



*'Leading the way  
to a safer community'*

# South Australia Police

## DISABILITY ACTION PLAN

EQUITY AND DIVERSITY BRANCH

# **DISABILITY ACTION PLAN**

## **Purpose of the Plan**

South Australia Police recognises that people with disabilities have the same fundamental rights as other people and should have equal opportunities to participate in community life.

The purpose of the Plan is to ensure equal access to SAPOL services for people with disabilities and to eliminate any unlawful discrimination against employees and members of the public with disabilities. This includes people with physical, intellectual, psychiatric, sensory, neurological and learning disabilities, as well as physical disfigurement and the presence in the body of disease-causing organisms.

## **Responsibility**

The Director, Human Resources Service, under delegation by the Commissioner has responsibility to ensure that:

- SAPOL complies with the provisions of the *Disability Discrimination Act 1992 (Cwlth)* (DDA) and the *Equal Opportunity Act 1984 (SA)* (EOA);
- All of SAPOL's policies, practices and procedures are inclusive and uphold the rights of people with disabilities; and
- The DAP is monitored, annually reviewed and updated to reflect progress and changing priorities.

The Manager, Equity and Diversity Branch, has responsibility for managing the implementation of the DAP under delegation by the Commissioner.

Employees are responsible and will be held accountable for interacting with people with disabilities, who may be colleagues or customers, with an awareness and understanding of the needs of people with disabilities.

## **Objectives of the Action Plan**

The objectives of the Action Plan are to:

1. Ensure that all policy and planning is inclusive of the rights of people with disabilities;
2. Ensure equality of access to services and facilities for people with disabilities;
3. Ensure that all information about services and communication methods are inclusive of people with disabilities;
4. Improve service provision and workplace conditions by ensuring that all employees understand and respect the rights and needs of people with disabilities;
5. Facilitate consultation with people with disabilities regarding service delivery and workplace conditions;
6. ensure that employment policies and procedures do not unlawfully discriminate against people with disabilities; and
7. Ensure that the Disability Action Plan is regularly reviewed, monitored and improved.

## **SAPOL Strategic Aims**

The Action Plan supports the SAPOL Disability Management General Order. The Disability Management General Order recognises that people with disabilities have the same rights as other members of the community and that specific action is required to protect those rights.

The Action Plan will contribute to operational service delivery by directly addressing several Key Management Areas of the *South Australia Police Future Directions Strategy*.

### **Service Orientation**

The Action Plan will assist in making SAPOL responsive to community needs and expectations, and will remove communication barriers and open up consultation channels with people with disabilities.

### **Valuing our People**

The Action Plan will assist SAPOL to use the diversity of knowledge and experience within the organisation by valuing all employees.

### **Continuous Improvement**

The Action Plan will contribute to a systematic organisation-wide approach to service delivery through promoting awareness of disability discrimination as an issue.

## **Disability Discrimination Act 1992 (Cwlth)**

This Action Plan will ensure that South Australia Police complies with the provisions of the DDA. The DDA makes discrimination on the basis of disability unlawful.

## **Disability**

The DDA defines 'disability' as:

- (a) Total or partial loss of the person's bodily or mental functions; or
- (b) Total or partial loss of a part of the body; or
- (c) The presence in the body of organisms causing disease or illness; or
- (d) The presence in the body of organisms capable of causing disease or illness; or
- (e) The malfunction, malformation or disfigurement of a part of a person's body; or
- (f) A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- (g) A disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour;

And includes a disability that:

- (h) Presently exists; or
- (i) Previously existed but no longer exists; or
- (j) May exist in the future; or
- (k) Is imputed to a person.

The DDA does not require any assessment of severity, type or permanency of a disability, or assessment of when or how it was acquired. The disability may not even be current, it can be in the past, the future or imputed.

## **Discrimination**

Discrimination is defined as less favourable treatment of someone because of a disability or the disability of a relative or associate.

It is discrimination under the DDA to treat a person less favourably, because of her or his disability, than a person without that disability would be treated in the same or similar circumstances. This is known as *direct discrimination*.

The DDA also covers discrimination where the same treatment applies to people with and without a disability but the impact is to disadvantage or exclude people with a disability in a way which is not reasonable. This is known as *indirect discrimination*.

## **Inherent requirements**

The DDA uses the concept of the “inherent requirements of the job” in defining discrimination and in defining some of the exceptions to the obligation not to discriminate. Employees must be given an equal opportunity to perform the inherent requirements of the job, which may include the ability to perform the tasks or functions which are a necessary part of the job, the ability to work effectively in the team or the ability to work safely.

## **Reasonable Adjustments and Unjustifiable Hardship**

If a person with a disability is the best person for the job then the employer must make workplace adjustments if that person needs them to perform the essential activities of the job. In most cases the person with a disability will be able to tell the employer what is needed. Changing rules or requirements, premises or equipment so that indirect discrimination does not occur is often referred to as making *reasonable adjustments*.

The DDA does not require workplace changes to be made if this will cause major difficulties or unreasonable costs to a person or organisation. This is called *unjustifiable hardship*.

Before considering claiming that adjustments are unjustified, employers need to:

1. Thoroughly consider how an adjustment might be made;
2. Discuss this directly with the person involved; and
3. Consult relevant sources for advice.

If adjustments cause hardship it is up to the employer to show that they are unjustified.

## **Complaints under the Disability Discrimination Act**

The DDA is a complaints based piece of legislation. This allows a person with a disability, or somebody acting on their behalf, to lodge a discrimination complaint with the Human Rights and Equal Opportunity Commission (HREOC). HREOC attempts to conciliate the complaint.

However, if the complaint cannot be conciliated, the complaint may be terminated by the President. The complainant may then apply to the Federal Court of Australia or Federal Magistrates Service to have their original allegations heard and a binding decision made.

An adequate disability action plan and progress consistent with its timetable is likely to mitigate the effects of a discrimination complaint lodged under the DDA.

## **Government of South Australia**

The South Australian Government policy *Promoting Independence Strategy: Disability Action Plans for South Australia* provides a framework of action for Government agencies to address the requirements of the DDA.

This Government initiative requires the Commissioner to report annually against the achievement of six key outcomes:

1. Policy, Planning and Access to Services;
2. Inclusive Information;
3. Training;
4. Consultation;
5. Accountability; and
6. Employment.

The Disability Action Plan will ensure SAPOL achieves these outcomes.

# **SAPOL DISABILITY ACTION PLAN** **IMPLEMENTATION SCHEDULE**

## **OUTCOME 1**

### **A. Policy and Planning: To ensure that all policy and planning is inclusive of the rights of people with disabilities**

<b>Strategy</b>	<b>Action</b>	<b>Responsibility</b>
1.1 Review all current policies, practices and procedures to ensure that all policy and planning is inclusive of the rights of people with disabilities*	1.1.1 All policies, practices and procedures to be reviewed to ensure they comply with the requirements of the Disability Action Plan (DAP), the Disability Discrimination Act (DDA) and the Equal Opportunity Act (EOA)	All Branch Managers and O/C LSAs
		O/C Performance Management and Reporting Service
	1.1.2 Amend the Guidelines for GO 8175 'Audit and Inspection Procedures' to ensure that they reflect the DAP, DDA and EOA	O/C Service Enhancement Branch
	1.1.3 Ensure evacuation procedures incorporate the safety of people with disabilities	All Branch Managers and O/C LSAs
	1.1.4 Ensure OHS&W policies, practices and procedures incorporate the rights of people with disabilities	All Branch Managers and O/C LSAs
		Health, Safety & Welfare Branch
	1.1.5 Fund the strategies of this Plan as appropriate	Director Business Service
		All Branch Managers and O/C LSAs
	1.1.6 Undertake any remedial action necessary to meet requirements of the DAP, DDA and EOA	All Branch Managers and O/C LSAs
		Manager Equity and Diversity Branch
1.2 All future policies, practices and procedures to address the requirements of the DAP, DDA and EOA	1.2.1 The development of all new policies, practices and procedures to incorporate the requirements of the DAP, DDA and EOA	All Branch Managers and O/C LSAs
		O/C Strategic Management Service
		Manager Equity and Diversity Branch

\* In reviewing policy, practice and procedures managers should be cognisant of the requirements of the DAP, DDA and EOA.

# OUTCOME 1

## B. Access: To ensure equality of access to services and facilities for people with disabilities

Strategy	Action	Responsibility
1.3 Address barriers to equality of access to SAPOL's services and facilities by people with disabilities	1.3.1 Review complaints against SAPOL to identify issues for people with disabilities	Ethical and Professional Standards Branch (EPSB)
		Manager Equity and Diversity Branch
	1.3.2 Consult with a range of peak disability organisations to identify access issues	Manager Equity and Diversity Branch
	1.3.3 Make recommendations arising out of the complaints and consultation processes	Manager Equity and Diversity Branch
	1.3.4 Ensure SAPOL members can access appropriate support people when working with people with intellectual and psychiatric disabilities	Manager Equity and Diversity Branch
	1.3.5 Undertake a physical access review and formulate a Physical Access Plan with reference to the DAIS Access review tool for Government services	Manager Physical Assets Services Branch (PASB)

## OUTCOME 2

**Information: To ensure that information about services and communication methods are inclusive of people with disabilities**

Strategy	Action	Responsibility
2.1 Ensure that information about SAPOL's services to the public and communication methods are inclusive of people with disabilities	2.1.1 Review public information about SAPOL's services to ensure they are inclusive of people with disabilities and comply with section 24 of the DDA	Manager Equity and Diversity Branch
	2.1.2 Public information is provided in alternative formats as required	Director IS&TS
O/C Corporate Communications		
O/C Crime Reduction		
	2.1.3 Evaluate access needs of people with hearing impairments and make recommendations to appropriate areas of SAPOL	Manager Equity and Diversity Branch
		Manager Applications Branch (IS&T)
	2.1.4 Ensure SAPOL's online environment addresses the needs of people with visual impairment	Manager Business Consulting and Planning Branch (IS&T)
		Manager Applications Branch (IS&T)
2.2 Communicate the DAP to SAPOL employees and the public	2.2.1 Ensure information regarding DAP is appropriately communicated	Manager Equity and Diversity Branch
		Manager Applications Branch (IS&T)
	2.2.2 All employees to be made aware of SAPOL's commitments to people with disabilities	Manager Equity and Diversity Branch
	2.2.3 Lodge the Plan with the Human Rights and Equal Opportunity Commission (HREOC)	Manager Equity and Diversity Branch

## OUTCOME 3

**Training: To improve service provision and workplace conditions by ensuring that all employees understand and respect the rights and needs of people with disabilities**

Strategy	Action	Responsibility
3.1 Provide Disability Awareness training to all employees through all SAPOL training packages	3.1.1. Conduct a training needs review to ensure compliance with the DDA and EOA	Manager Equity and Diversity Branch
	3.1.2. Develop disability awareness training packages for all SAPOL Services in line with the requirements of the SA Government Disability Awareness and Discrimination Training Framework	Manager Equity and Diversity Branch
	3.1.3. Induction process for all new staff to provide information on the rights of people with disabilities and supports available for employees with disabilities	Manager Human Resource Management Branch
		O/C Academy
	3.1.4. Deliver disability awareness training in the Constable Development Program	O/C Academy
	3.1.5. Deliver disability awareness training in the Promotional Qualifications Framework	O/C Academy
	3.1.6. Deliver DAP training in the field	All SAPOL Training and Development Co-ordinators
3.2 Implement quality assurance process for Disability Awareness training package	3.2.1 Conduct a periodic training needs analysis to update curriculum design	Manager Equity and Diversity Branch in consultation with O/C Academy

## OUTCOME 4

### Consultation: To consult with people with disabilities on methods regarding service delivery and workplace conditions

Strategy	Action	Responsibility
4.1 Ensure that there are forums to advise SAPOL, as required on issues arising for people with disabilities as employees and as members of the public accessing SAPOL's services	4.1.1 Continue to support the disAbility Focus Group	Manager Equity and Diversity Branch
	4.1.2 Consult with peak disability organisations	
4.2 Assess whether disability issues contribute to employees leaving SAPOL	4.2.1 Review Exit Interview Form to include disability as defined in the DDA	Manager Human Resource Management Branch
	4.2.2 Analyse exit interviews completed by sworn staff to provide feedback on issues relevant to employees with disabilities	Manager Equity and Diversity Branch
4.3 Ensure peak disability organisations are consulted when developing policies, practices and procedures that may impact upon people with disabilities	4.3.1 Consult with peak disability organisations	Manager Equity and Diversity Branch
		All Managers

## OUTCOME 5

**Accountability:** To ensure that the Disability Action Plan is regularly reviewed, monitored and improved

Strategy	Action	Responsibility
5.1. Establish an implementation, monitoring and review process for the Plan	5.1.1 Identify and address barriers to the implementation of the Plan and revise strategies where necessary to meet objectives	Manager Equity and Diversity Branch
	5.1.2 Design a proforma for each Service to use when providing a DAP annual report to the Manager of E&D	Manager Equity and Diversity Branch
	5.1.3 Each Service to provide an annual report to the Manager of E&D outlining the progress of the DAP	All Branch Managers and O/C LSAs
	5.1.4 Provide an annual DAP report to the Commissioner	Manager Equity and Diversity Branch

## OUTCOME 6

**Employment: To ensure that employment policies and procedures do not unlawfully discriminate against people with disabilities**

Strategy	Action	Responsibility
6.1. Participate in Government strategies aimed at increasing employment opportunities for people with disabilities	6.1.1 Use the South Australian Government's Disability Recruitment Coordination Service where possible	O/C Human Resource Management Branch
6.2. Ensure recruitment policies do not unlawfully discriminate against people with disabilities	6.2.1 Continue to develop appropriate medical entry standards	Manager Occupational Health, Safety & Welfare Branch
6.3. Ensure promotion policies, procedures and practices do not unlawfully discriminate against people with disabilities	6.3.1 Ensure SAC training courses incorporate DDA Disability Awareness and Discrimination components	O/C Human Resource Management Branch
	6.3.2 All selection advisory panel members to undertake Disability Awareness training and be aware of the provisions of the DDA	O/C Human Resource Management Branch
6.4 Ensure that employees with disabilities are provided with appropriate support and workplace accommodation	6.4.1 Ensure that reasonable workplace adjustments are made to accommodate the needs of employees with disabilities	All Managers
	6.4.2 Publicise the disAbility Focus Group as a means for supporting employees with disabilities	Manager Equity and Diversity Branch
	6.4.3 Provide advice to managers on all aspects of employment of people with disabilities	Manager Equity and Diversity Branch
	6.4.4 Employees returning to work with a temporary or permanent disability are provided with appropriate support	Manager Occupational Health, Safety & Welfare