Cost Model

The NDIA issues regular price guides setting out price limits for different support items.¹⁵ As noted, prices are set with reference to an industry benchmarking survey (AbleInsight, 2019).¹⁶ The NDIA price limits are based on the reported costs of 'efficient providers' participating in the benchmarking survey, with these deemed to be the 25 per cent of providers with the lowest operating costs (NDIA 2021b, p. 4).

The *NDIS Disability Support Worker Cost Model 2021-22* (the DSW Cost Model) sets out the assumptions underlying different cost elements of NDIS supports for disability support services. In the DSW Cost Model four 'types' of disability support worker (DSW Levels A-D) are identified (NDIA, 2021b, p. 5). The four levels in the DSW Cost Model correspond to SACS classification levels and pay points 2.3, 2.4-3.1, 3.2 and 4.4 in Schedule B of the SCHADS Award.¹⁷ This is shown in Table 2, along with the relevant SCHADS Award pay rates and NDIS estimates of providers' total costs, with this forming the basis of NDIS price limits for disability support items.

¹⁵ The NDIA sets price limits for many NDIS-funded supports where those supports are part of an individual support plan managed by the NDIA (agency-managed) or where support funds are managed by a plan manager (plan-management). Where an NDIS participant manages their own support funding (self-management) there are no caps on the prices a provider can charge for supports.

¹⁶ For the most recent benchmarking survey see Deloitte Access Economics(2021).

¹⁷ *NDIS Pricing Arrangements and Price Limits 2021-2022* refers to DSW levels 1-3, rather than DSWs levels A-C, with levels 1-3 corresponding to DSWs A-C in regard to SCHADS classification levels (NDIA 2021, p 35).

Table 2: NDIS Disability Support Worker Cost Model: classification, pay rates & total costs, 2021-22^a

	DSW A	DSW B	DSW C	DSW D
SCHADS classification (SACS Schedule B level and pay point)	2.3	2.4/3.1	3.2	4.4
SCHADS Award pay rate (hourly, weekday daytime)	\$30.94	\$32.16	\$33.48	\$40.39
Total cost per worked hour (incl. all on-costs, supervision, overheads and margins)	\$57.10	\$61.79	\$65.09	\$85.61

^a Derived from NDIA (2021b) Tables 1 & 9. Prices do not include the Temporary Transformation Payment loading.

A large number of supports are costed and priced on the basis of the DSW Cost Model. A full list of these is provided in Appendix D. The intensity of the supports (based on complexity of needs and frequency and level supports) is a key factor determine the skill and experience a worker requires and whether the support is priced at SACS level 2, 3 or 4 (from SACS level 2 to 4).

Disability support work and industry practice in the NDIS Cost Model

Additional information in the current DSW Cost Model, mostly drawn from the industry benchmarking survey (AbleInsight, 2019), provides further insight into the work environment and requirements of disability support work in NDIS service provider organisations. The DSW Cost Model is built on industry practice insofar as it represents the NDIA's intention to set price limits based on what is known about the practices of the 25% of service providers considered to be the efficient providers. For example, this information suggests that changes occurring in contemporary disability support work practice under the NDIS are in the direction of increased expectations on workers to work independently due to reduced access to supervisors.

The DSW Cost Model assumes a supervisory span of control (ratio of workers per supervisor) of 15 to 1 (in line with 'efficient' provider practice) (NDIA, 2021b, p. 81, fn 17), although the relevant benchmarking study of the disability sector showed the average span of control among respondent service providers is lower, at 11.8 to 1 (AbleInsight 2019, p. 74). These ratios are for effective full-time workers. With most disability support workers employed on part-time hours, in practice, supervisors oversee much larger numbers of workers. Disability support workers who are supervisors are assumed to be employed at SCHADS Award SACS Schedule B levels and pay points 3.2, 4.2, 4.2 and 5.1 depending on the classification levels of the workers they supervise (i.e. DSW Types A-D) (NDIA, 2021b, p. 12). The NDIS pricing arrangements provide a very limited allowance for the introduction of new support workers to a client via shadow shifts, with this allowance capped at six hours a year and only allowed where it is desired by the client (NDIA 2021c, p. 31).

The DSW Cost Model is based on work practices that require almost all of a disability support worker's paid work time to be 'billable' time; i.e. mostly face-to-face direct support with some very limited and specified non-face-to-face support. Time for training and skills maintenance, breaks and other work such as administration and rostering is non-billable time. In the DSW Cost Model different utilisation rates are allocated for disability support workers employed at different levels, with lower utilisation rates allowed for more senior workers on the basis they need more time for skills maintenance. The utilisation (i.e. billable-time) levels built into the DSW Cost Model are 92.0% for DSW As, 89.0% for DSW Bs, 87.7% for DSW Cs and 80% for DSW Ds (NDIA 2021b). Utilisation rates are based on the efficient provider average for all DSWs (i.e. not disaggregated by worker level).

Other information provided about the determination of utilisation rates in the DSW Cost Model is that service providers indicated workers supporting participants with psychosocial disabilities 'often needed to debrief and be supported at the end of their shifts to support their own mental well-being, which lowered their own and their supervisors' utilisation rates' (NDIA 2021b, p. 9).

As shown in this section NDIS arrangements for support pricing are based on assumptions and expectations that workers are employed as SACS workers at level 2 and above. These expectations are derived from industry consultations. Additional assumptions built in to the DSW Cost Model show that there are increasing requirements on workers to work independently (i.e. with reduced supervision).

2.5 Conclusion

Part 2 of this report has placed disability support work within the context of the NDIS—including within the context of the overall objectives and aims of the Scheme, the Scheme’s quality and safeguarding objectives and measures and the pricing arrangements that apply to support services in the NDIS market. In the NDIS Code of Conduct and Workforce Capability Framework there is a very clear articulation of the importance of the disability support worker role to the achievement of NDIS objectives for people with disability. The exercise of choice and control by NDIS participants to meet their goals and the system’s support for their independence and social and economic participation rely heavily on support workers’ skills, experience, knowledge and actions. This is recognised in the NDIS pricing arrangements. The misclassification and underclassification of support workers is a problem for the achievement of system goals as well as undermining workers’ pay and conditions.

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Appendix A: Comparison of SCHADS Award SACS Schedule B & Home Care Schedule E

This Appendix first provides an overview of SACS Schedule B descriptors levels 1-3 as they apply to disability support workers and then examines the Schedule E descriptors levels 1-3 for home care employees. Following this, a complete list and comparison of Schedule B and Schedule E descriptors is provided in Table A1.

At each of the classification levels 1, 2 and 3 of SACS Schedule B employees are described with reference to 'characteristics of the level', 'responsibilities' and 'requirements of the position'. Below is an overview of the descriptions of employees at each of these levels as they are relevant to disability support workers.

SACS level 1 disability support worker

The level 1 disability support worker performs routine activities under close direction when delivering disability services. This worker operates within standards and procedures and has no scope for interpretation. Either working individually or as part of a team this worker attends to personal care or domestic duties under direct or routine supervision. An initial recruit may have limited relevant experience.

This worker:

- is required to have extensive on-the-job training provided by the employer;
- is developing knowledge of the workplace culture;
- is closely monitored with instruction and assistance being readily available;
- has basic written, communication and personal care skills; and
- has their work outcomes clearly monitored.

SACS level 2 disability support worker

The level 2 disability support worker works under general guidance and within clearly defined guidelines. This worker performs functions which are defined by established routines, methods, standards and procedures. Assistance is readily available for this worker and they have limited scope to exercise initiative in applying work practices and procedures.

This worker:

- works individually or as part of a team in the delivery of disability services;
- implements client skills and activities programmes under limited supervision;
- supervises or provides a wide range of personal care services to residents under limited supervision; and
- assists in the development or implementation of resident care plans or the planning, cooking or preparation of the full range of meals under limited supervision.

- when possessing an appropriate level 4 or above qualification supervises the work of others delivering level 1 disability services.

SACS level 3 disability support worker

At level 3 a disability support worker applies well established procedures, methods and guidelines under general direction. This worker solves problems of limited difficulty using knowledge, judgment and work organisational skills acquired through qualifications and/or previous work experience. Operating in the delivery of disability services this worker manages the day-to-day operations of a group residential facility. This worker has freedom to act within defined established practices and problems can usually be solved by reference to procedures, documented methods and instructions. Assistance is available when problems occur.

This worker:

- may be required to supervise lower classified staff or volunteers in their day-to-day work;
- may undertake planning and co-ordination of activities within a clearly defined area of the organisation;
- is responsible for managing and planning their own work and that of subordinate staff or volunteers and may be required to deal with formal disciplinary issues within the work area;
- if supervising others should have a basic knowledge of the principles of human resource; and
- in the delivery of disability services as described in subclauses B.1.2 or B.2.2, takes overall responsibility for the personal care of residents; training, co ordinating and supervising other employees and scheduling work programmes; and assisting in liaison and co-ordination with other services and programmes.

Home Care Schedule E applying to home care workers

Section 3 of the SCHADS Award defines the home care sector as:

the provision of personal care, domestic assistance or home maintenance to an aged person or a person with a disability in a private residence (SCHADS Award, 2021, s. 3.1).

This definition confines the work environment to the physical residence of the person. Tasks undertaken by a worker are centred on assisting a person in their home environment. The types of assistance a home care worker provides are personal care, domestic assistance or minor home maintenance. The classification descriptors at Schedule E of the SCHADS Award describe the extent of the home care workers' authority, supervision requirements and employer training obligations. They depict the type of work to be performed by a home care worker across classifications, addressing 'Accountability and extent of authority', 'Judgment and decision-making', 'Specialist knowledge and skills', 'Interpersonal skills' and 'Qualifications and experience'.

Level 1 home care worker

The level 1 home care worker has less than 12 months' experience in the industry, requires basic oral communication skills and, if required, written skills to communicate with clients, members of the public and other employees. This worker will have commenced on-the-job training.

This worker:

- utilises basic skills;
- provides domestic assistance and support;
- is responsible for the quality of their work;
- performs work that is routine and clearly defined;
- uses a limited range of techniques and methods within a specified range of work; and
- might resolve minor problems relative to the immediate tasks.

Tasks include:

..the undertaking of semi-skilled work, including cleaning, vacuuming, dusting, washing and ironing, shopping, sweeping paths, minor maintenance jobs, preparation and cooking of meals, defrosting refrigerators, emptying and cleaning of commodes, banking and account payment, organising appointments, assistance with care of pets, and care of indoor and outdoor pot plants (SCHADS Award 2021, E 1.4).

Level 2 home care worker

The level 2 home care worker has skills relevant to domestic assistance and support developed in the industry. This worker operates within clearly defined processes and procedures, applies general guidelines to their area of domestic assistance and support and has discretion in the application of established policies and procedures. The level 2 worker at a minimum will have completed level 1 or equivalent requirements and might hold a Home Care Certificate or equivalent.

This worker:

- might assist others in supervising the work of a worker performing the same or level 1 work;
- is responsible for assuring the quality of the work performed;
- has oral communication skills and written skills appropriate to the role; and
- resolves problems by drawing on solutions used in prior applications of procedures and practices.

Tasks include:

...the provision of personal care, supervising daily hygiene, laying out clothes and assisting in dressing, make beds, tidy rooms, preparation and cooking of meals and assistance with meals, dry cleaning, perform gardening duties, undertake basic repairs, clean, fitting and removal

of aids and appliances, monitoring medications, fitting and changing of catheters, assistance with communication, accompanying clients on outings, domestics assistance and organising appointments (SCHADS Award 2021, E.2.3).

Level 3 home care worker

The level 3 home care worker operates under general supervision, uses their personal judgement and explains specific procedures and practices to others. The work environment is usually specialised and procedures are well understood and clearly documented.

This worker:

- has oral and written communication skills;
- contact with the public or other employees;
- is accountable for their own work and for the care of assets entrusted to them; and
- holds an accredited Certificate 3 qualification relevant to the position or knowledge and skills gained through on-the-job training.

Tasks include:

...prepare meals and special functions; provide input into meal planning; order foodstuffs and commodities; liaise with dieticians on special needs; schedule work programs on a routine and regular basis; co-ordinate and direct the work of support staff including maintenance (no more than four); oversee the provision of domestic services; provide personal care to clients with particular emphasis on those requiring extra help due to specific physical problems or frailty; schedule maintenance work programs on a routine and regular basis; plan, develop, and co-ordinate diversional therapy programs and carry out general maintenance falling within the scope of trades skills' (SCHADS Award 2021, E.3.4).

Table A1: Comparison of disability support work in SACS Schedule B and home care work in Schedule E of the SCHADS Award

Home Care Level 1 - (Schedule E)	Social and Community Services (SACS) Level 1 (Schedule B)	Key differences
E.1.1	B.1.1 Characteristics of the level	
<p>A person appointed to this position will have less than 12 months' experience in the industry.</p>	<p>A person employed as a Social and community services employee level 1 works under close direction and undertakes routine activities which require the practical application of basic skills and techniques. They may include the initial recruit who may have limited relevant experience.</p> <p>General features of work in this level consist of performing clearly defined activities with outcomes being readily attainable. Employees' duties at this level will be closely monitored with instruction and assistance being readily available.</p> <p>Freedom to act is limited by standards and procedures. However, with experience, employees at this level may have sufficient freedom to exercise judgment in the planning of their own work within those confines.</p> <p>Positions at this level will involve employees in extensive on-the-job training including familiarisation with the goals and objectives of the workplace.</p> <p>Employees will be responsible for the time management of their work and required to use basic numeracy, written and verbal communication skills, and where relevant, skills required to assist with personal care and lifestyle support.</p> <p>Supervision of other staff or volunteers is not a feature at this level. However, an experienced employee may have technical oversight of a minor work activity.</p> <p>At this level, employers are expected to offer substantial internal and/or external training.</p>	<p>A level 1 Home Care worker has less than 12 months' experience in the industry. There is no requirement for the employer to provide extensive on-the-job training.</p> <p>A level 1 SACS worker (a disability support worker or DSW) may have limited relevant experience to the role. The DSW is closely monitored and operates within standards and procedures. Extensive on-the-job and other training is a feature of work at this level including basic numeracy, written, communication and personal care skills are required.</p>

E.1.2 Accountability and extent of authority	B.1.2 Responsibilities	
An employee in this level performs broad tasks involving the utilisation of a range of basic skills in the provision of domestic assistance and support and is responsible for the quality of their work.	<p>A position at this level may include some of the following inputs or those of a similar value:</p> <ul style="list-style-type: none"> (a) undertake routine activities of a clerical and/or support nature; (b) undertake straightforward operation of keyboard equipment including data input and word processing at a basic level; (c) provide routine information including general reception and telephonist duties; (d) provide general stenographic duties; (e) apply established practices and procedures; (f) undertake routine office duties involving filing, recording, checking and batching of accounts, invoices, orders, stores requisitions and maintenance of an existing records system; (g) resident contact and interaction including attending to their personal care or undertaking generic domestic duties under direct or routine supervision and either individually or as part of a team as part of the delivery of disability services; (h) preparation of the full range of domestic duties including cleaning and food service, assistance to residents in carrying out personal care tasks under general supervision either individually or as part of a team as part of the delivery of disability services. <p>The minimum rate of pay for employees engaged in responsibilities which are prescribed by B.1.2(h) is pay point 2.</p>	<p>The focus of level 1 Home Care work is the provision of domestic assistance and support. Work activities are routine and clearly defined. This worker is responsible for the quality of their work. Tasks include vacuuming, cleaning, washing, ironing, making appointments, paying and accounts and performing banking tasks.</p> <p>The level 1 DSW applies established practices and procedures and interacts with and supports residents in their personal care. Either individually or as part of a team the worker carries out personal care tasks, domestic work and food service for residents as part of the delivery of disability services.</p>
E.1.3 Judgment and decision-making		
Work activities are routine and clearly defined. The tasks to be performed may involve the use of a limited range of techniques and methods within a specified range of work. An employee may resolve minor problems that relate to immediate work tasks.		
E.1.4 Specialist knowledge and skills		
Indicative but not exclusive tasks include: the undertaking of semi-skilled work, including cleaning, vacuuming, dusting, washing and ironing, shopping, sweeping paths, minor maintenance jobs, preparation and cooking of meals, defrosting refrigerators, emptying and cleaning of commodes, banking and account payment, organising appointments, assistance with care of pets, and care of indoor and outdoor pot plants.	B.1.3 Requirements of the position	
	<p>Some or all of the following are needed to perform work at this level:</p> <p>(a) Skills, knowledge, experience, qualifications and/or training</p> <ul style="list-style-type: none"> (i) developing knowledge of the workplace function and operation; (ii) basic knowledge of administrative practices and procedures relevant to the workplace; (iii) a developing knowledge of work practices and policies of the relevant work area; 	<p>A level 1 Home Care worker will have commenced on-the-job training which may include induction. This worker might be required to have basic oral communication skills and written communication skills. The worker applies a limited range of techniques within a specified range of work</p>

E.1.5 Interpersonal skills	<ul style="list-style-type: none"> iv) basic numeracy, written and verbal communication skills relevant to the work area; (v) at this level employers are required to offer substantial on-the-job training. 	including resolving minor problems relevant to the immediate tasks.
Positions in this level may require basic oral communication skills and where appropriate written skills, with clients, members of the public and other employees	<p>b) Organisational relationships Work under direct supervision</p> <p>(c) Extent of authority</p> <ul style="list-style-type: none"> (i) Work outcomes are clearly monitored. (ii) Freedom to act is limited by standards and procedures. (iii) Solutions to problems are found in established procedures and instructions with assistance readily available. (iv) Project completion according to instructions and established procedures. (v) No scope for interpretation. 	The level 1 DSW is developing their understanding and knowledge of the operational context, policies and procedures relevant to the work area and holds basic written and oral communication skills.
E.1.6 Qualifications and experience		
An employee in this level will have commenced on-the-job training which may include an induction course.	<p>(d) Progression An employee primarily engaged in responsibilities which are prescribed by B.1.2(g) will, if full-time, progress to pay point 2 on completion of 12 months' industry experience, or if part-time, on completion of 1976 hours of industry experience. Industry experience means 12 months of relevant experience gained over the previous 3 years.</p>	<p>The level 1 DSW works under direct supervision. Their work is clearly monitored by other/s with minimum level 2 skills and experience.</p> <p>The level 1 DSW work is limited by standards and procedures. Problem solving is confined to the application of established procedures and instruction is readily available.</p> <p>The employer is required to offer substantial on-the-job training to the level 1 DSW.</p>

Home Care Level 2 - (Schedule E)	Social and Community Services (SACS) Level 2 (Schedule B)	Differences
<p>E.2.1 Accountability and extent of authority</p>	<p>B.2.1 Characteristics of the level</p>	
<p>An employee in this level performs broad tasks involving the utilisation of a range of developed skills in the provision of domestic assistance and support. Work performed falls within general guidelines but with scope to exercise discretion in the application of established practices and procedures. May assist others in the supervision of work of the same or lower level and is responsible for assuring the quality of work performed.</p>	<ul style="list-style-type: none"> (a) A person employed as a Social and community services employee level 2 will work under general guidance within clearly defined guidelines and undertake a range of activities requiring the application of acquired skills and knowledge. (b) General features at this level consist of performing functions which are defined by established routines, methods, standards and procedures with limited scope to exercise initiative in applying work practices and procedures. Assistance will be readily available. Employees may be responsible for a minor function and/or may contribute specific knowledge and/or specific skills to the work of the organisation. In addition, employees may be required to assist senior workers with specific projects. (c) Employees will be expected to have an understanding of work procedures relevant to their work area and may provide assistance to lower classified employees or volunteers concerning established procedures to meet the objectives of a minor function. (d) Employees will be responsible for managing time, planning and organising their own work and may be required to oversee and/or guide the work of a limited number of lower classified employees or volunteers. Employees at this level could be required to resolve minor work procedural issues in the relevant work area within established constraints. (e) Employees who have completed an appropriate certificate and are required to undertake work related to that certificate will be appointed to this level. Where the appropriate certificate is a level 4 certificate the minimum rate of pay will be pay point 2. (f) Employees who have completed an appropriate diploma and are required to undertake work related to the diploma will commence at the second pay point of this level and will advance after 12 full-time equivalent months' satisfactory service. 	<p>The level 2 Home Care worker providing domestic assistance or support applies general guidelines to their work. This worker operates within clearly defined processes and procedures and is responsible for the quality of their work.</p> <p>The level 2 DSW operates within defined routines, methods, processes and procedures in a broader operational context. This worker is required to apply skills and knowledge, acquired under supervision and training, in the performance of their work. The level 2 DSW is responsible for planning their work time relevant to the level 2 role and may be responsible for guiding the work of others.</p>
<p>E.2.2 Judgment and decision-making</p>	<p>B.2.2 Responsibilities</p>	
<p>In these positions, the nature of the work is clearly defined with established procedures well understood or clearly documented. Employees in this level are called upon to use some originality in approach with solutions usually attributable to application of previously encountered procedures and practices.</p>		

	<p>A position at this level may include some of the following:</p> <ul style="list-style-type: none"> (a) undertake a range of activities requiring the application of established work procedures and may exercise limited initiative and/or judgment within clearly established procedures and/or guidelines; (b) achieve outcomes which are clearly defined; (c) respond to enquiries; (d) assist senior employees with special projects; (e) prepare cash payment summaries, banking reports and bank statements, post journals to ledger etc. and apply purchasing and inventory control requirements; (f) perform elementary tasks within a community service program requiring knowledge of established work practices and procedures relevant to the work area; (g) provide secretarial support requiring the exercise of sound judgment, initiative, confidentiality and sensitivity in the performance of work; (h) perform tasks of a sensitive nature including the provision of more than routine information, the receiving and accounting for moneys and assistance to clients; (i) assist in calculating and maintaining wage and salary records; (j) assist with administrative functions; (k) implementing client skills and activities programmes under limited supervision either individually or as part of a team as part of the delivery of disability services; (l) supervising or providing a wide range of personal care services to residents under limited supervision either individually or as part of a team as part of the delivery of disability services; (m) assisting in the development or implementation of resident care plans or the planning, cooking or preparation of the full range of meals under limited supervision either individually or as part of a team as part of the delivery of disability services; (n) possessing an appropriate qualification (as identified by the employer) at the level of certificate 4 or above and supervising the work of others (including work allocation, rostering and providing guidance) as part of the delivery of disability services as described above or in subclause B.1.2. 	<p>The descriptors do not set out Home Care level 2 responsibilities.</p> <p>The level 2 DSW operates independently or under supervision. This worker is responsible for providing a wide range disability support services which may include:</p> <ul style="list-style-type: none"> - implementing client skills and activities programmes; - supervising or providing a wide range of personal care services; or - assisting in the development or implementation of resident care plans or the planning, cooking or preparation of the full range of meals
<p>E.2.3 Specialist knowledge and skills</p>	<p>B.2.3 Requirements of the position</p>	

<p>Indicative but not exclusive tasks include: the provision of personal care, supervising daily hygiene, laying out clothes and assisting in dressing, make beds, tidy rooms, preparation and cooking of meals and assistance with meals, dry cleaning, perform gardening duties, undertake basic repairs, clean, fitting and removal of aids and appliances, monitoring medications, fitting and changing of catheters, assistance with communication, accompanying clients on outings, domestics assistance and organising appointments.</p>	<p>Some or all of the following are needed to perform work at this level:</p> <p>(a) Skills, knowledge, experience, qualification and/or training</p> <ul style="list-style-type: none"> (i) basic skills in oral and written communication with clients and other members of the public; (ii) knowledge of established work practices and procedures relevant to the workplace; (iii) knowledge of policies relating to the workplace; (iv) application of techniques relevant to the workplace; (v) developing knowledge of statutory requirements relevant to the workplace; (vi) understanding of basic computing concepts. <p>(b) Prerequisites</p> <ul style="list-style-type: none"> (i) an appropriate certificate relevant to the work required to be performed; (ii) will have attained previous experience in a relevant industry, service or an equivalent level of expertise and experience to undertake the range of activities required; (iii) appropriate on-the-job training and relevant experience; or (iv) entry point for a diploma without experience. <p>(c) Organisational relationships</p> <ul style="list-style-type: none"> (i) work under regular supervision except where this level of supervision is not required by the nature of responsibilities under B.2.2 being undertaken; (ii) provide limited guidance to a limited number of lower classified employees. <p>(d) Extent of authority</p> <ul style="list-style-type: none"> (i) work outcomes are monitored; (ii) have freedom to act within established guidelines; (iii) solutions to problems may require the exercise of limited judgment, with guidance to be found in procedures, precedents and guidelines. Assistance will be available when problems occur. 	<p>The level 2 Home Care Worker performs daily domestic assistance and support functions. This worker is required to orally communicate with a client and may require written communication skills.</p> <p>The level 2 DSW must have written, oral and comprehension skills. This worker is required to know and apply policies, procedures and processes relevant to the role, workplace and operational context. This person works under general supervision and may provide limited guidance to a limited number of lower classified workers.</p> <p>This worker is developing knowledge of statutory requirements of the role and workplace.</p> <p>Qualifications and experience</p> <p>The level 2 Home Care worker will demonstrate competence at level 1 and might hold a Home Care Certificate.</p> <p>The level 2 DSW will have previous relevant experience. Level 2 is the entry point for a DSW with a Diploma relevant to the role.</p>
<p>E.2.5 Qualifications and experience</p>		
<p>As a minimum an employee in this level will have satisfactorily completed the requirements of level 1 or equivalent. Indicative but not exclusive of the qualifications required in this level include Home Care Certificate or equivalent; or relevant experience/on-the-job training commensurate with the requirements of work in this level.</p>		
<p>E.2.4 Interpersonal skills</p> <p>Positions in this level require oral communication skills and where appropriate written skills, with</p>		

clients, members of the public and other employees.		
Home Care Level 3 - (Schedule E)	Social and Community Services (SACS) Level 3 (Schedule B)	Differences
E.3.1 Accountability and extent of authority	B.3.1 Characteristics of this level	
Employees perform work under general supervision . Employees in this level have contact with the public or other employees which involves explanations of specific procedures and practices. Employees in this level are accountable for the quality, quantity and timeliness of their own work in so far as available resources permit, and for the care of assets entrusted to them.	(a) A person employed as a Social and community services employee level 3 will work under general direction in the application of procedures, methods and guidelines which are well established.	The level 3 Home Care worker works under general supervision. They have contact with the public or other employees and explain specific procedures and practices. This worker is accountable for their own work and for the care of assets entrusted to them. The DSW level 3 works under general direction in the application of procedures, methods and guidelines which are well established.
E.3.2 Judgment and decision-making	(a) General features of this level involve solving problems of limited difficulty using knowledge, judgment and work organisational skills acquired through qualifications and/or previous work experience . Assistance is available from senior employees. Employees may receive instruction on the broader aspects of the work. In addition, employees may provide assistance to lower classified employees. (b) Positions at this level allow employees the scope for exercising initiative in the application of established work procedures and may require the employee to establish goals/objectives and outcomes for their own particular work program or project.	The Level 3 Home Care 3 worker uses their personal judgement. The work environment is usually specialised and procedures are well understood and clearly documented. This worker selects from arrange of techniques, systems, equipment, methods or processes to perform tasks. The DSW level 3 solves problems of limited difficulty using knowledge and judgement acquired through qualifications and/or work experience.
These positions require personal judgment . The nature of work is usually specialised with procedures well understood and clearly documented . The particular tasks to be performed will involve selection from a range of techniques, systems, equipment, methods or processes.		

		At Level 3 the DSW exercises initiative in the application of established work procedures. This worker may be required to establish goals, objectives and outcomes for their work program.
	(d) At this level, employees may be required to supervise lower classified staff or volunteers in their day-to-day work. Employees with supervisory responsibilities may undertake some complex operational work and may undertake planning and co-ordination of activities within a clearly defined area of the organisation including managing the day-to-day operations of a group of residential facility for persons with a disability.	A DSW level 3 may supervise lower classified staff. Supervisory staff may undertake complex operational work and may plan and co-ordinate activities within a clearly defined area of the organisation including managing the day-to-day operations of a residential facility for people with a disability
E.3.4 Interpersonal skills	(e) Employees will be responsible for managing and planning their own work and that of subordinate staff or volunteers and may be required to deal with formal disciplinary issues within the work area.	The Home Care level 3 worker requires oral and written skills to communicate with other employees and the public. The DSW level 3 is responsible for managing and planning their own work and that of subordinate staff and may be required to deal with formal disciplinary issues within the work area.
Positions in this level require skills in oral and written communication with clients, other employees and members of the public.		
	(f) Those with supervisory responsibilities should have a basic knowledge of the principles of human resource management and be able to assist subordinate staff or	If supervising a DSW level 3 should have knowledge of basic human resources principles and be able to

	volunteers with on-the-job training. They may be required to supervise more than one component of the work program of the organisation.	assist subordinate staff or volunteers with on-the-job training. They may be required to supervise more than one component of the work program of the organisation.
	(g) Graduates with a three year degree that undertake work related to the responsibilities under this level will commence at no lower than pay point 3. Graduates with a four year degree that undertake work related to the responsibilities under this level will commence at no lower than pay point 4.	A graduate with a three year degree undertaking work related to responsibilities under this level will commence no lower than pay point 3 and a graduate with a four year degree will commence no lower than a pay point 4.
	B.3.2 Responsibilities	

	<p>To contribute to the operational objectives of the work area, a position at this level may include some of the following:</p> <ul style="list-style-type: none"> (a) undertake responsibility for various activities in a specialised area; (b) exercise responsibility for a function within the organisation; (c) allow the scope for exercising initiative in the application of established work procedures; (d) assist in a range of functions and/or contribute to interpretation of matters for which there are no clearly established practices and procedures although such activity would not be the sole responsibility of such an employee within the workplace; (e) provide secretarial and/or administrative support requiring a high degree of judgment, initiative, confidentiality and sensitivity in the performance of work; (f) assist with or provide a range of records management services, however the responsibility for the records management service would not rest with the employee; (g) proficient in the operation of the computer to enable modification and/or correction of computer software systems or packages and/or identification problems. This level could include systems administrators in small to medium sized organisations whose responsibility includes the security/integrity of the system; (h) apply computing programming knowledge and skills in systems development, maintenance and implementation under direction of a senior employee; (i) supervise a limited number of lower classified employees or volunteers; (j) allow the scope for exercising initiative in the application of established work procedures; (k) deliver single stream training programs; (l) co-ordinate elementary service programs; (m) provide assistance to senior employees; (n) where prime responsibility lies in a specialised field, employees at this level would undertake at least some of the following: <ul style="list-style-type: none"> (i) undertake some minor phase of a broad or more complex assignment; (ii) perform duties of a specialised nature; (iii) provide a range of information services; (iv) plan and co-ordinate elementary community-based projects or programs; (v) perform moderately complex functions including social planning, demographic analysis, survey design and analysis. (o) in the delivery of disability services as described in subclauses B.1.2 or B.2.2, taking overall responsibility for the personal care of residents; training, co ordinating 	<p>There is no Home Care 3 descriptors setting out responsibilities of the role.</p> <p>In the delivery of disability services as described in subclauses B.1.2 or B.2.2, the DSW level 3 is taking overall responsibility for the personal care of residents; training, co ordinating and supervising other employees and scheduling work programmes; and assisting in liaison and co-ordination with other services and programmes.</p>
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	and supervising other employees and scheduling work programmes; and assisting in liaison and co-ordination with other services and programmes.	
	B.3.3 Requirements of the job	
E.3.3 Specialist knowledge and skills	Some or all of the following are needed to perform work at this level:	The Home Care 3 worker will 'prepare meals and special functions; provide input into meal planning; order foodstuffs and commodities; liaise with dieticians on special needs; schedule work programs on a routine and regular basis; co-ordinate and direct the work of support staff including maintenance (no more than four); oversee the provision of domestic services; provide personal care to clients with particular emphasis on those requiring extra help due to specific physical problems or frailty; schedule maintenance work programs on a routine and regular basis; plan, develop, and co-ordinate diversional therapy programs and carry out general maintenance falling within the scope of trades skills.'
Indicative but not exclusive tasks include: computer and other office skills; maintain mail register and records; sort, process and record invoices and correspondence; prepare meals and special functions; provide input into meal planning; order foodstuffs and commodities; liaise with dieticians on special needs; schedule work programs on a routine and regular basis; co-ordinate and direct the work of support staff including maintenance (no more than four); oversee the provision of domestic services; provide personal care to clients with particular emphasis on those requiring extra help due to specific physical problems or frailty; schedule maintenance work programs on a routine and regular basis; plan, develop, and co-ordinate diversional therapy programs and carry out general maintenance falling within the scope of trades skills.	<p>(a) Skills, knowledge, experience, qualifications and/or training</p> <ul style="list-style-type: none"> (i) thorough knowledge of work activities performed within the workplace; (ii) sound knowledge of procedural/operational methods of the workplace; (iii) may utilise limited professional or specialised knowledge; (iv) working knowledge of statutory requirements relevant to the workplace; (v) ability to apply computing concepts. <p>(b) Prerequisites</p> <ul style="list-style-type: none"> (i) <ul style="list-style-type: none"> (i) entry level for graduates with a relevant three year degree that undertake work related to the responsibilities under this level—pay point 3; (ii) entry level for graduates with a relevant four year degree that undertake work related to the responsibilities under this level—pay point 4; (iii) associate diploma with relevant experience; or (iv) relevant certificate with relevant experience, or experience attained through previous appointments, services and/or study of an equivalent level of expertise and/or experience to undertake the range of activities required. <p>(c) Organisational relationships</p> <ul style="list-style-type: none"> (i) graduates work under direct supervision; (ii) works under general supervision except where this level of supervision is not required by the nature of the responsibilities under B.3.2 being undertaken; (iii) operate as member of a team; (i) (iv) supervision of other employees. <p>(d) Extent of authority</p>	The DSW level 3 requires sound knowledge of work activities performed within the workplace and procedures, operational methods. The worker requires a working knowledge of statutory requirements relevant to the workplace.
E.3.5 Qualifications and experience		The indicative certificate level for a Home Care 3 worker is a certificate 3

<p>Indicative but not exclusive of the qualifications required in this level is an accredited qualification to the position at the level of Certificate 3 and/or knowledge and skills gained through on-the-job training commensurate with the requirements of the work in this level.</p>	<ul style="list-style-type: none"> (i) graduates receive instructions on the broader aspects of the work; (ii) freedom to act within defined established practices; (iii) problems can usually be solved by reference to procedures, documented methods and instructions. Assistance is available when problems occur. 	<p>and/or on-the-job training relevant to the role to be undertaken.</p> <p>The DSW level 3 worker with a relevant three year degree is pay point 3.</p> <p>The entry level for a DSW with a four year degree is pay point 4.</p> <p>A DSW with an associate diploma and relevant experience or a relevant certificate and relevant experience attained through previous services/study will be appointed to level 3.</p> <p>The DSW level 3 graduate works under direct supervision or general supervision if supervision is not required when performing roles subject to B.3.2. this worker is a team member or may supervise others.</p> <p>The DSW 3 graduate receives instructions on the broader aspects of the work. This worker is free to act within defined practices with problems usually being resolved by reference to procedures, documented methods and instructions and assistance is available when problems occur.</p>
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Appendix B: Comparison SCHADS Award SACS Schedule B classification descriptors for levels 1-3.

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
B.1.1 Characteristics of the level	B.2.1 Characteristics of the level	B.3.1 Characteristics of this level	
<p>(a) A person employed as a Social and community services employee level 1 works under close direction and undertakes routine activities which require the practical application of basic skills and techniques. They may include the initial recruit who may have limited relevant experience.</p>	<p>(a) A person employed as a Social and community services employee level 2 will work under general guidance within clearly defined guidelines and undertake a range of activities requiring the application of acquired skills and knowledge.</p>	<p>(a) A person employed as a Social and community services employee level 3 will work under general direction in the application of procedures, methods and guidelines which are well established.</p>	<p>The DSW level 1 works under close direction performing routine activities.</p> <p>The DSW level 2 under general guidance undertakes a range of activities applying skills and knowledge acquired.</p> <p>The level 3 DSW under general direction applies well established procedures, methods and guidelines</p>
<p>(b) General features of work in this level consist of performing clearly defined activities with outcomes being readily attainable. Employees' duties at this level will be closely monitored with instruction and assistance being readily available.</p>	<p>(b) General features at this level consist of performing functions which are defined by established routines, methods, standards and procedures with limited scope to exercise initiative in applying work practices and procedures. Assistance will be readily available. Employees may be responsible for a minor function and/or may contribute specific knowledge and/or specific skills to the work of the organisation. In addition, employees may be required to assist senior workers with specific projects.</p>	<p>(b) General features of this level involve solving problems of limited difficulty using knowledge, judgment and work organisational skills acquired through qualifications and/or previous work experience. Assistance is available from senior employees. Employees may receive instruction on the broader aspects of the work. In addition, employees may provide assistance to lower classified employees.</p>	<p>The DSW level 1 under close monitoring performs clearly defined activities with instruction and assistance readily available. The level 1 role does not require the exercise of initiative.</p> <p>The DSW level 2 with assistance readily available and limited scope to exercise initiative operates within established routine, methods, standards and procedures. This worker may contribute specific knowledge to the work of the organisation.</p> <p>A level 3 DSW solves problems with limited difficulty and has access to senior employees. The level 3 may provide assistance to a lower level employee.</p>

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
<p>(c) Freedom to act is limited by standards and procedures. However, with experience, employees at this level may have sufficient freedom to exercise judgment in the planning of their own work within those confines.</p>	<p>(c) Employees will be expected to have an understanding of work procedures relevant to their work area and may provide assistance to lower classified employees or volunteers concerning established procedures to meet the objectives of a minor function.</p>	<p>(c) Positions at this level allow employees the scope for exercising initiative in the application of established work procedures and may require the employee to establish goals/objectives and outcomes for their own particular work program or project.</p>	<p>The DSW level 1 acts are limited by standards and procedures. This worker may plan their work within these confines.</p> <p>The DSW level 2 understands procedures relevant to their work area and might provide assistance to lower classified employees or volunteers to meet objectives of a minor function.</p> <p>A level 3 DSW may exercise initiative within their scope of practice in the application of a work procedure.</p>
<p>(d) Positions at this level will involve employees in extensive on-the-job training including familiarisation with the goals and objectives of the workplace.</p>	<p>(d) Employees will be responsible for managing time, planning and organising their own work and may be required to oversee and/or guide the work of a limited number of lower classified employees or volunteers. Employees at this level could be required to resolve minor work procedural issues in the relevant work area within established constraints.</p>	<p>(d) At this level, employees may be required to supervise lower classified staff or volunteers in their day-to-day work. Employees with supervisory responsibilities may undertake some complex operational work and may undertake planning and co-ordination of activities within a clearly defined area of the organisation including managing the day-to-day operations of a group of residential facility for persons with a disability.</p>	<p>The DSW level 1 has extensive on-the-job training developing a familiarisation with the goals and objectives of the workplace.</p> <p>The DSW level 2 is responsible for managing their time and planning and organising their own work. This worker might resolve procedural issues relevant to the work and within established constraints.</p> <p>A level 3 DSW might supervise lower classified staff or volunteers in their daily work. The level 3 DSW who supervises others might undertake complex operational work including planning and co-ordinating activities within clearly defined areas of the organisation. In respect of a residential facility for people with disability the level 3 manages the daily operations of the facility.</p>

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
<p>(e) Employees will be responsible for the time management of their work and required to use basic numeracy, written and verbal communication skills, and where relevant, skills required to assist with personal care and lifestyle support.</p>	<p>(e) Employees who have completed an appropriate certificate and are required to undertake work related to that certificate will be appointed to this level. Where the appropriate certificate is a level 4 certificate the minimum rate of pay will be pay point 2.</p>	<p>(e) Employees will be responsible for managing and planning their own work and that of subordinate staff or volunteers and may be required to deal with formal disciplinary issues within the work area.</p>	<p>The DSW level 1 is responsible for the time management of their work and uses basic numeracy, written and verbal communication skills. This worker assists with personal care and lifestyle support.</p> <p>The DSW level 2 who has, and uses, an appropriate certificate will be appointed to level 2. Where the certificate is level 4 the minimum pay rate will be pay point 2.</p> <p>The level 3 DSW manages and plans their own work and for workers whom they are responsible.</p>
<p>(f) Supervision of other staff or volunteers is not a feature at this level. However, an experienced employee may have technical oversight of a minor work activity.</p>	<p>(f) Employees who have completed an appropriate diploma and are required to undertake work related to the diploma will commence at the second pay point of this level and will advance after 12 full-time equivalent months' satisfactory service.</p>	<p>(f) Those with supervisory responsibilities should have a basic knowledge of the principles of human resource management and be able to assist subordinate staff or volunteers with on-the-job training. They may be required to supervise more than one component of the work program of the organisation.</p>	<p>The DSW level 1 does not supervise other staff or volunteers.</p> <p>The DSW level 2 with an appropriate diploma undertaking relevant work will commence at pay point 2 and will progress after 12 months' equivalent satisfactory full-time service.</p> <p>A level 3 DSW exercising supervisory responsibilities should have knowledge of human resources management and may be required to supervise more than one element of the work program.</p>

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
(g) At this level, employers are expected to offer substantial internal and/or external training.		(g) Graduates with a three year degree that undertake work related to the responsibilities under this level will commence at no lower than pay point 3. Graduates with a four year degree that undertake work related to the responsibilities under this level will commence at no lower than pay point 4.	<p>At DSW 1 the employer is expected to offer substantial internal and/or external training.</p> <p>(DSW 2 see above)</p> <p>The level 3 DSW;</p> <ul style="list-style-type: none"> - holding a three year degree will not start below level 3, pay point 3 - holding a 4 year degree will not start below level 3, pay point 4.
B.1.2 Responsibilities	B.2.2 Responsibilities	B.3.2 Responsibilities	
A position at this level may include some of the following inputs or those of a similar value:	A position at this level may include some of the following:	To contribute to the operational objectives of the work area, a position at this level may include some of the following:	
<p>(a) undertake routine activities of a clerical and/or support nature;</p> <p>(e) apply established practices and procedures;</p> <p>(g) resident contact and interaction including attending to their personal care or undertaking generic domestic duties under direct or routine supervision and either individually or as part of a team as part of the delivery of disability services;</p> <p>(h) preparation of the full range of domestic duties including cleaning and food service, assistance to</p>	<p>(a) undertake a range of activities requiring the application of established work procedures and may exercise limited initiative and/or judgment within clearly established procedures and/or guidelines;</p> <p>(b) achieve outcomes which are clearly defined;</p> <p>(f) perform elementary tasks within a community service program requiring knowledge of established work practices and procedures relevant to the work area;</p>	<p>(a) undertake responsibility for various activities in a specialised area;</p> <p>(b) exercise responsibility for a function within the organisation;</p> <p>(c) allow the scope for exercising initiative in the application of established work procedures;</p> <p>(d) assist in a range of functions and/or contribute to interpretation of matters for which there are no clearly established practices and procedures although such activity would not be the sole responsibility</p>	<p>In the delivery of disability support services the DSW level 1 works under direct or routine supervision. There is no requirement for the exercise of judgement or problem-solving. This worker has contact and interaction with residents including assisting with personal care work. This worker undertakes generic domestic duties including cleaning and food service.</p> <p>Workers assisting in personal care or carrying out domestic duties are paid at level 1 pay point 2.</p> <p>The DSW level 2 operates under limited supervision. This worker individually or as part of a team delivering disability services implements client skills and activities programmes.</p>

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
<p>residents in carrying out personal care tasks under general supervision either individually or as part of a team as part of the delivery of disability services.</p> <p>The minimum rate of pay for employees engaged in responsibilities which are prescribed by B.1.2(h) is pay point 2.</p>	<p>(h) perform tasks of a sensitive nature including the provision of more than routine information, the receiving and accounting for moneys and assistance to clients;</p> <p>(k) implementing client skills and activities programmes under limited supervision either individually or as part of a team as part of the delivery of disability services;</p> <p>(l) supervising or providing a wide range of personal care services to residents under limited supervision either individually or as part of a team as part of the delivery of disability services;</p> <p>(m) assisting in the development or implementation of resident care plans or the planning, cooking or preparation of the full range of meals under limited supervision either individually or as part of a team as part of the delivery of disability services;</p> <p>(n) possessing an appropriate qualification (as identified by the employer) at the level of certificate 4 or above and supervising the work of others (including work allocation,</p>	<p>of such an employee within the workplace;</p> <p>(i) supervise a limited number of lower classified employees or volunteers;</p> <p>(j) allow the scope for exercising initiative in the application of established work procedures;</p> <p>(o) in the delivery of disability services as described in subclauses B.1.2 or B.2.2, taking overall responsibility for the personal care of residents; training, co ordinating and supervising other employees and scheduling work programmes; and assisting in liaison and co-ordination with other services and programmes.</p>	<p>Under limited supervision this worker supervises or provides a wide range of personal care services to residents.</p> <p>Under limited supervision this worker assists in the development or implementation of resident care plans or the planning, preparation and cooking of the full range of meals in a disability service setting wither individually or as part of a team.</p> <p>If this worker holds a minimum and relevant level 4 certificate they may supervise the work of others performing tasks within this grade or work graded at level 1.2.</p> <p>The level 3 DSW is responsible for a range of activities in a specialised area. This worker exercises initiative in the application of established work procedures. They contribute to the interpretation of matters where there are no established practices and procedures. This worker might supervise lower classified workers and they use their initiative in the application of established work procedures.</p> <p>Delivering disability serves this worker takes overall responsibility for the personal care of residents; training, co ordinating and supervising other employees and scheduling work programmes; and assisting in liaison and co-ordination with other services and programmes.</p>

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
	rostering and providing guidance) as part of the delivery of disability services as described above or in subclause B.1.2.		
B.1.3 Requirements of the position	B.2.3 Requirements of the position	B.3.3 Requirements of the job	
Some or all of the following are needed to perform work at this level:	Some or all of the following are needed to perform work at this level:	Some or all of the following are needed to perform work at this level:	
<p>(a) Skills, knowledge, experience, qualifications and/or training</p> <p>(i) developing knowledge of the workplace function and operation;</p> <p>(ii) basic knowledge of administrative practices and procedures relevant to the workplace;</p> <p>(iii) a developing knowledge of work practices and policies of the relevant work area;</p> <p>(iv) basic numeracy, written and verbal communication skills relevant to the work area;</p> <p>(v) at this level employers are required to offer substantial on-the-job training.</p>	<p>(a) Skills, knowledge, experience, qualification and/or training</p> <p>(i) basic skills in oral and written communication with clients and other members of the public;</p> <p>(ii) knowledge of established work practices and procedures relevant to the workplace;</p> <p>(iii) knowledge of policies relating to the workplace;</p> <p>(iv) application of techniques relevant to the workplace;</p> <p>(v) developing knowledge of statutory requirements relevant to the workplace;</p> <p>(vi) understanding of basic computing concepts</p>	<p>(a) Skills, knowledge, experience, qualifications and/or training</p> <p>(i) thorough knowledge of work activities performed within the workplace;</p> <p>(ii) sound knowledge of procedural/operational methods of the workplace;</p> <p>(iii) may utilise limited professional or specialised knowledge;</p> <p>(iv) working knowledge of statutory requirements relevant to the workplace;</p> <p>(v) ability to apply computing concepts.</p>	<p>The DSW level 1 is developing knowledge of the workplace functions, practices and policies relevant to the work area. However, developing knowledge of policy and statutory requirements relevant to the workplace is not a requirement of the Level 1 position. Workers must have basic numeracy, written and verbal communication skills relevant to the work area. The employer is required to offer substantial on-the-job training to the Level 1 worker.</p> <p>The DSW level 2 is required to have basic oral and written communication skills and to applies these in communications with clients and members of the public. This worker has knowledge of established work practices, procedures and policies and applies techniques relevant to the workplace. The level 2 worker is developing a knowledge of statutory requirements relevant to the workplace.</p> <p>The DSW level 3 has a thorough knowledge of work activities, sound knowledge of procedural and</p>

LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
			operational methods and has a working knowledge of statutory requirements relevant to the role.
<p>(d) Progression</p> <p>An employee primarily engaged in responsibilities which are prescribed by B.1.2(g) will, if full-time, progress to pay point 2 on completion of 12 months' industry experience, or if part-time, on completion of 1976 hours of industry experience. Industry experience means 12 months of relevant experience gained over the previous 3 years.</p>	<p>(b) Prerequisites</p> <p>(i) an appropriate certificate relevant to the work required to be performed;</p> <p>(ii) will have attained previous experience in a relevant industry, service or an equivalent level of expertise and experience to undertake the range of activities required;</p> <p>(iii) appropriate on-the-job training and relevant experience; or</p> <p>(iv) entry point for a diploma without experience.</p>	<p>(b) Prerequisites</p> <p>(i) entry level for graduates with a relevant three year degree that undertake work related to the responsibilities under this level— pay point 3;</p> <p>(ii) entry level for graduates with a relevant four year degree that undertake work related to the responsibilities under this level— pay point 4;</p> <p>(iii) associate diploma with relevant experience; or</p> <p>(iv) relevant certificate with relevant experience, or experience attained through previous appointments, services and/or study of an equivalent level of expertise and/or experience to undertake the range of activities required.</p>	<p>A DSW level 1 full-time worker performing personal care and generic domestic cares tasks set out in B1.2(g) will progress to pay point 2 on completion of 12 months' work.</p> <p>The non full-time worker will progress after the completion of 1976 relevant hours of work within the previous three year period.</p> <p>The DSW level 2 has acquired relevant industry or on-the-job training. This is the entry point for a worker with a certificate relevant to the work being performed.</p> <p>DSWs holding relevant qualifications and undertaking level 3 work responsibilities will commence at the following minimum pay points;</p> <ul style="list-style-type: none"> - three year degree – pay point 3; - four year degree – pay point 4; - entry point for Diploma with relevant experience - entry point for certificate with relevant experience.
<p>(b) Organisational relationships</p> <p>Work under direct supervision.</p>	<p>(c) Organisational relationships</p> <p>(i) work under regular supervision except where this level of supervision is not required by the</p>	<p>(c) Organisational relationships</p> <p>(i) graduates work under direct supervision;</p>	<p>The DSW level 1 works under direct supervision.</p> <p>The DSW level 2 works under regular supervision. When implementing client skills or activities programs or personal care or domestic services</p>

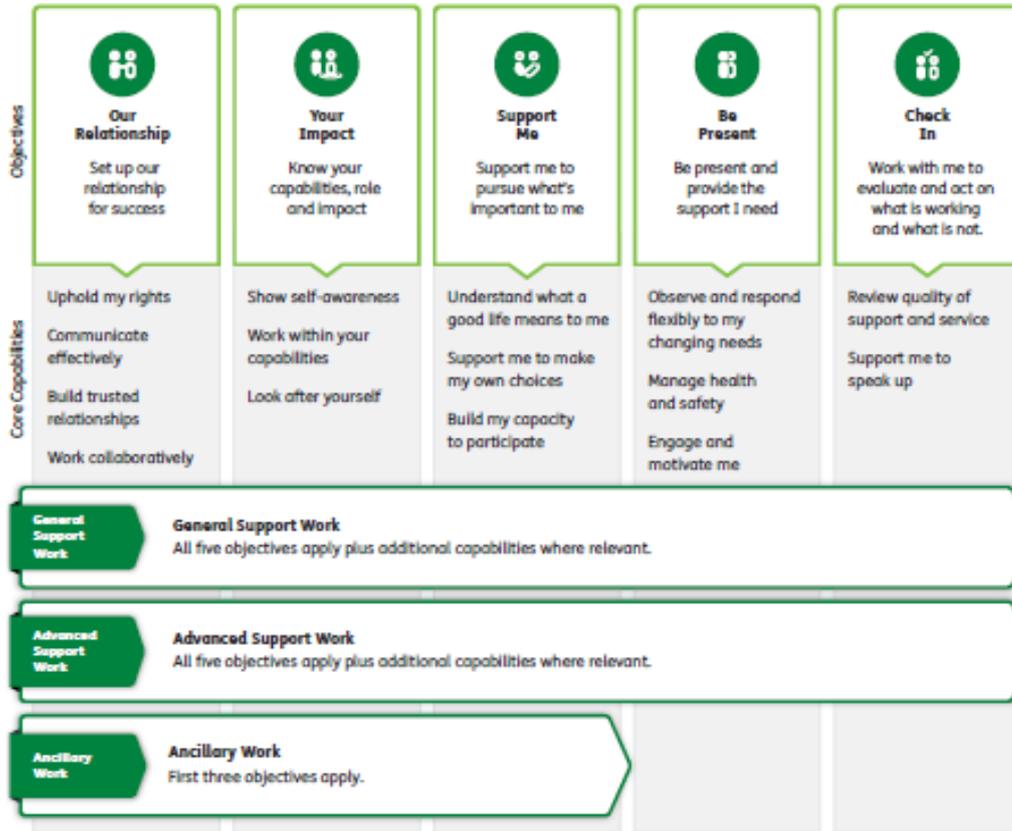
LEVEL 1 – SCHEDULE B	LEVEL 2 - SCHEDULE B	LEVEL 3 - SCHEDULE B	DIFFERENCES
	<p>nature of responsibilities under B.2.2 being undertaken;</p> <p>(ii) provide limited guidance to a limited number of lower classified employees.</p>	<p>(ii) works under general supervision except where this level of supervision is not required by the nature of the responsibilities under B.3.2 being undertaken;</p> <p>(iii) operate as member of a team;</p> <p>(iv) supervision of other employees.</p>	<p>described in B2.2 this worker may work without direct supervision.</p> <p>This worker provides limited guidance to a limited number of lower classified employees.</p> <p>A level 3 DSW with graduate qualifications works under supervision. When delivering disability service supervision is not required if undertaking level 3 work.</p>
<p>(c) Extent of authority</p> <p>(i) Work outcomes are clearly monitored.</p> <p>(ii) Freedom to act is limited by standards and procedures.</p> <p>(iii) Solutions to problems are found in established procedures and instructions with assistance readily available.</p> <p>(iv) Project completion according to instructions and established procedures.</p> <p>(v) No scope for interpretation.</p>	<p>(d) Extent of authority</p> <p>(i) work outcomes are monitored;</p> <p>(ii) have freedom to act within established guidelines;</p> <p>(iii) solutions to problems may require the exercise of limited judgment, with guidance to be found in procedures, precedents and guidelines. Assistance will be available when problems occur.</p>	<p>(d) Extent of authority</p> <p>(i) graduates receive instructions on the broader aspects of the work;</p> <p>(ii) freedom to act within defined established practices;</p> <p>(iii) problems can usually be solved by reference to procedures, documented methods and instructions. Assistance is available when problems occur.</p>	<p>The DSW level 1 is clearly monitored and their freedom to act is limited to the application of standards and procedures. Solutions to problems are found within established procedures and instructions and assistance is readily available. This worker has no scope for interpretation.</p> <p>The DSW level 2 has their work outcomes monitored and is able to act freely within established guidelines. This worker might use limited judgement to solve problems drawing on guidance located in procedures, precedents and guidelines.</p> <p>The DSW level 3 is free to act within established practices. A graduate receives instruction on work activities.</p>

*The SCHADS SACS Schedule B classification descriptors apply to the range of jobs and occupations in the SACS sector. They include tasks not relevant to disability support roles; for example roles undertaking secretarial work, computer programming or research roles. Work characteristics and requirements in SACS Schedule B that are not relevant to disability support services have been excluded from this table. These are mostly from the work 'responsibilities' sections of the descriptors that provide detailed descriptions of the types of work performed.

Appendix C: NDIS Workforce Capability Framework

Figure E1: Overview of the Workforce Capability Framework

Workers



Supervisors and Leaders



Table D1: NDIS Workforce Capability Framework as it applies to ‘General Support Workers’

Core Capabilities: Descriptors and behavioural indicators	Knowledge required
General support work	
OUR RELATIONSHIP: Set up our relationship for success	
<p>Uphold my rights: <u>Understand and respect my rights. Speak up if my rights are not respected.</u></p> <ul style="list-style-type: none"> ● Respect my right to have control over my life and make my own choices and decisions. ● Show that you respect who I am, including my culture, gender, sexual orientation and social community/ies. ● Take action and report if you see that I am experiencing discrimination, exploitation, neglect, abuse or violence. ● Ask my permission before you enter my personal space or touch me. Respect my response and remember that you are a guest when in my home or my community space. ● Respect my right to privacy. Ask for my permission before collecting, using or disclosing information about me. 	<ul style="list-style-type: none"> ● Principles of the NDIS, as described in the Code of Conduct, and how they apply in practice. ● Stigma, discrimination and exclusion frequently experienced by people with disability. ● Potential for additional stigma and discrimination where participants also experience discrimination for other reasons, for example gender or ethnicity.
<p>Communicate effectively: <u>Support me to express myself and adjust your communication style to suit me.</u></p> <ul style="list-style-type: none"> ● Communicate with me in ways that are clear, inclusive and respectful. ● Adapt your communication style to suit my age, culture and cognitive ability. ● Learn about how I communicate. Understand that behaviours are a way of communicating, just like words. ● Recognise where your verbal and non-verbal communication style is different to mine and find ways for us to communicate effectively. ● Be persistent and patient in working through any communication differences we encounter. 	<ul style="list-style-type: none"> ● Personal, cultural and generational factors that shape understanding of disability and may result in distrust of government, institutions and services. ● Language and behaviour that respects and validates the participant and their experience. Where to go for advice on this, such as advocacy groups, interpreters and peer supports. ● Behaviours and attitudes typical of discrimination, exploitation, neglect,

Continued ... OUR RELATIONSHIP: Set up our relationship for success

Build trusted relationships: Develop and maintain relationships with me, and those who are important to me, based on mutual trust and respect.

- Build a relationship with me based on mutual respect.
- Find out what I need to feel safe and valued.
- Work alongside me and the people I consider to be important in my life, and understand how I want them to be involved.
- Unless I indicate otherwise, communicate directly with me rather than through others.
- When the views of others in my life conflict with my views, prioritise my voice, recognising others may also have decision-making authority in some more complex situations.
- Be aware that there may be a power imbalance between us and support me to be an equal partner in our relationship.
- Recognise and report if my circumstances or environment could present a threat to my wellbeing.

Work collaboratively: Recognise the roles and expertise of others who support me, and work with us as a team.

- Work collaboratively with others in my support team, which may include family, friends, advocates and others nominated by me, paid supports and mainstream or community services.
- Work within your role and responsibilities when supporting me and working with my support team.
- Recognise my skills, experience, and contribution and those of everyone in my support team.
- Keep me informed when sharing and discussing information about me with my support team.

abuse and violence (including physical, financial or emotional).

- Common communication techniques such as using plain English, speaking clearly, checking for understanding, using body language, keyword signing.
- Common communication tools and adaptive technologies such as alphabet and/or word boards, communication charts or cards and techniques to support their use to enhance independence.
- Roles and authority of people in the participant's support team, including their informal network and paid supports.
- How and when to report an incident or concern.
- Who to report to and where to seek additional support if a participant's circumstances present a threat to their wellbeing, for example, drug and alcohol abuse, domestic violence etc.

General support work

YOUR IMPACT: Know your capabilities, role and impact

Show self-awareness Think about how your actions and attitudes impact on the quality of support you provide, seek feedback, and keep improving your practice.

- Be aware that your own culture and ways of thinking are just one way rather than seeing it as “normal”. Use this awareness to value similarities and differences in others.
- Don’t assume your understanding of disability is the same as mine.
- Be aware of how your beliefs, biases, attitudes, emotions and actions may impact on me and possibly prevent me from expressing who I am.
- Manage your reactions and don’t express personal judgements about me.
- Ask for feedback from me and your supervisor to help you understand your strengths and areas you can improve.
- Keep your skills and knowledge up to date.

Work within your capabilities Know your role and responsibilities, and when to seek support from others to develop your capabilities.

- Check what support I need and make sure you have the capabilities you need to perform your role in a way that is safe for me, you and others.
- Recognise when to ask for guidance and support if you are unsure about what you are asked to do.
- Be open, authentic and warm, while remembering this is your job.
- Look for opportunities to share, learn and develop.

Look after yourself Take care of yourself and manage your wellbeing.

- Be aware of your own physical and mental wellbeing and ask for support when you need it.

- When and how to access resources and/or seek advice from others including supervisors, participants, peer and co-workers, specialists, cultural advisors and interpreters.
- Strategies and tools to manage work stress and personal wellness.

- Think about what causes you to feel stressed or anxious and how you can reduce or manage these situations.
- Be persistent and composed in tough circumstances

Core Capabilities: Descriptors and behavioural indicators

Knowledge required

General support work

SUPPORT ME: Support me to pursue what's important to me

Understand what a good life means to me Find out what a good life means to me and don't impose your own assumptions.

- Support me to express who I am, what matters to me and what a good life means to me.
- Be aware of your own judgements and check your assumptions about what I need or want for my health, relationships, work, education and leisure.
- Respect what makes me unique, including my values, beliefs, skills, choices, and culture. Recognise that I may identify with more than one cultural or community group.
- Work with me and my support team to understand my current strengths and what else I need to support my goals.

Support me to make my own choices Support me to understand, explore and think creatively about my options, and uphold my decisions.

- Respect and support my right to make choices, try things out, and take the risks I want while supporting me to be healthy and safe.
- Respect my right to choice, control and privacy about my sexual orientation, relationships, gender identity and expression, and/or my experiences and decisions about my body.
- Support me to explore and think creatively about the options available to me that can help me to express myself and live a good life.

Build my capacity to participate Understand how I want to participate in society and support me to build my knowledge and connections so that I can live the life I want.

- Support me to develop and maintain my friendships and social connections.

- Basic understanding of the NDIS and where to go for further information.
- The key elements that make up an individual's experience of a good life, such as building connections, friendships and intimate relationships, participation in work, education, community life and leisure, and positive health and wellbeing (including a healthy diet, physical exercise, and sexual health).
- Diversity of social needs, preferences, and ways of connecting and being included in communities or activities of choice. How this can change over time and at different stages of life.
- Strategies to support participants to take control and make choices about their supports and how they live their lives.
- Importance of independence, self-expression and connection to chosen communities to quality of life.
- Factors that contribute to good health such as a good diet, oral health, exercise, sleep and regular check-ups.
- The concept of dignity of risk and practices that support participants to stay safe without limiting their right to independence and choice such as strengthening social connection.

- Encourage and reinforce my choices to participate in the learning, work, leisure, social and/or sexual engagements I choose.

Core Capabilities: Descriptors and behavioural indicators

Knowledge required

General support work

BE PRESENT: Be present and provide the support I need

Observe and respond flexibly to my changing needs Be present, pay attention to how my needs may change, and respond accordingly.

- Review information that explains what I need, how I want to be supported, and check in with me to understand if and how this may need to be adapted in the moment.
- Be observant, attentive, and present when working with me.
- Be responsive and flexible in how and when you provide support to me.

Manage health and safety Support me to look after my health. Take action and manage any health and safety risks to me or to you.

- Check in with me to understand any intermittent conditions I may have and what I need you to do if they occur.
- Support me to access preventative and responsive health, dental and other mainstream or community services to support my health and wellbeing.
- Be alert and take action if you notice that I am uncomfortable, distressed, apathetic or in poor health.
- Identify potential or actual risks to my safety when they arise in the moment and work with me to respond
- Escalate a situation when I am at risk and you are unable to, or should not, respond yourself.

- Infection prevention and control, including use of personal protective equipment (PPE), and waste handling practices.
- Principles of safe food handling and importance of following food preparation, handling and storage advice.
- Basic understanding of behavioural, physical and emotional indicators of poor physical or mental health or distress.
- Techniques to support participants to maintain good personal hygiene and oral health.
- The role of health screening and preventative health services in improving my wellbeing, reducing risk and mitigating potential crises.
- Options to enable participants to take the risks they choose, while also supporting them to manage safety risks.
- Basic understanding of the principles and regulations that govern the use of restrictive practices. Types of restrictive practices, conditions under which they can

- Identify potential or actual workplace safety hazards and respond or report them to keep yourself and others safe.
- Implement personal hygiene and infection control procedures.
- Support me in ways that promote my independence and choice. Never use restrictive practices unless they are approved as part of my support plan and you understand the purpose and approach to use.

Engage and motivate me Support me to build on my strengths and engage me in meaningful ways.

- Approach my support with hope, optimism and patience.
- Focus on, maintain and build my strengths and what I can do rather than what I can't.
- Look for opportunities to engage me in meaningful ways to maximise my control and confidence.
- Notice and celebrate my progress towards my goals and independence.

CHECK IN: Work with me to evaluate and act on what is working and what is not

Review quality of support and service Work with me to make sure my services and supports are enabling me to live the life I want and support me to make changes when needed.

- Ask for my feedback on how you are delivering support to me and adjust when needed.
- Check with me about how well my needs and expectations are being met by my support services.
- Support me to request changes to my plans to build on what is working and address what is not working for me.
- Report and refer changes I request to supports delivered by others.

be used and understanding that they are a method to support rather than discipline or punish behaviour.

- Common workplace safety hazards and methods to remove or mitigate risk, including safe manual handling.
- Incident response and reporting procedures and protocols to ensure safety of the participant, self and others.
- Techniques and communication skills to record observations, take notes and prepare reports that provide objective information free of judgements or assumptions.
- How and when to use crisis prevention and intervention strategies.

- Legal rights, procedures, and support for participants to raise issues and make formal complaints.
- Procedures to initiate plan reviews.

Support me to speak up Build my understanding and confidence to exercise my rights and support me to provide feedback, raise any concerns, complaints or incidents

- Support me to understand my rights, and how they are protected.
- Support and encourage me to express my views, raise concerns and report complaints and incidents.

Additional capability descriptors

Identity capability descriptors

Identity capabilities describe a deeper level of skill and knowledge general or advanced level support workers may need when working with participants who identify as Aboriginal and/or Torres Strait Islander, culturally and linguistically diverse and/or LGBTIQ+. They may apply to workers delivering general or advanced support.

Be responsive to my Aboriginal and/or Torres Strait Islander identity

Understand and respond to my desired connection to culture, country and community. Be aware of your personal assumptions and biases, and adapt your approach based on what's important to me, such as acknowledging the role I want my family and community to play in my life and decisions.

Be responsive to my culturally and linguistically diverse identity

Understand and respond to my desired connection to my culture, community, and language. Be aware of your personal assumptions and biases, and adapt your approach based on what's important to me, such as being sensitive about when/how to use interpreters and respecting my cultural norms and practices.

Be responsive to my LGBTIQ+ identity

Understand my rights, the importance and impact of inclusive language, and respond to my lived experience of sexual orientation, gender identity and/or gender expression. Be aware of your personal assumptions and biases, and adapt your approach based on what's important to me to foster my sense of belonging and participation

Additional capability descriptors

Specialised support capability descriptors

These capabilities should be selected by general or advanced level support workers where relevant to participant needs but are typically used in combination with the advanced level Core capabilities. Specialised support capabilities apply to workers supporting participants who require specific types of support such as support coordination, development of health or allied health support plans, support to implement these plans and psychosocial support. For some health supports, additional advice is provided in the High Intensity Support Skill Descriptors.

Additional capability descriptors

Work with me to explore and coordinate my supports Support me to understand my plan and access and coordinate the supports I need. Think creatively when supporting me to explore innovative solutions, manage complexity and ambiguity, and negotiate with multiple providers and systems to put solutions in place.

Work with me to explore and establish living arrangements that suit me Support me to explore and establish the type of home, living arrangements and related supports that work for me. Think creatively when supporting me to explore my options, manage my living arrangements, and negotiate with mainstream and specialist housing providers and markets to deliver solutions to meet my needs and preferences

Work with me to develop my health and allied health support plan: Understand my needs and what is important to me and work with me to develop my health and allied health support plans in ways that fit with my goals and how I choose to live my life.

Support me to implement my health and allied health support plans: Work with me and my health or allied health practitioner to ensure I have access to the health, allied health and mental healthcare I need, and can put my health and allied health support plans into practice. Understand when and how to seek input or advice.

Support me to implement my mealtime plan: Understand and work with me to put my mealtime plan into practice. Understand and watch for things that might make it difficult for me to eat (eg difficulty swallowing). Know what to do to support me to eat safely and enjoy my meals and act promptly if I am experiencing a problem.

Support me to implement my medication plan Support me to understand my medication plan and use appropriate aids and methods to support me to take my medication.

Support me to implement my positive behaviour support plan Work with me, and my behaviour support practitioner, to support me to implement my plan to better understand and adapt my behaviours.

Support me and my family in my childhood Understand my needs and apply principles of family-centred practice when working with me and my family to provide the support I need.

Support me with my psychosocial disability: Understand how my psychosocial disability can influence my capacity, confidence, relationships and circumstances, and work with me to ways that support me to lead the life I want. Apply principles of recovery oriented and trauma-informed practice when supporting me to meet my needs

Support me with my experience of trauma: Understand how my experience of trauma influences my capacity, confidence, relationships, circumstances and sense of safety, and respond appropriately. Support me to use my strengths, build my confidence, and put my chosen coping strategies into practice. Support me with my complex, challenging or changing social circumstances Understand the impact of interacting with multiple systems and supports, changing circumstances and potential barriers to accessing supports. Be aware of your personal assumptions and biases and work with me and others to negotiate solutions and support my strengths, capacity and circumstances.

Support me with my complex, challenging or changing social circumstance: Understand the impact of interacting with multiple systems and supports, changing circumstances and potential barriers to accessing supports. Be aware of your personal assumptions and biases and work with me and others to negotiate solutions and support my strengths, capacity and circumstances.

Source: NDIS Commission, 2021, Workforce Capability website, NDIS Commission, <https://workforcecapability.ndiscommission.gov.au/>, viewed 25 October 2021.

Appendix D: NDIS Supports & the NDIS DSW Cost Model

Table D1: NDIS support items based on DSW Cost Model, and assumed DSW levels ^a

Support Item name	'Basic Model'	SCHADS
Assistance with Self-Care Activities - Standard	DSW A	SACS 2.3
Establishment Fee for Personal Care/Participation	DSW A	SACS 2.3
STA (short-term accommodation) & Assistance (Inc. Respite) - 1:1	DSW B	SACS 2.4/3.1
Self-Management Capacity Building	DSW C	SACS 3.2
Assistance with Self-Care Activities in a STA ¹	DSW A	SACS 2.3
Assistance with Self-Care Activities - Level 1	DSW A	SACS 2.3
Assistance with Self-Care Activities - Level 2	DSW B	SACS 2.4/3.1
Assistance with Self-Care Activities - Level 3	DSW C	SACS 3.2
Assistance in Supported Independent Living - Standard	DSW A	SACS 2.3
Assistance in Supported Independent Living - High Intensity	DSW B	SACS 2.4/3.1
Assistance in Supported Independent Living - Night-Time Sleepover	DSW A	SACS 2.3
Group Activities - Standard	DSW A	SACS 2.3
Access Community Social and Rec Activities – Standard	DSW A	SACS 2.3
Group Activities in the Community - 1:2 – Standard ²	DSW A	SACS 2.3
Group Activities in the Community - 1:2 – Complex ²	DSW B	SACS 2.4/3.1
Group Activities in a Centre - 1:1 - Standard	DSW A	SACS 2.3
Group Activities in a Centre - 1:1 - Complex	DSW B	SACS 2.4/3.1
Access Community Social and Rec Activities - Level 1	DSW A	SACS 2.3
Access Community Social and Rec Activities - Level 2	DSW B	SACS 2.4/3.1
Access Community Social and Rec Activities - Level 3	DSW C	SACS 3.2
Group Activities - High Intensity	DSW B	SACS 2.4/3.1
Psychosocial Recovery Coaching	DSW D	SACS 4.4
Supports in Employment	DSW A	SACS 2.3
CB & Training in Plan & Financial Manag'nt by a Support Coordinator	DSW C	SACS 3.2
Assistance with Accommodation and Tenancy Obligations	DSW C	SACS 3.2
Life Transition Planning incl. Mentoring Peer-Support & Individual Skill Development.	DSW C	SACS 3.2
Skills Development and Training	DSW C	SACS 3.2
Employment Support	DSW C	SACS 3.2
Supports in Employment	DSW A	SACS 2.3
Individual Social Skills Development	DSW C	SACS 3.2
Transition through School and to Further Education	DSW C	SACS 3.2
CB & Training in Plan & Financial Management by a Plan Manager	DSW C	SACS 3.2
Assistance with Decision Making Daily Planning and Budgeting	DSW A	SACS 2.3
Individual Skill Development & Training Incl. Public Transport Training	DSW A	SACS 2.3
Training for Carers/Parents	DSW C	SACS 3.2

^a Source: NDIA Table 'Price Limits Determined by the Cost Model' (NDIS 2021b, pp. 12-25). All 1-1 support items in the DSW Cost Model are included (group support items are included where there is no 1-1 support item), other than items that vary only in their timing (from 'weekday daytime') and group items where these are based on loadings on 1-1 supports. Coloured highlighting indicates DSW level (A-D) that is the basis of the NDIS support item costs.

¹ Assistance is in addition to assistance provided within an STA.

² The 1-2 support item is included here as there is no equivalent 1-1 support item.

In the DSW Cost Model the intensity of support is a key factor determining the DSW level assumed and applied in setting the price limit of support items, and there are different price limits for 'Standard Intensity Supports' and 'High Intensity supports'.

An NDIS support is described as 'High Intensity' if:

... the participant requires assistance from a support worker with additional qualifications and experience relevant to the participant's complex needs. The high intensity price limits may be considered when:

- frequent (at least 1 instance per shift) assistance is required to manage challenging behaviours that require intensive positive behaviour support; and/or
- continual active support is required due to high medical support needs (such as unstable seizure activity or respiratory support) (NDIA 2021c, p. 35)

There are three NDIS price limits for High Intensity supports, based on the worker's skills and experience and corresponding with DSW level A, DSW Level B and DSW Level C in Table 2 above. The NDIA consider that, 'in general', for most High Intensity supports, the DSW Level B (SCHADS 2.4/3.1) will be the appropriate level, with DSW Level A (SCHADS 2.3) or Level C (SCHADS 3.3) applying according to the worker's skills and experience. (NDIA 2021c, p. 35).

Where supports in the categories 'Assistance with Daily Activities' and 'Assistance with Social and Community Participation', are deemed to be 'standard' (i.e. not high intensity or complex) the DSW Cost Model bases the support costing on a DSW Level A (SCHADS 2.3) worker. As shown in Table 3, NDIS supports costed at this level include assistance with self-care activities, assistance in supported independent living, centre and community-based group activities, accessing community, social and recreation activities, supports in employment, assistance with decision making, daily planning and budgeting, and individual skill development and training including public transport training.

Supports costed at DSW Level B (SCHADS 3.2/4.1) include the same support items where they are considered to be high intensity or complex and, for two of the support items only, where they are provided by a worker with skills and experience commensurate with DSW Level B. Psychosocial recovery coaching is the only support item in the DSW Cost Model that is priced to enable employment of a worker at the DSW Level D (SCHADS 4.4). It is noted in the DSW Cost Model that this pricing was set on the basis that service providers had indicated this was the appropriate classification for these workers (NDIA 2021b, p. 9).