

Submission to the ‘Inquiry into the Victorian On-Demand Workforce’

Dr Carmel Laragy
Senior Research Fellow
RMIT University
19 February 2019

I have studied the introduction of individual funding packages in the disability and aged care fields since 2000. Based on my research I will comment briefly on the ‘on-demand workforce’ in these fields.

The Inquiry’s *Background Paper* provides an excellent summary of both the ‘fairytale’ and the ‘nightmare’ versions of the on-demand workforce. My research and evaluations have identified both favourable, flexible employment opportunities that workers wanted, and instances where their rights were disregarded by the consumer, that is the service user with a disability or aged care package. The *Background Paper* clearly articulates the challenges of defining who is and isn’t an employee, and how complex laws rely on court decisions to determine what applies in individual circumstances.

Not being a lawyer, I will not comment on the legal issues involved. I will comment on the outcomes I would like to see achieved from the Inquiry’s deliberations. The *Background Paper* alludes to, but does not explore in depth, the increasing demand from service users for an on-demand workforce. Many service users want more flexible options than have previously been available from service providers working under traditional employment contracts. A simple example I have often encountered in Australia and overseas illustrates why service users want increased flexibility and choice. Many service users needing assistance to get into bed at night have strong feelings about choosing their bed time. Because service providers have to roster staff to fill all time slots, people are assisted into bed from around 7pm onwards. Service users are often infuriated by this imposition and look for an ‘on-demand’ worker who will assist them later in the evening. Many look for a neighbour interested in this work opportunity.

This simple everyday situation illustrates why the demand for more flexibility in service delivery than many service providers can offer is increasing. It seems the ‘on-demand workforce’ is likely to grow because disability and aged care consumers are learning more about their rights, and they are insisting on having more control over their lives.

Two of my projects are particularly relevant to the Inquiry. One is the *Making it Work: A workforce guide for disability service providers* (Laragy et al. 2013). Our team interviewed disability support workers around Australia to find out what they wanted, and how service providers can meet their needs and preferences. We found a wide range of preferences. Some workers wanted permanent contacts, more hours, and certainty to plan their lives. Others wanted ‘on-demand’ work to fit around other commitments. No one model would suit everyone.

A second project relevant to the Inquiry is COTA’s current *Australia’s Self-management in Home Care* trial (COTA Australia, 2019), which I am evaluating. Approximately 100 older people, or their carer representatives, are working with seven aged care service providers to self-manage their home care packages. One option available to participants is to use the Mable (2019) online marketplace that directly connects aged care and disability support consumers with independent support workers.

The two parties negotiate the services to be provided and the costs, ensuring minimum conditions are met. The evaluation will look at the effectiveness of this service.

A central finding from my work is the importance of building a positive relationship between the service user and their support workers. The practice used by many service providers of dispatching support workers to provide intimate care who are unknown to the service users is unacceptable to both the workers and the service users. There are increased risks for both parties when a mismatch occurs. Many service users commence recruiting their own workers because they are dissatisfied with staff dispatched from agencies, and they find they can recruit more reliable and committed staff with whom they can develop a good working relationship.

In conclusion, this Inquiry has an important task to recommend ways to protect worker's health and safety and their legal rights. I see a major challenge for the Inquiry is to find a way forward that upholds workers' rights while not imposing inflexible laws and regulations that limit options. Both workers and consumers are looking for flexible and innovative solutions.

References

- COTA Australia. (2019). *Increasing Self-management in Home Care Project*
<https://www.cota.org.au/information/aged-care-for-consumers/increasing-self-management-home-care-project/>
- Hepburn, J., Despott, N., Davy, L., Fisher, K. R., Robinson, S., Speeding, J., Poredos, S., Neale, K., West, R. (2018) *Working Together Well: A Guide to Building a Stronger Working Relationship, Training Workbook*.
https://workforce.nds.org.au/media/projects/media/UNSW_FINAL_Working_Together_Well.pdf
- Laragy, C. (2018). *Working Together Well: A Guide to Building a Stronger Working Relationship, Training Workbook*.
https://workforce.nds.org.au/media/projects/media/UNSW_FINAL_Working_Together_Well.pdf
- Laragy, C., Ramcharan, P., Fisher, K. R., McCraw, K., & Williams, R. (2013). *Making it Work: A workforce guide for disability service providers*. <https://apo.org.au/node/34709>
- MABLE. (2019) <https://mable.com.au>