

Adding real value The role of the not-for-profit sector

An early challenge for the current Productivity Commission Inquiry into the contribution of the not-for-profit sector has been to clarify the role of the sector. The difficulty is not just the variety of activities (from fishing clubs to welfare agencies) but also recent transformations of our voluntary welfare sector. The latter is a global phenomenon and was dramatised for me recently at a conference convened by the William Temple Foundation in partnership with the University of Manchester to consider the pros and cons of an expanded role for the Church of England in delivering state social services. A confusion of roles has been created by a 'choice and competition' policy framework jostling with a 'social citizenship' model in a period of emerging globalisation of social service delivery.

A paper at the Manchester conference by the Rt Hon Stephen Timms MP, Financial Secretary to the Treasury, waxed lyrical on the government's strategy of building partnerships with faith-based communities in service delivery. Church communities and other not-for-profits were considered ideal partners because they were wellsprings of social capital and engines for the reinvigoration of civil society. However, the paper indicated that as a first step, a large Australian non-government organisation was to be contracted to provide employment services. The justification appeared to be in terms of cost and efficiency. Understandably, conference participants were confused. How could an Australian provider

possibly leverage the social values lauded in the rationale for contracting out government services to faith-based organisations? Would not the national grid of Church of England communities be a more obvious option?

The confusion reflects two different ways of understanding the role of the sector. On the one hand, the minister's perspective reflected the New Labour orthodoxy articulated as the 'choice and competition model' by Julian Le Grand (2007). In a mischievous metaphor, Le Grand proposed that it was more realistic to consider those engaged in public service as self-serving 'knaves' than as altruistic 'knights'. So rather than construct public institutions as sites of altruism and sources of social cohesion as Titmuss had done, he urged that they be re-made as 'quasi markets' in which Adam Smith's 'invisible hand' would provide the discipline to transmute competitive individualism into the common good. In this way of thinking,

you do not assume any altruistic value-add from the public or the not-for-profit sector. They are best treated as self-interested actors in exactly the same way as for-profit providers. Since the emphasis is on results for the consumer, it should be immaterial to the taxpayer whether the non-government partner represents a significant chunk of civil society or is simply a transnational company seeking an expanded market share.

Social citizenship

On the other hand, Peter Taylor-Gooby (2008) offers a major restatement of the Titmuss-type view of public institutions as sources of 'reciprocity, inclusion and trust'. His study of Britain's National Health Service under New Labour shows a mixed result. Demonstrable successes in terms of increased efficiency resulting from the competition approach coexist with a 'disenchantment, disquiet and mistrust' about the NHS as a whole which has become a danger to its long-term

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legitimacy. Crudely interpreted, Taylor-Gooby thinks that while public institutions have to be economical they also need to foster altruistic endeavour, to amplify the voice of citizens—especially the marginalised—to avoid passive consumerism and to generalise a sense of trust in the community.

Clearly, in this social citizenship approach it would be important for government to know whether or not its third sector partner was a genuine civil society player. Effective not-for-profits would demonstrate a presence in local communities that was independent of a government service delivery contract. High-value-add organisations would have existing capacities to engage and enhance their local community. They would be genuinely representative of and accountable to those communities; and so could also act as effective partners to government through interpreting local experience to policy agencies and through adapting programs to local circumstances.

While there may be a role for cost-efficient for-profits (including transnational providers), the Brotherhood strongly advocates that this should not be at the expense of the social citizenship approach which is the key to advancing the interests of the excluded (Smyth 2009). In this regard, the Church of England's report, *Moral, but no compass* (Davis et al. 2008), offers a set of principles to guide not-for-profits' partnerships with the

state. It says that the partnership should assume a role for the sector that is indeed based on altruistic service (and not mere fee-for-government-service delivery), that requires sustained relationships with communities, that allows freedom to voice alternative policies and values, and that devolves decision making down to local levels.

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News

Diary date: Sambell Oration 2009

This year's Sambell Oration will be delivered by the Prime Minister, the Hon. Kevin Rudd, on Thursday 15 October. Details will be published on the Brotherhood's website.

New research: Good Food Matters

The Good Food Matters program is an innovative project of the Brotherhood's Aged and Community Care Social Inclusion Program which is matching socially isolated older people with complex needs and poor nutrition, with unemployed mature-age people who wish to work as Community Meal Attendants. The project will also provide additional training opportunities for others already working as Personal Care Attendants.

The Research and Policy Centre is undertaking the project evaluation. Using action research methodology will ensure not only that the older people's and meal attendants' views can be gathered, but that timely feedback can lead to continuous improvement.

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New research and advocacy publications

Learning support programs, written by Sharon Bond, presents the case for out-of-school-hours programs to meet the learning-related needs of disadvantaged students.

Available on the Brotherhood's website or as a printed copy for \$6.00 (plus p&tp). Phone the Publications Officer (03) 9483 1386.

Victoria: the green jobs state: creating a green, prosperous and socially inclusive Victoria, a report produced by The Nous Group of the proceedings of a recent forum convened by the Brotherhood of St Laurence and Environment Victoria.

Available on the Brotherhood's website.

Brotherhood Comment is published three times a year by the Research and Policy Centre of the Brotherhood of St Laurence.

The Brotherhood of St Laurence works not just to alleviate but to prevent poverty and social exclusion, focusing on the risks people face at key life transitions. It is a national voice on matters of disadvantage, understanding that poverty's remedy lies in integrating social and economic policy so as to strengthen the capacities of individuals and communities. Its research, service development and delivery, and advocacy aim to address unmet needs and translate the learning into new policies, programs and practices for implementation by governments and others.

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From the General Manager

This year's Social Policy Association conference in Edinburgh was a sober affair. While many worthy papers traversed the ins and outs of the usual range of policy issues and programs, the conference languished in the shadow of the massive British budget deficit, rising unemployment rates and the political popularity of right wing parties trading on anti-immigrant sentiment. It was very welcome and almost surreal to return to Australian newspaper headlines declaring Australia a recession-free zone.

This extraordinary context is giving our work at RPC a two-speed character. First has been the frenetic support for our service teams putting in place initiatives in response to the unemployment inevitably created by the slowdown. On the other hand, the anticipated economic recovery means we also have to be thinking through the new policy frameworks likely to emerge from the international economic crash. Here, our work draws on intellectual efforts aimed at 'remoralising capitalism' and in ways which will give our social inclusion agenda greater clout. In this respect the forthcoming Sambell Oration to be delivered by our Prime Minister, Kevin Rudd, on 15 October is a keenly anticipated event.

A large RPC contingent attended the Australian Social Policy Conference at the University of New South Wales. Four research papers were presented. The national media highlighted the work of Scutella, Tyrrell and Perkins on employment, retention and advancement. Rosanna Scutella has also been particularly active on the tax front and was invited to present the annual Ozanam lecture by the St Vincent de Paul Society.

Work is well advanced towards a new-look Brotherhood website

which we hope will make it easier for visitors to find out about our current and recent research and to keep informed about seminars, new publications, and resources accessible through the Brotherhood library.

Transitions research

More generally, the BSL has reaffirmed a research agenda based on the four transitions. In this issue, Zoë Morrison argues that in relation to the early years Australia needs an approach to social inclusion which gives adequate recognition to children and those who care for them and a model of service delivery which is less fragmented and more family and child-focused.

Janet Taylor writes about the most recent stage of the Life Chances Study, focusing on the young people at age 18 and their completion of year 12 education. We also welcome to the Through School to Work team Sonia Martin, who comes to us from the University of Melbourne.

In relation to the Working Years, Lauren Tyrell highlights the aspiration to advance among many low-paid workers and the need for support and training that will enable them both to remain employed and to advance beyond entry-level positions. However, as our new manager of this transition, Dina Bowman, notes, the move into paid work may be difficult for sole mothers, who also need support in their role of caring for children.

The long-awaited Social Barometer on retirement and ageing will soon be completed. The fourth and final of the series is by Helen Kimberley who foreshadows some of the findings on pages 8-9. Preventing poverty in old age is just one of many reasons for government to encourage lifelong

savings, as Tony Nicholson argues in an article based on his opinion piece recently published in Melbourne's *Age* newspaper.

Critical issues

Alongside our transitions work, research also continues on the critical issues of climate change, financial inclusion and social inclusion generally. Victoria Johnson and Damian Sullivan outline a planned evaluation of a project to audit and retrofit 1000 low-income houses in the City of Moreland. Genevieve Sheehan reports on our joint project with Griffith University which investigated people's understanding of credit contracts. James Allebone signals the role of new fair work legislation in promoting social inclusion.

After nine years of important contributions to understandings of corporate responsibility, it has been decided not to continue the Brotherhood's research and policy work in this area. We acknowledge the dedication of Serena Lillywhite and Emer Diviney in investigating supply chains in the optical frames industry, campaigning for better access of low-income Victorians to eyecare, working with the garment industry to improve compliance with requirements about decent working conditions, and promoting the OECD Guidelines for Multinational Enterprises.

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Getting ahead

Is career advancement important to disadvantaged job seekers?

'Employment retention and advancement' (ERA) demonstration programs have been developed in the US and the UK to learn what works in promoting stable employment and career progression for welfare recipients and other low-income workers. While much has been learned about what factors are likely to encourage advancement (Holzer 2004; Kellard et al. 2002; Strawn & Martinson 2000; Yeo 2007) or act as a barrier (Holzer et al. 2004; Holzer & Martinson 2005), there has been less inquiry into how low-wage workers themselves define advancement and their attitudes towards it.

The ARC Linkage project 'Job retention and advancement of disadvantaged job seekers' jointly conducted by the Brotherhood of St Laurence and the Melbourne Institute of Applied Economic and Social Research at the University of Melbourne seeks to fill this gap. The project includes tracking the employment experiences of 1250 particularly disadvantaged job seekers after they enter the workforce. The longitudinal survey began in the second half of 2008, with yearly follow-ups to occur until 2011.

Participant characteristics

The survey targeted disadvantaged job seekers who had been taking

part in either the Intensive Support Customised Assistance phase of the Job Network, the Personal Support Programme, or Vocational Rehabilitation Services (VRS), and had moved into employment in the three months prior to the survey mailing. Around 60% of the respondents are female. Around 25% are married or in a de facto relationship and roughly the same proportion are lone parents. Two-thirds live in metropolitan areas; 27% were born outside Australia and 5% are of Aboriginal or Torres Strait Islander background. Levels of education are low: almost 70% of participants have not completed year 12 schooling. In addition, at the first survey, around two-thirds were found to have poor mental health and 40% had been out of work for more than 12 months since their previous job. By the time surveys were returned, around a third were again out of work, highlighting the high level of employment instability among such a disadvantaged cohort.

Important job attributes

Table 1 compares the importance placed on a range of job attributes by people in our study with views of the general population (from the Australian Survey of Social Attitudes in 2005). In our sample, the job attribute most often considered important was 'job security' (85% of respondents), with

the second most being 'interesting work' (81%). Opportunities for advancement or promotion was seen as important by 57% of respondents, with opportunity to develop skills, and having a high level of responsibility, seen as important by 74% and 47% or people respectively (not shown in the table). Comparisons with the broader population indicate that more disadvantaged job seekers may be less likely to see advancement as important, although these differences were not statistically significant. However, it is possible that any lower interest in advancement may be due to recent experiences of being unemployed and that interest may increase with employment duration, as suggested by Hoggart et al.(2006).

Interest in advancement

Bivariate analysis identified a range of characteristics that were associated with increased interest in advancement. These included general health, vitality and mental health. Interestingly, those with the poorest mental health reported a greater interest in advancement than those with moderate mental health. The measure of self-perceived readiness for work showed one of the strongest associations with advancement interest, with those feeling less work-ready reporting significantly lower interest in advancement. In contrast to other studies

Table 1 Comparison of job attributes ranked 'important' or 'very important' by disadvantaged job seekers and the broader population*

	ERA survey percentage of valid responses	ASSA* percentage of valid responses
Job security	85	94
Interesting work	81	96
Being able to work independently	75	77
A high level of pay/income	56	70
Opportunities for advancement	57	82

*Australian Survey of Social Attitudes (Wilson et al. 2005)

(Bloom et al. 2006; Millar 2007), women and lone parents were both found to have an interest in career advancement equal to other groups.

Interestingly, in the sample those with greater disadvantage in terms of limited education and insecure housing reported high levels of advancement interest. Importantly, conventional notions of advancement were equally or more important to workers in lower-skilled occupations. This contradicts findings from overseas (Hall et al. 2005; Hoggart et al. 2006; Miller et al. 2008; Nixon 2006) which suggest that people at the lower end of the labour market are likely to reject or be indifferent to the notion of advancement in terms of promotion and increased responsibility. Our findings to date indicate that the so-called middle-class view of advancement is more widely held in Australia.

For those still in work, main occupation, industry of work, length of employment, or being casually employed were all unrelated to interest in advancement. Having a job that fitted an individual's career goals and wanting more hours were associated with increased interest in advancement, as was very high or very low job satisfaction. Responses were unrelated to parents' occupation, but unexpectedly those growing up with an unemployed father had a greater interest in advancement.

Multivariate analysis generally supported the findings from the bivariate analysis, and further identified having poor general health and age as negatively related to an individual's interest in advancement, while mainly speaking a language other than English at home, being a Job Network client (as opposed to a VRS client), and having a TAFE or technical qualification were positively related to advancement interest.

Conclusions

Overall, these findings suggest that advancement understood as career progression, skill development and increasing responsibility is important to a majority of disadvantaged job seekers. Moreover, the strong level of interest shown by disadvantaged groups, such as lone parents, those with fewer formal skills, early school leavers and people in insecure housing, suggests that augmenting existing employment services programs with longer-term retention and advancement support could play a useful role in improving the employment outcomes for these groups.

Note

This article summarises the findings from the paper 'Is career advancement important to disadvantaged job seekers? Analysis of a large survey of disadvantaged job seekers', written by Daniel Perkins, Rosanna Scutella and Lauren Tyrrell and presented at the Australian Social Policy Conference, 9 July 2009.

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Joblessness, gender and family care work Supportive policy responses

Addressing the incidence and needs of jobless families with children is a priority on the Australian Government's social inclusion agenda (DEEWR 2009). One key group identified within the category 'jobless families' is those headed by sole mothers. In the literature on sole mother families, a link is often made between unemployment and negative health, wellbeing, relationship and family outcomes. Further, employment is often understood as the key path to social inclusion because of the social, economic and personal benefits that a job may bring. However, for sole mothers, the move into paid work may be fraught with practical and psychological difficulties. Inadequate childcare, difficult living conditions, lack of family support and unresponsive workplaces, along with low pay, can compound the experience of stress for sole mothers. In these circumstances, paid work can exacerbate the sense of social exclusion (Morrison 2008).

A recent study by the UK Centre for Analysis of Social Exclusion (CASE) found that around half of lone parents were unable to generate enough income to rise above the income poverty line while still meeting their basic obligations (for example, to ensure their children are looked after, by themselves or someone else), *however long or hard they worked* (Sainsbury 2009, p.83, original emphasis).

It's not surprising, then, that some women—especially those in precarious circumstances—seek to invest their time and energy in their children (Hulse & Saugeres 2008). Their decisions to invest in their children's safety and wellbeing may pay off in the long term, but come at the cost of both short-term poverty and longer-term disadvantage.

Support for lone mothers

Jane Millar (2008, p.4) points out that lone parents highlight 'tensions between time for work and time for care'. The CASE study shows that it is important to focus not only on one aspect of poverty, when considering the needs of sole parent families. There is a wide range of possible policy approaches to supporting lone mothers in their mothering work, while also enabling them to engage in education, training or paid work. These include the provision of affordable, quality child care; income support that recognises caring responsibilities and facilitates transitions into and out of paid work as necessary or desired; more flexible and responsive workplaces; training and employment support services; and tax allowances.

The Brotherhood is conducting longitudinal research into the factors that enable job retention and advancement of disadvantaged job seekers (outlined on pages 4–5). This research includes a focus on the experience of lone parents (see, for example, Perkins et al. 2009). Findings will inform policy about sole parents' transitions in and out of work and what helps or hinders them to engage with and retain employment.

Paid employment is an important pathway to social inclusion, but it is not the only one. Sole mothers need support for their 'essential, unavoidable and valuable' work of parenting (Whiteford 2009, p.4). They also need support to enable their transitions between different forms of work, so that they are not unduly penalised for their investment in caring for their children.

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From the bottom up Savings incentives should be focused at the lower end

Like most taxation relief, the \$3.4 billion in personal tax cuts implemented on 1 July this year will benefit above-average earners more than others. Of even more benefit for those with resources are the wide range of tax concessions and incentives that encourage savings and investment. These include the concessional rate of capital gains tax, concessions for both capital gains tax and land tax for owner-occupied housing, various tax benefits for small business and the very generous concessions for superannuation, to name just a few.

Much less attention is paid, however, to increasing the incentives for people on low incomes to build their assets. Having a small 'nest egg' for unexpected events, such as an illness that affects income earning or repairs to a broken-down car needed to get to work, can make the difference between a small setback and a life-changing calamity. However, people on low incomes are unlikely to have savings to fall back on or assets which enable them to borrow at reasonable interest rates.

Superannuation concessions

Favourable treatment of high-income earners is apparent in relation to income invested in superannuation, which in most cases attracts a flat rate of tax of 15 per cent on funds at entry and 15 per cent on annual income earned—well below the highest income tax rate.

As the Henry Review of the taxation system has found, this is grossly inequitable: every year a highly disproportionate 37 per cent of the \$25 billion in concessions goes to the top 5 per cent of income earners.

This inequity is unlikely to actually increase savings or reduce dependence on government pensions either, because the concessions

largely go to people who would have saved anyway and would be ineligible for the age pension.

In order to make the system fairer, the current tax concessions on superannuation should be replaced by a government co-contribution scheme that is better developed and targeted to those on low to middle incomes than the one now in place. For example, all income going in to superannuation, and income from superannuation, should be taxed at the individual's usual income tax rate.

Most of the revenue saved from abolishing the current superannuation concessions—up to \$2.5 billion a year—could fund this new government co-contribution scheme, matching both compulsory and voluntary contributions up to an annual ceiling. This approach is gathering support in the community, having long been advocated by the Australian Council of Social Service.

It also needs to be recognised that many people on low incomes are reluctant to lock away their voluntary savings into superannuation funds that they cannot access until retirement, because they need the money sooner to buy a house or to invest in their education.

The government should consider allowing individuals to access a proportion of their superannuation before retirement, for important mid-life needs such as buying or retaining a home. This is already the case in Canada under the Registered Retirement Savings Plans.

Lifelong savings

The move towards a 'lifelong savings' approach can be further strengthened through government-funded matched savings accounts to build a nest egg for more immediate needs like car repairs or visits to

the dentist. The government would encourage people to save by paying a direct tax-free co-contribution into their account, up to a fixed limit, to be paid on reaching their savings goal. Current initiatives such as the First Home Saver Account and the Education Tax Refund could be rolled into this more flexible system.

There are already small-scale schemes that show how this can be done. Saver Plus, a matched savings scheme for families on low incomes developed by the Brotherhood of St Laurence in partnership with ANZ, shows that well-structured and targeted savings programs can help develop the savings habit and build assets for their future wellbeing.

The Henry Review provides a great opportunity to think about the structure of our tax system. While those with plenty of resources will be able to argue long and loud for changes that benefit them, we need to make sure that our system is fair. Savings incentives need to be boosted for those on the lowest incomes too.

Note

This is an edited version of an opinion piece which appeared in *The Age*, 2 July 2009.

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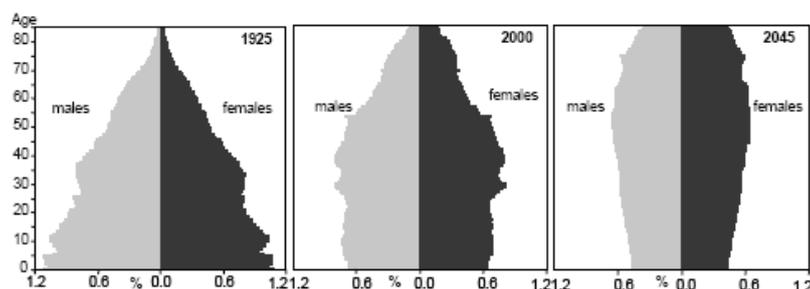
Measuring social inclusion in retirement and ageing The Brotherhood's latest Social Barometer

The forthcoming *Brotherhood's Social Barometer: retirement and ageing* is the fourth report in a research series, following earlier reports on the working years (Brotherhood of St Laurence 2007), young people (Boese & Scutella 2006) and children (Scutella & Smyth 2005). It examines the extent of disadvantage among older Australians through indicators of people's capabilities covering eight key dimensions of life.

Like its predecessors, this Social Barometer draws on international trends in poverty definition and measurement, such as the social inclusion approach of British and European social policy and Amartya Sen's 'capabilities' framework, which propose multidimensional measures of disadvantage and are based on similar social indicators. These approaches, particularly Sen's, provide important underpinnings of Brotherhood evidence-based research directed to influencing governments' social and economic policies.

The data included in this report is drawn primarily from large-scale databases produced by institutions such as the Australian Bureau of Statistics, Australian Institute of Health and Welfare, Australian

Figure 1: Changing age structure of the Australian population, 1925–2045



Source: Productivity Commission 2005, p.xiv
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Housing and Research Institute, Australian Superannuation Funds Association, Department of Health and Ageing and the Productivity Commission. All data is the most recent available at the time of publication.

Profile of older Australians

When we look at disadvantage among Australia's older population, we need to be aware of just how large and expanding that population is. In 2006, one in every four people in Australia was aged 55+; one in every 7.5 was aged 65+, compared with one in every 25 people in 1901. By 2045, almost 1 in 4 will be aged 65+ and they will number around 7 million. Figure 1 shows the changing population structure.

With life expectancy in Australia now at 86.1 years for women and

82.5 years for men and increasing, the span of life considered 'older' is a long one and people at the younger end of older are very different from those at the other end. For this reason, this Social Barometer reports on three generational subsets of older people:

- oldest, born 1891–1926 (3.7% of Australians in 2006)
- 'lucky', born 1926–1946 (14.5%)
- baby boomers, born 1946–1966 (27.5%) (ABS 2009, p.9).

Framework for analysis of disadvantage

The merit of a capabilities framework for analysis of disadvantage is that it enables a multidimensional approach—that is, it covers many aspects of disadvantage, not just economic and material.

Table 1: Retirement and ageing: dimensions and indicators of disadvantage

Dimensions	Indicators of disadvantage		
Employment	Participation and employment	Unemployment/ Under-utilisation	Retirement
Education and training	Education outcomes	Language and literacy	Lifelong learning
Economic resources	Low income	Low wealth	Low income–low wealth households
Housing	Housing tenure	Housing stress	Homelessness
Physical health	Physical health outcomes	Disability	Need for care and support
Mental health	Mental health outcomes	Dementia	Need for care and support
Safety	Accommodation safety	Community safety	Other safety risks
Social participation	Social isolation	Access and mobility	Access to technology

For this analysis, the Brotherhood's Social Barometer series has employed a framework containing eight dimensions, each with three indicators. While many of the dimensions and indicators are common to all the Barometers, there is some variation as aligned to life stage. Table 1 shows the dimensions and indicators used for retirement and ageing.

Some findings

Here is a preview of some of the data in the forthcoming Social Barometer.

Employment

- Among people aged 55+, 45% are no longer in the workforce. Many have retired either voluntarily or through retrenchment or ill health; and some non-participants are looking for a job or for longer working hours.
- Many aged 65+ are engaged in unpaid work such as caring for others (47%) or voluntary work for organisations (32%).

Education and training

- Only 1.59% of those aged 55–64 are participating in any formal or non-formal education.
- Of people aged 65+, 91% were rated below Level 3 for problem solving, and 89% for health literacy (ability to read and understand information such as instructions for medication).

Economic resources

- About 60% of retired people received a gross income of less than \$300 per week, below the 2008 poverty benchmark of \$308 per week for singles (50% of median income).
- For 68% of couples and 78% of singles aged 65+, the Age Pension was their principal source of income. Most

reliant on the Age Pension were single women (82%).

- Among those aged 55+, 40% of men and 50% of women have no superannuation cover, and women's average superannuation balance is much lower.

Housing

- The number of homeless older people increased from 14,000 (Census 2001) to 18,000 (Census 2006).
- Rent is the key determinant of financial stress and quality of life; and 23% of lone older persons live in rental accommodation.

Physical health

- Some 56% of those aged 65+ (82% of those aged 85+) had at least one form of disability and 22% had a profound or severe core activity limitation.
- Of people aged 65+, 43% required some assistance to enable them to stay at home.

Mental health

- Almost 10% of older people report at least one long-term mental or behavioural health problem (excluding dementia), 11% report high levels of psychological distress and 24% take medication for their mental wellbeing.
- Anxiety is the most common (and most under-diagnosed) mental disorder.

Safety

- Older people are over-represented in road deaths, both vehicle and pedestrian.
- Older people are at risk of polypharmacy: 25% of those aged 65+ use four or five medicines concurrently. One in five unplanned hospital admissions is medication-related.

Social participation

- About one-quarter (24%) of people aged 65+ had not had face-to-face contact in the previous week with family and friends outside their household.
- Accessing services was difficult for 18% of people aged 65–74, rising to 30% for those aged 85+. The main difficulty was transport.
- About 80% of people aged 65+ had no home use of a computer or the internet.

Conclusion

Data collected for the Barometer indicate that the different phases of retirement and ageing will require different policy responses rather than a one-size-fits-all-ages approach.

The Brotherhood's Social Barometer: retirement and ageing is expected to be available by September.

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Coming to grips with credit contracts

Exploring how to protect vulnerable borrowers

As an organisation which interacts with many people living on limited incomes, the Brotherhood of St Laurence is concerned about their access to appropriate mainstream finance. The law school at Griffith University also has a commitment to exploring issues of social justice. Our joint research project about financial inclusion sought the views of low-income people about credit regulations, focusing on disclosure and the safety net provisions in Australia's Uniform Consumer Credit Code (UCCC).

Consumer views

The research included discussions with 30 low-income Victorians who had recently signed a credit contract with a bank, credit cooperative or fringe lender. Individual interviews were conducted in 2007 and 2008.

Discussions showed that most participants managed their finances fortnightly, and so decided whether something was affordable in the context of their fortnightly budget. As a result, the repayment rate tended to be the most important aspect of the contract:

I'm not quite sure about the interest—but I'm paying \$46 a fortnight out of my disability pension.

While most participants were clear that they had a responsibility to repay the loan, they were less clear on the ramifications of not repaying. When asked about their rights as a consumer, most were only able to focus on the lender's expectations. Many confused the concepts of rights and responsibilities.

Participants' comments generally contradicted the fundamental assumption of the UCCC that disclosure of information enables borrowers to make an informed choice about signing a credit contract. In reality, they signed

contracts that they did not understand or felt were unfair because of limited options and a feeling of powerlessness:

I've got a lot of reservations with the loan, and I've explored other options, but the pension doesn't count as an income [to banks] so we're stuck in the mud-hole at the moment.

Both language and length of contracts were barriers to consumer understanding. Some participants admitted to being unable to read the contract:

Because I'm illiterate with certain things, but I battle—if I come to a word what I don't understand I skip it, and I have to keep going to the next one. And half the time I skip half the letter because I can't understand what it's trying to say.

Most felt overwhelmed by the length of the contract:

They've got a hell of a lot of pages here. There's about maybe 20 pages here, maybe more. I'm not sure why they have such a big, thick paper. But I think [the financial institution] could make it a little bit more briefer than that for people.

Policy recommendations

Overall, the study found that current pre-contractual disclosure documents did not help participants to understand many of the important terms of the contract, or to know their rights. As a result, four key recommendations were made for improving the regulatory model to protect vulnerable consumers:

- Regulators should reduce their reliance on disclosure as a consumer protection measure.
- The language and length of contracts should be tailored to meet the needs and capacity of consumers.

- The effectiveness of the safety net provisions (which enable consumers to apply to the court to re-open unjust transactions or to apply to their credit provider for relief on hardship grounds) should be reviewed.
- The Australian Government should prohibit unfair terms in consumer contracts and create a regulatory unit charged with responding to consumer complaints and proactively reviewing consumer contracts for compliance with the unfair terms law.

The Brotherhood drew on this research evidence in submissions on the National Consumer Credit Protection Bill 2009 and on the proposed Australian Consumer Law. It is pleasing that the Australian Government has introduced legislation prohibiting unfair terms in consumer contracts and enabling government consumer agencies to take some actions under the credit legislation on behalf of consumers. The development of the new national credit laws will also provide an opportunity to further improve the use and format of disclosure documents.

Note

The report *Coming to grips with credit contracts: steps to protect vulnerable borrowers* by Genevieve Sheehan, Therese Wilson and Nicola Howell is available on the Brotherhood website or as a printed copy for \$6.00 (plus p&cp).

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Workshop on social inclusion and the early years Looking at the big picture

At the Research and Policy Centre's workshop in December last year, experts from around Australia debated the priorities for creating children's social inclusion.

Serving vulnerable children

The theme of universal versus targeted services was a recurring one. The Victorian Government argued that universal services are needed with targeted service provision on top, while the Australian Government's Social Inclusion Unit representative argued that universal services needed to be adaptable, with vulnerable families given a greater 'dose', although the role of targeted services was also acknowledged.

Dorothy Scott noted the sheer numbers of vulnerable children, especially those in state care (30,000 children), children subject to child protection notification and those living with a parent who binge drinks. She argued that to meet the needs of the most vulnerable, universal child-focused services also need to be family-focused, and adult services need to see the family as a whole. Importantly, service practitioners need to develop a holistic approach. Scott cited the UK program, 'Think Family', which ensured a 'no wrong door' service for families in need.

Another major issue was the conflicting paradigms of service delivery: a market-oriented perspective, which sees parents as consumers, versus a social democratic perspective, which sees the care of children as a public responsibility and public good. While government rhetoric may support democratic localism, it seems Australia is not moving away from a market system. Deborah Brennan reported evidence from NSW that for-profit child-care services are evading regulation, whereas some of the new

community centres provide the best models of excellent child-care.

Overall, it was argued that policies in Australia for early childhood remain somewhat disjointed, especially in their interconnection with paid work. Deborah Brennan pointed out some European countries take a clear position on these 'difficult questions', from which all relative policies take their direction. In Sweden and Denmark all policy is predicated on the idea of parental return to work, but not full-time work. Iceland provides parents with nine months leave at 80 per cent of their earnings, divided between both parents. Many argued that we need a clearer vision of what we desire in Australia when it comes to social inclusion and the early years.

Valuing children and caring

The workshop concluded that this vision needed to focus on 'valuing children and those who care for them'. Dorothy Scott argued that we are seeing a deep devaluing of nurturing as an activity and social good. Thus, changing social norms is increasingly seen as fundamental to the social inclusion of children. Julie Higgins explained that poor outcomes for Indigenous children were related to the lack of valuing of both children and Indigenous culture. She argued that valuing Indigenous families would lead them to engage more successfully with services.

Some participants, pointing to examples of successful attitudinal change in Australia, argued that a social marketing campaign could be used to change the way children are viewed. At a theoretical level, it was argued that 'work-life balance' doesn't adequately capture the breadth of these issues. Rather, employment and money-centred discussions need to be replaced by an 'ethic of care', which places a

different value on children and their carers, and the act of caring itself.

An early years inclusion agenda

Participants agreed on 10 priorities for an agenda for social inclusion and the early years in Australia. These were:

1. Value children and those who care for them.
2. Ensure interventions that reach the right people.
3. Achieve a real reduction in inequality and prevent poverty by supporting a basic redistributive agenda.
4. Recognise and respect diverse groups.
5. Create joined-up services and practice, including through 'integrated workers'.
6. View social inclusion as not just a services issue but a whole of community responsibility, which engages more than just 'the usual suspects'.
7. Restore and extend culturally appropriate services, including Indigenous-specific services, recognising that mainstreaming excludes some.
8. Support both qualitative and quantitative evidence-based research and practice knowledge that provide a rich, detailed picture and evaluate progress.
9. Take a life-course approach.
10. Test all policy against its impact on children and social inclusion.

Note

Proceedings of this and the other RPC workshops on social inclusion can be viewed at <www.bsl.org.au>.

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Completing Year 12

Social inclusion in education

The federal government is promoting the education revolution as a key part of its social inclusion agenda:

Investing in the education, skills and training of our young people and our workforce is the best way to enhance the life chances of individual Australians and boost the productivity and prosperity of our nation. (Prime Minister's website, May 2009)

New data from the Brotherhood's longitudinal Life Chances Study (stage 9) illustrates the education experience of 18-year-olds from diverse backgrounds. The study complements the large-scale surveys of young people leaving school, in particular the Longitudinal Surveys of Australian Youth (LSAY) (Curtis & McMillan 2008) and the annual Victorian 'On Track' surveys (Corrie & McKenzie 2009). While smaller (138 participants), the Life Chances Study provides both qualitative data and longitudinal family data.

School completion and academic achievement

Completion of Year 12 'or equivalent' has become a major policy goal, with the federal government and COAG having a target of 90 per cent by 2015.

The national LSAY data show that those more likely to complete Year 12 are females, young people with parents with high-skill, white-collar occupations and university education, those from metropolitan areas, from so-called independent schools and with high levels of literacy and numeracy (Curtis & McMillan 2008). The persistence of these associations over time indicates where additional investment is needed if education is to be more inclusive.

The Life Chances Study generally confirms these patterns. We also

found completing Year 12 varied considerably with family income, a variable often not available in large surveys. For example, all but one young person (98%) from high-income families had completed VCE, while less than half (44%) of those from low-income families had done so. In contrast, a quarter of the low-income young people (26%) had left school before completing Year 12, but none of those on high incomes. The other low-income young people had either completed a less academic year 12 (15%) or were still at school yet to finish Year 12 (15%).

Social inclusion in education relates not only to completing Year 12, but also to academic achievement as this determines tertiary education options. Again we found the young people from high-income families had higher mean tertiary entrance (ENTER) scores (81.2) than those from medium (69.6) and low-income families (68.8).

Individual experiences

At the same time, the Life Chances Study can also illustrate—with individual case studies—the favoured standpoint of the Minister for Education, Julia Gillard, that 'demography is not destiny' (ABC Radio 30 April 2009).

For example, the study includes two young men, both from low-income families with refugee parents with no more than primary education, who attended government schools. Both could be seen as potential early school leavers. However both completed Year 12 and went on to tertiary education. Their ENTER scores were very different: one had a score of 97 and went to university, the other with a score of 33 went to TAFE. Both could be seen as 'included' in education in terms of completing Year 12, but both had struggled because of lack of resources at home and at school.

Challenges

The findings highlight the challenges for policy makers and educators wanting to increase Year 12 completion and optimise social inclusion in education. These include 'investing':

- to ensure affordable schooling that does not exclude those on low incomes
- to ensure extra support for students with a variety of special needs
- to provide adequate income support for young people from low-income families (Youth Allowance) to allow full participation in education.

Socially inclusive education is about more than removing financial barriers, but it must address these.

Acknowledgments and note

Stage 9 of the Life Chances Study has received generous support from the Bokhara Foundation, the Myer Foundation, the Hector Waldron Pride Charitable Trust and Equity Trustees Limited.

Further analysis of stage 9 is underway and the report will be on our website.

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Wages and social inclusion Seizing a new opportunity

A key omission in the early development of the social inclusion agenda has been the lack of attention to the way it might connect to the existing wages policy set-up. This is understandable perhaps, given the current policy disarray.

The policy landscape has changed hugely since we were accustomed to identify Australia as a 'wage-earners' welfare society'. According to this model, the wage system was preferred to a welfare state as the key social protection strategy (Castles 1985). This model of social protection has been largely undone, beginning with the partial development of a welfare state in the 1970s but especially with the constriction of award coverage in the 1990s. Periods of very high unemployment, a rise in wage inequality and a steady increase in casual, part-time and other non-standard forms of employment present us with a very serious policy challenge: how to ensure social inclusion for all working people (Buchanan & Watson 2000; Smyth 2008)?

The minimum wage is a key remaining element of the old wage-earners' welfare society model. Although compulsory arbitration has been substantially weakened through decades of neo-liberal policies, the minimum wage and awards are still critical in establishing base-line employment conditions for working Australians.

Moreover, recent research suggests that to conceive of awards as merely a safety-net for those at the bottom of the labour market is to underestimate their scope. According to Buchanan and Considine (2008, p.47), 'the reach of awards in the wage determination process is far higher (at about 80 per cent of employees) than is commonly recognized ...

Much turns on the rate at which minimum wages are set'. It is therefore important that the criteria for minimum wage and award setting are carefully analysed.

Towards fair work

Fair Work Australia (FWA) is the new industrial relations tribunal responsible for setting the minimum wage. It operates under a mandate set out in the *Fair Work Act*. For the first time, legislation determining minimum wage setting and dispute resolution in Australia includes a commitment to social inclusion. Section 3 of the Act states that:

The object of this Act is to provide a balanced framework for cooperative and productive workplace relations that promotes national economic prosperity and social inclusion for all Australians ...

Furthermore, according to the Act's overarching provisions, in setting the minimum wage FWA must take into account not only the performance of the economy, the relative wealth of the low-paid and equal pay for equal work, but also 'promoting social inclusion through increased workforce participation' (*Fair Work Act 2009*).

Despite social inclusion being thus embedded into employment law, the social inclusion discourse in Australia is yet to pay close attention to the concomitant possibilities for reducing social disadvantage through the industrial relations system (Buchanan & van Wanrooy 2009). It is important to note, also, that in terms of promoting social inclusion, the *Fair Work Act* falls short on a number of fronts. Although significant improvements have been made, the Act has not extinguished some of the more regressive policies of Work Choices, including restrictions on bargaining rights, the scope of agreements, union rights of entry,

and the extension of wages and conditions across industries.

Despite these shortcomings, the Brotherhood applauds the move towards reintegrating industrial and social policy under the *Fair Work Act* and encourages those contributing to Australia's emerging social inclusion agenda to take a keen interest in our industrial relations system.

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Evaluating the impact of household energy efficiency measures for low-income households

The Brotherhood's Social Enterprises team is rolling out the Warm Home Cool Home service that will audit and retrofit the homes of 1000 low-income residents in the City of Moreland in Melbourne's northern suburbs, as part of the Moreland Solar Cities project. Drawing on the Brotherhood and KPMG's earlier analysis (KPMG 2008), Warm Home Cool Home aims to improve home energy efficiency, leading to reduced energy usage and improved householder comfort and wellbeing.

This provides the Brotherhood's Research and Policy Centre with an opportunity to further examine the potential benefits of such programs—specifically to measure impacts on the quality of life of householders and investigate the relationships between the retrofit, energy consumption and energy use behaviour change.

Vulnerable populations

The research will focus on three household types (low-income households, private renters and large households) who face specific barriers to purchasing energy efficiency measures (see KPMG 2008). These households are particularly vulnerable to energy price rises and are likely to feel the worst effects of climate change impacts such as heatwaves.

Financial hardship

Rising energy costs in Australia have contributed to financial hardship, particularly for low-income households (Spoehr, Davidson et al. 2006). Energy prices will continue to rise over the coming decade (see KPMG 2008). The introduction of the Australian emissions trading scheme, along with increased hot days, will lead to further price rises. Difficulty paying electricity bills and increased demand for emergency financial assistance have been quantified

(Roy Morgan Research 2007). In the United Kingdom, financial hardship associated with energy costs and known as 'fuel poverty', has been linked to stress, anxiety, poor mental and physical health, and excess winter deaths (Green & Gilbertson 2008).

Health impacts

Health impacts of climate change in Australia identified by Horton and McMichael (2008) include increased incidence of heat stress, allergic diseases, gastroenteritis, cardiovascular and respiratory illness. Improvements in health and wellbeing have been achieved in home energy efficiency retrofitting projects in the UK (Green & Gilbertson 2008) and New Zealand (Howden-Chapman et al. 2007).

The evaluation

The research will provide important Australian evidence of the extent to which home energy efficiency programs reduce the financial effects of rising energy prices and also improve residents' health and wellbeing. Data about energy use, housing comfort and resident health will be collected before the retrofit and 12 months after to identify the impacts of the works.

Information from householders will be compared with their electricity billing data. This will provide evidence about how the retrofit and energy use behaviour changes of householders affect actual energy use and will assist in identifying which measures have the greatest impact. It will also provide insights into the differences between perceived and actual energy use changes.

Information about how householders found out about the scheme and why they joined will be valuable for promotion of future schemes and will assist in identifying the best methods for

recruiting low-income households into retrofitting projects.

Evaluation results will assist future advocacy for equity in response to climate change and improved targeting and delivery of projects such as Warm Home Cool Home. Research findings will be published in 2011.

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New information on poverty, social inclusion and critical social issues

Following are some recent acquisitions of the Brotherhood Library. Search the online catalogue or contact the library staff for more information about the collection (phone and email details below):

ABORIGINAL AUSTRALIANS

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YOUTH

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Information services for the public

The Brotherhood of St Laurence library offers a specialist focus on issues such as poverty, unemployment, aged care, social policy and welfare, taxation and housing. It can also provide, for the cost of copying and mailing, up-to-date information sheets on poverty and unemployment as well as information on the Brotherhood, its services and its publications.

The library is open to students, community groups and members of the public from 9am to 5pm, Tuesday to Thursday. Books can be borrowed by the public through the inter-library loan system (enquire at your regular library).

To find out whether we can help you, ring the Library on (03) 9483 1387 or (03) 9483 1388, or e-mail <library@bsl.org.au>. Further information including the library online catalogue can be found at <www.bsl.org.au>.

Recent submissions

Submissions or statements made by the Brotherhood of St Laurence in the last year include:

- An inclusive system of parental support: submission to the Productivity Commission inquiry into paid maternity, paternity and parental leave, June 2008
- Submission to the Victorian Government on skills reform, June 2008
- Submission to House of Representatives inquiry into better support for carers, July 2008
- Submission to the House of Representatives inquiry into competition in the banking and non-banking sectors, July 2008
- Response to the Review of the Adult Migrant English Program discussion paper, August 2008
- Response to the Exposure Draft of the New Employment Services 2009–2012 Purchasing Arrangements, August 2008
- Submission in response to A Climate of Opportunity Summit Paper, to the Office of Climate Change, Victorian Department of Premier and Cabinet, August 2008
- Pension reform for all: submission to the Pension Review of measures to strengthen the financial security of seniors, carers and people with a disability, September 2008
- Valuing all young people: submission to the Victorian Government on the Vulnerable Youth Framework discussion paper, September 2008
- Submission to the Victorian Parliamentary Inquiry into the Provision of Supported Accommodation for Victorians with a Disability or Mental Illness, October 2008
- Towards a progressive tax system: submission to the review of Australia's future tax system, October 2008
- Submission to the MCEETYA consultation on the National Declaration on Educational Goals for Young Australians, October 2008
- Submission to the parliamentary inquiry into the provision of supported accommodation for Victorians with a disability or mental illness, October 2008
- Submission to the Senate Finance and Public Administration Committee Inquiry into Residential and Community Aged Care in Australia, November 2008
- Submission to the House of Representatives Inquiry into Combining School and Work, January 2009
- Submission to the Senate Economics Committee Inquiry into Aspects of Bank Mergers, January 2009
- Submission re the fifteen recommendations in the TCF Review report *Building innovative capability*, January 2009
- Submission to the Victorian Budget 2009–10: Building capacity and preventing social and economic exclusion: proposals in response to the economic downturn, February 2009
- Submission to Response to the Standing Committee of Officials on Consumer Affairs consultation paper *An Australian consumer law: fair markets, confident consumers*, March 2009
- Submission to the Senate Inquiry into the DEEWR tender process to award employment services contracts, May 2009
- Submission to Community Affairs Legislation Committee regarding the Social Security and Other Legislation Amendment (Pension Reform and Other Budget Measures) Bill, June 2009

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