

Social Inclusion

A Social Inclusion framework

1. Congress recognises that social inclusion is the foundation of equal opportunity. To achieve social inclusion, all Australians must have access to a decent welfare safety net, affordable services and equal opportunity to participate in decent work for decent wages.
2. Social inclusion ensures decent living standards and respectful treatment of our societies' most marginalised members. Working towards social inclusion encourages stronger communities, greater diversity of labour markets and a stronger economy.

A Sustainable Social and Community Services Sector

3. Delivery of the services to facilitate social inclusion requires a highly skilled, highly committed, and properly rewarded workforce. For too long, the dedication and professionalism of workers in the caring sector has been taken for granted, and they are amongst the lowest paid professionals in Australia in both the community and public sectors.
4. Achieving social inclusion requires a mix of policy and service responses ranging from income support, targeted education and training assistance and housing to aged care, child protection and access to health and recreational facilities. These are provided by both community and public sector workers.
5. Congress welcomes Fair Work Australia's decision in the Social and Community Sector (SACs) workers' equal pay case and the Commonwealth's commitment to funding its share of the increase. Congress calls on State governments to do the same.
6. Congress is cognisant the caring workforce is an ageing workforce and unless action is taken to provide decent wages and conditions for workers in the sector, future generations will not train in or develop careers in the caring professions. Australia is facing a critical shortage of paid carers.

7. Congress supports the following measures designed to attract and retain a quality and skilled workforce:
 - a) Increased funding to improve wages and conditions of employment;
 - b) At a minimum there should be no gap between workers in the not-for-profit or funded sector and those doing work of similar value in the public sector;
 - c) Mobility within the sector through the development of a portable long service leave scheme;
 - d) Career paths that recognise skills and experience, and allow mobility throughout the sector;
 - e) Lengthening of funding rounds in order to increase workforce stability; and
 - f) A national workforce attraction and retention strategy involving investment in education and training.

Supporting Labour Force Participation

8. Participating in decent work helps to promote social inclusion by making people feel engaged with their communities, by improving people's self-esteem and mental and physical health, and by enabling people to become financially independent.
9. Congress will build on policies aimed at assisting workers to participate in the paid workforce, particularly:
 - a) Workers with caring responsibilities;
 - b) Young workers;
 - c) Older workers;
 - d) Aboriginal and Torres Strait Islander workers;
 - e) Workers in remote and rural environments;
 - f) Lesbian, Gay, Bisexual and Transgender (LGBT) workers;
 - g) Workers experiencing family and domestic violence;
 - h) Workers with a disability; and
 - i) Migrant and NESB workers.
10. The best way to promote workforce participation is to ensure that people receive decent wages for their work. Congress advocates the removal of barriers to workforce participation by improving the following:
 - a) Access to working arrangements to accommodate caring responsibilities;

- b) Protection from discrimination;
- c) Access to affordable, quality, culturally appropriate services; and
- d) A decent welfare and social security safety net that helps and encourages people to participate in the workforce.

Workers with caring responsibilities

11. Individuals who provide care and support to dependents face increased risk of social exclusion, poor physical and mental health, financial hardship and have difficulty participating in paid employment, education and training.
12. Congress supports measures which provide:
 - a) Financial support to assist with the costs of equipment, care and support;
 - b) Adequate, suitable alternative care which genuinely supports carer's rights to participate in paid work;
 - c) Rights to flexible work arrangements and paid leave to assist carers to participate in the paid workforce; and
 - d) Recognition and valuing of the role carers perform.
13. Congress notes the importance of participation in the paid workforce to achieving social inclusion for carers. Congress notes the recommendations relating to flexible work arrangements for employees with caring responsibilities and paid leave to assist carers to participate in the paid workforce outlined in detail in the Work, Life and Family Policy.
14. Congress supports measures which assist employees with caring responsibilities who have been excluded from paid work to re-enter the paid workforce, or regain valuable skills and experience to enable them to rebuild their career when they are able.

Workers experiencing family and domestic violence

15. Congress reiterates the recommendations outlined in the Work, Life and Family Policy, which aim to assist employees experiencing family or domestic violence to maintain ongoing employment and financial independence.

Young workers

16. Congress notes that young people face significant hurdles accessing quality, secure paid employment and advocates for:
 - a) Removal of discriminatory practices experienced by young people such as junior wages, sexual harassment, and insecure work;
 - b) Improvements to the adequacy of income support for young people and removal of welfare and social security based disincentives to participate in paid work;
 - c) Reduction in insecure forms of work for young workers.
17. Congress recognises that many young people in paid employment are engaged in formal education and training and in community activities. To encourage balance of life and education measures in the employment of young people, Congress advocates:
 - a) For further measures to be taken to assist students in balancing their work and study commitments, including study and examination leave for working students, as well as access to flexible work arrangements to assist students to fulfil their study commitments and involvement in community activities; and
 - b) Opposition to recent moves by employer groups to reduce the minimum engagement of school students and reinstatement of the minimum three hour shift in retail. Shifts as short as one and a half hours do not account for associated travel time and costs incurred on the employee or the impacts that this might have on their personal commitments and engagements. These costs, both social and monetary are not appropriately compensated for through significantly reduced shift lengths.
18. Congress acknowledges that some groups of young people are particularly vulnerable and experience specific disadvantage and difficulty in accessing employment. Such groups of young people include rural young people, culturally and linguistically diverse young people, young refugees, early school leavers, young Indigenous people, young people from low socio-economic backgrounds and young people with disabilities.
19. Congress calls for all affiliates to recognise the issue of entrenched disadvantage and to consider ways to include these groups of young people in their campaigns and activities.

Older workers

20. Congress notes that employment can be an important source of social inclusion for older workers, but emphasises the importance that continuation of work must remain a matter of choice for older persons.

21. Congress advocates for measures to assist mature workers who wish to work past the age at which they could retire by:
 - a) Addressing discriminatory attitudes and practices of employers;
 - b) Extending the right to request flexible work arrangements to older workers who do not want to work full-time and/or who have medical or caring responsibilities;
 - c) Addressing restrictive age limits on workers' compensation coverage in some States; and
 - d) Addressing restrictive income protection insurance age limits.

Aboriginal and Torres Strait Islander workers

22. Congress notes that the ACTU Aboriginal and Torres Strait Islander standing policy and updated 2012 policy comprehensively deals with measures to assist Aboriginal and Torres Strait Islander peoples into meaningful work.
23. Sustainable, real employment is one of the corner stones in bridging the gap between Aboriginal and Torres Strait Islander peoples and non-indigenous people.
24. Congress notes that the ACTU Aboriginal and Torres Strait Islander policy deals comprehensively with measures to assist Aboriginal and Torres Strait Islander peoples into meaningful work.

Migrant and NESB workers

25. Congress calls on affiliates to work with migrant and NESB workers to identify their diverse needs and priorities to enable them to fully participate in Australian society.
26. Governments should dedicate additional funding, appropriate resources and undertake research to better understand the diverse needs of migrant and NESB workers to inform and reform social policy.

Equal Opportunity and Protection from Discrimination

27. Many workers face discrimination at the workplace, and particularly employees in vulnerable positions because of their race, age, gender, caring responsibility, or disability.
28. Congress notes the recommendations to improve the anti-discrimination framework which is outlined in the Wages and Employment Conditions Policy and its particular importance to the group of employees to which this social inclusion policy applies.

Access to Services

29. In order to participate in the paid workforce, employees need access to affordable, accessible and appropriate community support services. In particular, access to:
- a) early childhood education and care, disability care and aged care services for workers with caring responsibilities;
 - b) appropriate mental and physical health services and affordable housing and transport for young workers;
 - c) a comprehensive range of culturally appropriate essential services such as health and education for Indigenous workers;
 - d) adequate emergency housing and support services for workers experiencing family and domestic violence; and
 - e) services which support workers with a disability to actively participate in the paid workforce.
30. Essential improvements to current services include:
- a) Better integration of services across social security and service provision;
 - b) Affordable, reliable, accessible community based services which operate across the span of normal working hours;
 - c) More community and home based support services;
 - d) Proper funding of public services and public service agencies delivering these services; and
 - e) A decent safety net of welfare assistance which does not act as a disincentive to work.

Welfare and Social Security

National Disability Insurance Scheme

31. People with disabilities and their carers, particularly those who do not have access to fair compensation schemes, are poorly served by current disability care and support arrangements. The system is broken.
32. In recognition of the problems in disability care and support, the 2009 ACTU Congress called for the thorough examination of a national disability insurance scheme that would not displace existing rights and entitlements. The Australian

Government then asked the Productivity Commission to undertake a public inquiry into a long-term disability care and support scheme.

33. Congress welcomes the Australian Government's announcement that it supports the Productivity Commission's proposal for a system that provides individuals with the support they need over the course of their lifetime and for reform through a national approach to disability services that is financially sustainable. A fully-funded, no fault national disability insurance system, will particularly help those who miss out on existing compensation arrangements by providing insurance for anyone who suffers a catastrophic injury. It will alleviate suffering and hardship while allowing some people with disabilities and/or their carers to participate in the workforce where possible and appropriate.
34. Congress acknowledges the NDIS and reform of disability services needs to be financially sustainable, which will require innovative funding mechanisms to deliver that sustainability.
35. Congress also welcomed the 2011 decision of the Council of Australian Governments (COAG) to recognise the need for major reform of disability services in Australia through a National Disability Insurance Scheme (NDIS), and that COAG would develop high-level principles to guide consideration of the Productivity Commission's recommendations regarding a NDIS, including for foundation reforms, funding and governance. These principles, and the resultant scheme, must permanently guarantee a real enhancement to disability services and support, including by ensuring decent levels of assistance and the best models of care currently available are provided and accessible throughout the nation.
36. Congress calls on the Prime Minister and First Ministers, as well as the Federal Minister and all State and Territory Ministers responsible for disability to work constructively through the COAG established Select Council to begin to lay the foundations for long-term change to give effect to the NDIS in accordance with these principles. This important reform should not wait a day longer than is necessary.
37. As the key elements of the National Disability Insurance Scheme and the National Injury Insurance Scheme are being developed, Congress calls upon all jurisdictions to be inclusive in consultations and to ensure that eligibility requirements for both schemes are fair. Priority should be placed on provision of additional services and support for those who currently miss out rather than displacing existing rights and entitlements.
38. Congress notes that building workforce capacity so there are more trained staff to support people with disabilities will be an important policy objective to ensure the smooth transition of a NDIS. Improving the services available to people with disabilities and their families must not come at the expense of the wages and working conditions of caring professionals.
39. Congress notes the best way to attract and retain workers to the disabilities sector is through the payment of higher wages. Given the substantial nature of the introduction of the NDIS, Congress notes that Government has a unique opportunity

to achieve best practice, which can only come about through addressing long-standing and widely acknowledged workforce issues.

40. Congress notes that implementation of consumer-directed care principles will only result in greater choice and improved quality of care if workforce sustainability can be achieved. It is unclear how skills growth and retention can be achieved when consumer-directed care involves the breakdown of existing employment relationships. Congress urges federal and state governments to work with unions to ensure workforce sustainability and the successful implementation of the NDIS.
41. Congress reiterates the need for more effective policy and strategies including access to advocacy to ensure that people with a disability can more actively participate in the workforce and contribute to the economy and their own economic security.
42. Congress restates the commitment of the ACTU to work closely with disability organisations, the private sector and State and Commonwealth Governments to campaign to ensure this transformational and principled reform becomes a reality and is implemented. Implementation of the NDIS will sit alongside compulsory superannuation and Medicare as a visionary economic and social reform given effect with the full support of the trade union movement.

Newstart Allowance

43. Newstart Allowance has not increased in real terms in nearly two decades. The gap between Newstart and other social security payments continues to grow, as does the gap between Newstart and minimum and average wages.
44. Newstart is too low for jobseekers and their family to live in dignity in modern Australia. The low payment can also discourage workforce participation, as recognised by the OECD.
45. Congress calls on the Australian Government to lift the rate of Newstart Allowance as a matter of priority. Congress also calls on the Government to align the indexation arrangements for various social security payments, as recommended by the Henry Review, so that gaps between base payments do not grow.
46. Congress notes the irregular working arrangements of young people and women in particular, coupled with the complexity of the process to claim income support and declare income, has resulted in the significant penalties (repayment, fines and convictions) for mistakes in claims due to the inability to accurately predict future earnings and calls on the Government to acknowledge and rectify the injustice.

The Provision of Services

Job Services Australia

47. Unemployment, particularly long-term unemployment, causes great hardship to workers, their families, and their communities. Entrenched unemployment also undermines the economic strength of Australia. Congress calls on the Australian Government to commit to full employment and, as an employer, to be a leader in initiatives to recruit, retain and support the groups of workers identified in particular in this policy.
48. As part of the commitment to full employment, it is vital that unemployed workers have access to job search assistance and retraining opportunities. Congress notes that Australia spends less on active labour market assistance, as a proportion of GDP, than most other advanced economies. This was the case even before 2008, when many European nations had relatively low unemployment rates.
49. Congress calls on the Australian Government to ensure that all jobseekers have enough assistance and access to retraining to enable them to participate in the workforce and find decent work.
50. Job services providers should be discouraged from ‘churning’ jobseekers – finding temporary, insecure, short term jobs for unemployed people. Congress demands that Job Services Australia providers be required to work with jobseekers to find them decent, secure jobs where possible.

Early Childhood Care and Education

Supporting workforce participation of parents

51. Access to high quality, affordable Early Childhood Education and Care (ECEC) is central to enabling the workforce participation of parents whilst ensuring the best outcomes for children.

Giving children the best start in life

52. ECEC needs to meet both the needs of working parents and their children. Access to affordable and high quality maternal and child health and early childhood education is the starting point of equal opportunity for all Australians.
53. Congress reiterates its support for universal access to high quality early childhood education and care. This includes campaign support for best practice and improvements to staff/child ratios.

Ensuring quality early childhood education and care

54. Congress congratulates the commitment of the Labor Government to a quality agenda for ECEC, including the implementation of the first national program of

quality standards and regulatory arrangements contained in the National Quality Framework (NQF).

55. Congress notes general support for the Quality Rating System and the Quality Improvement Plan, however:
 - a) recognises there is potential for the My Child rating system to create misunderstandings and damage relationships with parents; and
 - b) recognises that the introduction of the National Quality Framework is creating workload pressures for employees.
56. The ACTU, with unions in the early childhood education sector, has a role in being vigilant about the promotion of quality standards and parental awareness of changes to the system, given access to quality care and education for children is critical to many workers' continued employment.

A legacy of under-investment

57. Although the Labor Government has delivered record levels of funding to the ECEC sector, Congress recognises that public investment still continues to fall short of levels needed to ensure affordable and high quality education and care for Australia's next generation.
58. Government policies must ensure that increases in childcare fees do not negatively impact on workforce participation, and that funding arrangements are appropriate for supporting affordable high quality childcare for all families, especially for those on lower incomes.
59. Further, government policies must insure that increased cost of early childhood education does not result in children not receiving that education.
60. Any policies that seek to reduce costs by compromising quality standards are unacceptable. Best practice quality education and care must be actively encouraged and rewarded, and Government should continue its commitment to improving quality standards in the sector not only through greater monitoring and assessment of services but also by ensuring that funding arrangements are appropriate to support these objectives.
61. The current funding arrangements are inefficient and are not adequately targeted at delivering resources to ECEC professionals or children in care. Government is currently paying a large share of childcare costs, with subsidies to parents exceeding \$3.8 billion in 2010-11, however, the actual price of fees is determined by childcare providers, who can charge whatever fees the market can support. Congress continues to advocate for direct service based funding which is tied to appropriate wages for staff and support for training and development and quality outcomes for children and families.

62. Congress calls for government regulation requiring childcare providers to provide greater transparency of financial practices to ensure resources are used appropriately to benefit children, employees and parents. New financial regulations are required to monitor the status of operators, ensuring that sound accounting practices are in place, including transparency around internal allocation of resources, ownership of fixed assets and disclosure of private equity interests.
63. Congress urges Government to work to maintain a diversity of services available to parents, in particular the ongoing supply of ECEC delivered through Government agencies or the non-for profit sector. The continued shifting of Local Government provided ECEC into the private sector reduces the sector's diversity and capacity, particularly in light of the factors already outlined. The absence of any significant quantity of employer provided ECEC is another major sector weakness.

Workforce crisis

64. Congress recognises that historical undervaluation of ECEC work and barriers to genuine enterprise bargaining in the sector have resulted in low wages for skilled early childhood education and care professionals. These barriers include the highly feminised workforce, multiple small sites of employment, limited community recognition of the work and the high responsibility placed on the workforce, crippling the industrial power of early childhood education and care professionals.
65. Low wages in the ECEC sector have contributed to a workforce crisis in the sector. Over the past decade, staff turnover has been extremely high as passionate and dedicated early childhood education and care professionals have been forced to leave to look for better paid and properly recognised roles elsewhere. Many centres report significant challenges recruiting and retaining qualified staff, and there is widespread lack of suitable candidates to fill the roles of qualified early childhood education and care professionals.
66. In order to ensure early childhood education and care professionals are properly valued for the important work they do, and to ensure they are attracted to and stay in this essential education sector, wages in the sector need to be lifted to a professional rate.
67. Congress notes that affordable ECEC is a critical issue for many families and that it serves a vital function for ensuring equity and broader objectives, including increasing workforce participation. Congress notes that it is not possible for parents and providers to deliver funding to achieve appropriate wage rates, without government funded support. Additionally, Congress notes that most ECEC providers already operate on tight budgets in a strict regulatory environment. Given that the majority of funding to the sector originates with the Federal Government, Congress believes that Government must acknowledge its responsibility for ensuring that the sector is funded adequately to allow early childhood education and care professionals to be paid wages commensurate with their skills and qualifications.

68. Congress calls on government to work together with unions and employers to ensure that appropriate professional wages are paid to early childhood education and care professionals, in order to ensure the equitable roll-out of the staffing ratios outlined in the new national quality reform targets in the ECEC sector. Congress calls on the Federal Government to commit to the provision of a funding stream for professional wages to meet the gap between the relevant awards for early childhood education and care professionals and agreed professional wage rates. This funding should be delivered directly to eligible employers expressly for the purposes of achieving professional wages and be enforceable through enterprise agreements.

Implementing the National Quality Framework

69. The National Quality Framework (NQF) contains a number of specific requirements regarding the level of skills and qualifications of the ECEC workforce. Congress supports these requirements, as they reflect the professional standing and role of early childhood education and care professionals.

Congress believes it is the responsibility of governments to ensure there are sufficient funds and appropriate working conditions to facilitate the realistic implementation of the NQF, including:

- a) access to genuinely fee-free courses;¹
 - b) recognised prior learning programs;
 - c) access to paid study leave;
 - d) funding for centres to ensure they are able to meet minimum staff ratio requirements; and
 - e) ensuring workload issues and access to breaks are addressed through appropriate regulatory arrangements and/or industrial agreements negotiated with unions.
70. Congress urges the Government to ensure that, commensurate with the National Quality Framework, funding is allocated to ensure that classification structures, wages and conditions properly value these higher qualifications.
71. The NQF does not contain minimum staffing requirements for pre-school education centres. The ACTU will work towards ensuring the national regulations include minimum staffing requirements.

¹ It is essential that any current or future 'fee-free' programs are genuinely free of fees. In low paid industries such as ECEC, hidden fees in the form of amenity or course fees can provide a major disincentive to further study. Congress calls on the Federal Government to monitor TAFE and other training organizations fee structures to ensure the provision of genuinely fee-free places.

72. Skills and training policies should explicitly be directed towards enabling early childhood education and care professionals to develop a career across the range of employment opportunities.
73. It is essential that any current or future 'fee-free' programs are genuinely free of fees. In low paid industries such as ECEC, hidden fees in the form of amenity or course fees can provide a major disincentive to further study. Congress calls on the Federal Government to monitor TAFE and other training organisations fee structures to ensure the provision of genuinely fee-free places.

Programs to support children from disadvantaged communities and with special needs

74. Funding should recognise the geographic, socio-economic and cultural factors that may inhibit families' access to children's services, in particular, rural and remote communities, Indigenous communities, families for whom English is a second language and families where children or parents have a disability.
75. Both State and Federal Governments need to understand the varying capacities of geographical communities to develop and sustain quality early childhood services and provide funding and support accordingly.

Access to ECEC

76. Consideration should be given to how best provide accessible and affordable care, for example, for employees who work non-standard hours. Congress advocates the following principles to ensure that:
 - ECEC has the best interests of the development of children and quality of learning and care as the primary objective;
 - Financial assistance is appropriately means tested so assistance is targeted to those parents who need it and supports parents to participate in the paid labour market;
 - Genuine choice to working parents is offered across a range of working schedules;
 - Adequate, tied funding is provided to ensure ECEC professionals' wages and conditions are improved to a decent standard; and
 - Investment in a qualifications framework which encourages and retains valuable, skilled and experienced ECEC professionals continues.

Out of School Hours Care

77. Congress is aware that many parents do not have access to quality out of school hours care (OSHC). In particular, many OSHC programmes are not extended to young children attending secondary schools. Congress believes that as a minimum,

all school children up until fourteen years of age should have access to quality, affordable and age appropriate OSCH programs.

Workplace based services and support

78. Congress supports the provision of ECEC services by employers and encourages the government to develop financial incentives for employers to either provide work-based childcare or access to ECEC services for staff.
79. Congress further encourages unions and employers to work together to develop work-based programs such as school holiday programs and access to leave arrangements which assist parents to accommodate extensive school holiday breaks.

Matters for further consideration:

80. Congress will consider additional measures to promote the rights of unemployed workers, including:
 - a) Establishment of an unemployed workers union;
 - b) Creation of an independent remuneration tribunal to set rates of pensions and benefits; and
 - c) The introduction of a job guarantee system.