
2011-2014

Disability Action Plan

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Message from the President

The Australian Human Rights Commission has produced many reports over the years that focus on improving access and equity for people with disability. Our latest Disability Action Plan (DAP) seeks to build on this solid foundation, and to harness all that we have learned from previous lessons.

This plan was developed in consultation with our staff, particularly those with first-hand knowledge of living with a disability, our in-house specialists, our various networks and our community members. It is from this vast well of knowledge and resources that we attempt to create and deliver best practice in disability action plans.

The Commission's starting point is that accessibility issues should always be at the forefront of our thinking. It is too late to consider these vital issues as an afterthought or 'Band-Aid' to a poor situation. To this end, we've harnessed the experience of our Complaint Handling staff and their appreciation of what works well and what doesn't.

It is important to the Commission that every experience for a visitor, client, community member, employee or web explorer is a successful one, where information is available, accessible and helpful. We endeavour to deliver exceptional service by being proactive, considerate and responsive to the needs of our staff and visitors both on-site and online.

We have sought to identify and provide the best accessible premises and solutions with our recent relocation, but appreciate that this requires ongoing attention to ensure that continuing needs for both our staff and the public are met.

The focus for our current disability action plan has been on 4 key areas:

1. Developing and promoting a disability lens approach to our work
2. Technology and accessibility
3. Our workplace and employment
4. Community Connections

With these leading themes, we will endeavour to address any issues of service, technology, premises, education and employment.

We are grateful for feedback from community members and staff because that enables us to address any perceived or actual barriers to people with disability. In the area of employment, we have an established record of attracting staff with a disability to our workforce, currently exceeding the APS average by 100%. Reasonable adjustments have become standard practice, and we are working with our staff to ensure that workplace support in its many forms is delivered as expected.

We believe that we have made excellent progress in our plan, but concede that we, like many others, are on a journey of continuous improvement when it comes to making services and employment experience better for those in our community with disabilities.

Catherine Branson

Our Vision – “Human Rights for everyone, everywhere, everyday”

We all share human rights. We all have the right to enjoy them and we all have the responsibility to respect and protect the rights of others.

Our aim is to make this a reality. To that end we strive to build understanding in the Australian community about what human rights are and their relevance for everyday life. Our strategic plan charts the course for how we can best do this.

About the Commission and our DAP

About us and what we do

The Commission leads the implementation of the *Disability Discrimination Act (DDA) 1992*. This Act makes disability discrimination unlawful, and aims to promote equal opportunity and access for people with disability. The Commission also has major responsibilities under the *International Convention on the Rights of Persons with Disabilities*. Complaints about discrimination and breaches of human rights can be made to the Commission. The Commission also performs a wide range of functions to assist individuals and organisations, to understand their rights and meet their legal responsibilities. We conduct public inquiries, negotiate disability guidelines and standards, support organisations to develop Disability Action Plans and run community education programs.

Our DAP

Our DAP has been developed as a working document, with an emphasis on continually reviewing opportunities and our actions, to improve our performance and support people with disability. It has been developed in consultation with our staff and community and disability groups.

Our DAP is a road map for meeting our responsibilities under the Commonwealth Disability Strategy (CDS) and the National Disability Strategy (NDS). Through these strategies, the government seeks to ensure its policies, programs and services are accessible to all people. This is at the heart of the Commission’s work, and is critical to the quality of our interactions with the broader community.

Facts About Disability

What is a disability?

The Disability community is diverse, and people may experience the same disability differently. Generally a disability is any condition that restricts a

person's mental, sensory or mobility functions. It could be caused by accident, trauma, genetics or disease. A disability may be temporary or permanent, total or partial, lifelong or acquired, visible or invisible.

Facts and Figures¹

- In 2009 just under one in five Australians (18.5%) had a reported disability and a further 21% had a long-term health condition that did not restrict their everyday activities. *
- Males and females were similarly affected by disability (18% and 19% respectively).*
- Prevalence of disability increases with age. **
- Rates of disability are higher among Indigenous persons than non-Indigenous persons. **
- The participation rates of people with disability in the labour force are much lower than those of the wider population (30% and over 80% of 25-34 year olds respectively). **
- Employed people with a need for assistance were more likely to be working part-time than full-time. **
- People with disability between the ages of 25 and 44 are more than three times more likely as those without disability to be living in their parents' home (26% and 8% respectively). **
- People with disability are less likely to own their own home and more likely to rent from state or territory housing authorities. **
- The Commission currently has 10% of its workforce identified as having a disability. This data is provided to the Commission through voluntary disclosure, State of the Service data collection sheets, reasonable adjustment arrangements and workplace flexibility proposals.

Legislative Requirements

As an employer, service provider and convenor of events, the Commission is bound by a number of Commonwealth laws. Some of the most important are:

The Disability Discrimination Act 1992 (Cth) (DDA) provides that it is unlawful to directly or indirectly discriminate against a person with a disability because of their disability or because they have a carer, assistance animal or disability aid. It is also unlawful to discriminate against someone because they are an associate of a person with a disability. It is unlawful to discriminate against a person with a disability in particular areas of public life, including employment, provision of goods, services and facilities and access to premises. Where an employee with a disability requires reasonable adjustments, the DDA provides that it is unlawful to fail to provide those adjustments.

¹ * Disability, Ageing and Carers, Australia: Summary of Findings, 2009

** People with a Need for Assistance - A Snapshot, 2006

The Australian Human Rights Commission Act 1986 (Cth) provides that the Commission has a function of inquiring into acts or practices that may be inconsistent with or contrary to any 'human rights'. Human rights are defined to include the rights expressed in the Convention on the Rights of Persons with Disabilities.

The Fair Work Act 2009 (Cth) provides that it is unlawful for an employer to take adverse action against a person who is an employee or prospective employee because of their physical or mental disability. Adverse action taken by an employer includes doing, threatening or organising any of the following: dismissing an employee, injuring an employee in their employment, altering an employee's position to their detriment, discriminating between one employee and other employees, refusing to employ a prospective employee and discriminating against a prospective employee on the terms and conditions in the offer of employment.

The Public Service Act 1999 (Cth) outlines the Australian Public Service (APS) Values and Code of Conduct. The APS Values require that the APS is apolitical, free from discrimination and has the highest ethical standards. The Code of Conduct requires that APS employees act in a way that upholds the APS values. All APS employees are required to uphold the Values and comply with the Code and failure to do so may attract sanctions.

What we have done

'Showing leadership and building understanding and respect for human rights'

Through our work across the Commission we strive to build understanding about what human rights are and how we can help achieve this in the community and in our own workplace. Some of our successes specific to the areas of disability have been:

Our Website and information is accessible

- Our reports, submissions, speeches, media releases and other publications are available online in a variety of accessible formats.
- Our website is a W3c/WAI compliant website.
- The Commission will take all reasonable steps to produce and provide CDs and DVDs in accessible format
- Material is made available in in alternative formats.
- Commission YouTube videos are captioned.
- Podrights/podcasts have transcripts as well.
- E-alerts and e-bulletins are available on html.
- Videos and audio on the website are captioned and with transcripts to meet WCAG standards.

Delivering a best-practice national complaints service

One of our core functions is to help resolve complaints about discrimination and breaches of human rights. The number and type of complaints we receive often highlight systemic discrimination problems. We use this information to help address factors that lead to discrimination by developing education programs or suggesting policy reforms for workplace, service provider educational institutions and others.

- In 10-11, 4,294 enquiries to our Complaint Information Service concerned disability related issues.
- We received 823 complaints under the DDA.

Working to improve the lives of people with disability

- **Making Public Housing Accessible – “Access to Premises”**

We have made issues about access to premises one of our major disability rights projects. The work we have done has culminated with the commencement of the Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards) on 1 May 2011 and brings far-reaching improvements to public building access in our community. The Premises Standards sets out the requirements for new and refurbished buildings to allow access by people with disability.

- **Making housing safer and more accessible**

The Commission has partnered with industry, community organisations and government to improve the way we design and construct housing so that it will better meet the needs of families as their circumstances change. Adopting a more universal approach to the design of houses would ensure they are safer, easier to live in and easier to adapt. Universal Design Principles encourage the development of facilities suitable for use by everyone including people with vision and hearing impairments, families with prams and young children, people with injuries, the elderly and people with mobility impairments.

- **Improving accessibility of television, cinema, dvd and internet**

The Commission has had long involvement in media access issues. Our work focuses on the availability of captions and audio description, and involves direct negotiations, development of industry standards, assessment of temporary exemption applications and contributing to a national investigation into media access currently being undertaken by federal government.

- **Increasing participation of people with disability in employment**

We participate in the Disability Reference Group to advise the Minister on the future of disability employment services as well as matters covered in the National Mental Health and Disability Employment Strategy. In May 2010, we released *Workers with a mental illness: a practical guide for managers*.

- **Working for equitable health outcomes**

We work with disability representatives and health sector organisations to promote better access to health services for people with disability.

- **Ensuring electoral access for people with vision impairment**

The Commission has advocated for the government to trial an electronic secret ballot for people with a sight disability. This occurred in 2007 and its success has now led to a change in the law. An amendment to the electoral Act was passed by the government and will ensure the 300,000 Australians who are blind or have low vision have a secret ballot in federal elections.

- **Working towards internet accessibility**

Throughout 2009-10 the Commission contributed to the international web accessibility guidelines (WCAG2.0) and worked with the federal government to get the new guidelines adopted as government policy.

Working with and speaking to the community and peak disability groups

- National peak disability groups and selected regional groups are consulted on new projects in the development phase to seek their views on impact.
- Consultation with people with disabilities and their representative organisations occurs at a number of levels, through:
 - direct contact with representative organisations at a national and state/territory level
 - invitation to respond to new and revised policy/programs in writing, through the Commission's website, e-based networks or by phone
 - public forums, conferences and public meetings.
 - New initiatives are made publicly available through the Commission's webpage and disability organisations, and individuals are informed of developments through the Commission's listserve.
 - The Commission will take all reasonable steps to ensure public consultation events occur in accessible venues, with hearing augmentation and sign language interpreters available.
- Partnerships between the Commission and local councils are helping to improve the access to public building for people with disability. This begun with Marrickville Council in late 2009 and during 2009/10 we developed a similar partnerships with 10 other councils around Australia.

Our workplace and employment practices support people with disability

- **Reasonable Adjustment**

In 2010, we developed our *Reasonable Adjustment Policy* in consultation with the Australian Network on Disabilities. The policy was endorsed by the Commission. We recognise the diversity of our workplace and are committed to ensuring that all employees are able to effectively use their skills and experience to contribute to the organisation's performance, productivity and service delivery. We acknowledge that reasonable adjustment may occur on commencement or at any other time throughout the employment period as circumstances change or require different responses. Our responses have included accessible software, flexible hours and working patterns, structured and specialist supported return to work programs

- **Workplace Flexibility**

We support opportunities for workplace flexibility that maximise the work life balance of our employees. The Commission encourages employees and managers to seek out innovative and mutually beneficial solutions to accommodate a range of work, family, health and lifestyle needs. We keep our Commission Executive informed about the range of flexible options accessed by staff so that they can share this information in other forums as appropriate.

- **Employment Schemes**

We support the employment of people with disability through established programs such as the Willing and Able Mentoring Scheme and Stepping Into Program both coordinated by the Australian Network on Disability.

- **Member of the Australian Network on Disability**

We hold Bronze Membership status with the Australian Network on Disabilities and actively contribute to regular employer network discussions on issues around employment of people with a disability.

Opportunities and Actions (Our Plan)

We have identified four priority areas to focus on over the next three years.

- Developing and Promoting a "Disability Lens" approach to our work
- Technology and Accessibility
- Our Workplace and Employment
- Community Connections

Developing and Promoting a “Disability Lens” approach to our work

Our aim is to make the rights of people with disability a consideration in all of the Commission’s work.

What we will do	Who	Timeframe	Measure
Consider the impact of new projects on people with disability in the planning phase.	Director Policy/Projects	Ongoing	Question is included in section of decision
Include people with disability/disability organisations in consultations about new or revised policy/project proposals/submissions.	Director Policy/Projects	Ongoing	Relevant disability considerations included in final product
Ensure our internal policies comply with accessibility standards.	Executive Director	2012	Commence transition of records management

Technology and Accessibility

Our aim is to work with government, community organisations and their representatives to improve access to technology for all Australians and to ensure that information on our website is accessible for all.

What we will do	Who	Timeframe	Measure
Ensure our website continues to be accessible to people with disability.	Director Communications /IT Manager	Ongoing	Website meets s
Ensure equipment and facilities purchased by the Commission meet 'universal design' principles.	Finance and IT Managers	Ongoing	Meets accessibil
Ensure all our electronic letters are sent in Microsoft Word format.	All staff	Ongoing	Records indicate sent in Word form
Ensure our Intranet is accessible, including documents, photos and electronic forms.	Director of Communications/ IT Manager	Ongoing	Feedback from s

Our Workplace and Employment

Our aim is to have an inclusive and accessible workplace that encourages and supports the employment of people with disability.

What we will do	Who	Timeframe	Measure
Identify and resolve any accessibility issues for both staff and the public with the move to 175 Pitt Street.	Executive Director in consultation with Corporate Managers	During 2011 and ongoing	Ergonomic and a undertaken
Promote our <i>Reasonable Adjustment Policy</i> to staff through induction.	Personnel Manager	Ongoing	New staff advised information avail
Raise awareness of disability issues through the promotion of staff events (e.g. Black Dog Institute, Beyond Blue).	Personnel	Ongoing	Staff advised by on the Intranet
Continue to support and promote employment opportunities through the <i>Stepping into</i> and <i>Willing and Able Mentoring Programs</i> .	Personnel Manager	Ongoing	Number of partic
Investigate further employment opportunities such as paid internships, and graduate training schemes/traineeships to provide entry level opportunities for people with disability.	Personnel Manager	Ongoing	Number of partic
Investigate partnerships with other organisations (e.g. Legal firms) for graduate rotations.	Personnel Manager	2012/13	Discussions held organisations
Advertise vacancies through the Commission's listserves and disability employment networks.	Personnel	Ongoing	Number of positio
Continue to work with Job Support Networks on specific positions within the Commission.	Personnel	Ongoing	Visits by Job Sup
Meet or exceed the APS targets on the employment of people with disability.	Personnel	Annually	Reviewed against Service data

Support employees returning to work after illness or injury with appropriate specialist assistance as necessary.	Personnel Manager	Ongoing	Number of employees
Recognise and celebrate days and/or events that focus positive attention on issues relevant to people with disability.	Workplace Diversity Committee	Ongoing	Collate events held
Employment conditions support flexible and accessible workplace conditions.	Personnel Manager	Ongoing	No complaints made
Provide access to our employee assistance program.	Personnel	Ongoing	Staff advised of EAP at induction and thereafter
Review our recruitment processes.	Personnel	2012	Reasonable adjustments applied

Community Connections

Our aim is to promote community engagement and discussion about disability issues and raise awareness of our complaints process and services in general, ensuring that they are accessible to all.

What we will do	Who	Timeframe	Measure
Participate in public discourse to increase awareness of disability issues.	Commission Executive	Ongoing	Type and number of engagements, surveys
Partner with other organisations to initiate programs that support people with disability.	Director Policy/Program	Ongoing	Number of organisations
Provide information about human rights to the widest possible audiences in a range of accessible formats.	Director CHS, Director Policy/Programs, Director Communications	Ongoing	Type and number of events and enquiries
Ensure our events are held in accessible locations.	Policy Directors and Team Leaders	Ongoing	Checklist completed
The Commission will take all reasonable steps to ensure that contact points for all the Commission's services accommodate a range of	Relevant unit staff.	Ongoing	Commission documents of contact points

communication needs. (Eg TTY, email).

Identify and accommodate reasonable adjustments required to enable people with disability to access the Commission's services, including handling of complaints, inquiries, consultations, and information sessions/for a, public events, etc.

Relevant Directors/Team Leaders

Ongoing

Reasonable adjustments required

Promote awareness of our complaint processes in accessible formats.

Director CHS

Ongoing

Feedback on service satisfaction

Develop and promote to all Commission staff internal guidelines on "*Working with and Providing a Service to People with a Disability*".

DAP Committee/ Personnel

2011/12

Made available to staff

Promote our Charter of Service to ensure that our services are accessible.

CHS

Ongoing

Feedback from customers

Monitoring and Evaluating our Progress

Our DAP Committee will meet regularly to monitor and review our progress on DAP. Our DAP is a working document and under constant review to meet changing demands. Our Committee includes staff from across our policy, complaint handling, legal and corporate services. Our progress will be reviewed annually.

It is important that all our staff have input into how our DAP evolves. We will report to our Commission on progress.

Links and Resources

Links

Australian Network on Disability (AND)

The AND is a not for profit organisation funded by its members to take a leadership role in advancing equitable inclusion of people with disability in all aspects of business. The Commission is a bronze member of AND.

<http://www.and.org.au/>

Australian Federation of Disability Organisations (AFDO)

<http://www.afdo.org.au/>

People with Disability Australia Inc (PWD)

<http://www.pwd.org.au/>

Resources

- Strategic Plan
- Whole Of Commission Plan 2010-2012
- Workplace Diversity Plan
- Our Annual Report
- 2009 SDAC report on statistics about disability demographics
<http://www.abs.gov.au/ausstats/abs@.nsf/mf/4430.0>
- 2006 Census for information about housing, geography, work and education
<http://www.abs.gov.au/ausstats/abs@.nsf/mf/4445.0>
- The 'Shut Out' Report
http://www.fahcsia.gov.au/sa/disability/pubs/policy/community_consult/Pages/default.aspx