NSW Disability Inclusion Action Planning Guidelines

NSW GOVERNMENT

Updated November 2022

Minister's Foreword

The NSW Government is committed to the inclusion of people with disability in the community and workforce.

As Minister for Families and Communities, and Minister for Disability Services, I am proud to launch these Guidelines which have been updated following the passing of the Disability Inclusion Amendment Bill 2022. The Guidelines assist all public authorities in identifying key areas where change can and must happen, as part of their disability inclusion action planning.

Disability Inclusion Action Plans play a critical role in promoting access and inclusion across NSW, providing practical measures by which intent is transformed into action by NSW Government departments and local government.

THE HON NATASHA MACLAREN-JONES

Minister for Families and Communities
Minister for Disability Services

Contents

Minister's Foreword 2

Introduction 5

Inclusion policy and legislation 6

Timeframes for DIAPs 8

Flexibility in application 8

Review of the Disability Inclusion Act 9

2 How to use these guidelines 11

3 Overview of Disability Inclusion Action Plans 12

3.1 The case for inclusion 12

3.2 Policy and legislative context 13

3.2.1 NSW disability reforms 13

3.2.2 Overarching policy and legislation 14

3.2.3 Other relevant legislation 16

Additional Resources - Legislation 17

3.2.4 The role of Disability Inclusion Action Plans 19

3.3 Key outcome areas 19

3.3.1 Attitudes and behaviours 19

3.3.2 Liveable communities 20

3.3.3 Employment 21

3.3.4 Systems and processes 24

4 Disability Inclusion Action Plan outline 25

5 Step by step plan for DIAP development and implementation 27

5.1 Allocate executive ownership and responsibility 27

5.2 Map your functions, facilities, services and information sources 28

5.3 Determine governance and accountability arrangements 28

5.4 Consultation and co-design with people with disability, staff and the community 29
5.4.1 Plan the consultation 31
5.4.2 Select appropriate consultation methods 31
5.4.3 Decide who to engage 32
5.4.5 Additional Resources - Consultation 33
5.4.6 Report on the consultation 33
5.5 Undertake disability inclusion action planning 33
5.6 Develop risk mitigation strategy 34
5.7 Prepare a monitoring and reporting strategy 34
5.8 Plan for continual engagement 35
5.9 Publish your Action Plan 36
5.10 Promote the Action Plan to staff and the community 36
5.11 Evaluation 37
6 Accessibility 38
6.1 Universal design 38
6.2 Adjustments 38
6.3 Types of accessibility needs 39
6.4 Access to information and systems 39
6.4.1 Digital accessibility 39
6.4.2 Procurement 40
6.4.3 Accessible documents 40
6.4.4 Publishing your DIAP in accessible formats 40
Appendices 41
Appendix 1 - Additional resources 42
Appendix 2 - Writing and formatting accessible documents 44
Appendix 3 - DIAP project summary template 51
Appendix 4 - Abbreviations 52
Appendix 5 - References 53

Introduction

The NSW Government is committed to supporting the fundamental right of choice for people with disability. The work being undertaken under the NSW Disability Inclusion Plan continues to drive inclusion across NSW by removing barriers so that people with disability have a better opportunity to live a meaningful life and enjoy the full benefits of participation in the community.

The Disability Inclusion Act 2014 (DIA) mandated the development of the Disability Inclusion Plan and disability inclusion action planning across NSW Government and local councils. The Act enshrines the principles of inclusion in legislation, and holds government accountable to making real change in this area.

Inclusion policy and legislation

Figure 1

Relationship between Disability Inclusion Act 2014, NSW Disability Inclusion Plan and Disability Inclusion Action Plans

Principles established in Acts, agreements and plans (UNCRPD, ADS, DIA, DDA, ADA NSW)

NSW Disability Inclusion Plan

Whole of government & interdepartmental strategies to support the objects and principles of the Disability Inclusion Act

Leadership, governance, corporate and community responsibility

Consultation and engagement

the Department Communities and Justice to prepare the *State Disability Inclusion Plan* which: **1)** Sets out the whole of government goals that support the inclusion in the community of people with disability and to improve access to mainstream service and community facilities by people with disability **2)** Provides for collaboration and co-ordination among government departments, local councils and other entities in the provision of supports and services

Attitudes and behaviours	Liveable communities	Employment	Systems and processes
Government, business and the general community are aware of and demonstrate positive attitudes and actions to inclusion for people with disability.	All people including those with disability are able to exercise their rights, live, learn, work and play, feel safe, raise a family and grow old. Within their own community.	People with disability have the opportunity to gain, retain, contribute effectively and experience the positive self and social benefits of employment.	People with disability are able to access information, systems, processes and services, and supporting their right to exercise choice and control.

Each public authority must have... a ***Disability Inclusion Action Plan***... setting out the measures it intends to put in place (in connection with the exercise of its functions) so that people with disability can access general supports and services available in the community and can participate fully in the community

Disability Inclusion Action Planning

Operationalisation of the objects and principles of the DIA at the agency and front line level and influencing the broader community

Regulations, standards, quality and compliance requirements and Guidelines

Examples include: • Human rights and the social model of disability • Consultation and co-design • Planning • Corporate leadership • Staff training • Communication • Choice and control • Complaints / feedback • Ongoing engagement mechanisms • Campaigns and advertising • Corporate identity and public face • Integration with diversity policy	*Examples include:* • Buildings / universal design • Infrastructure • Physical environment • Way finding and connected journeys • Community and customer consultation and awareness • Full range of service provision (to all) • Community partnerships • Community events • Emergency procedures and safety • Specialist services • Local planning and responsiveness • Social interaction	*Examples include:* • Recruitment policies and practices • Application processes • Induction and orientation • Managerial support & development • Reasonable adjustment • Employee consultation and support networks • Diversity policy & targets • Physical work environment and amenities – kitchens, toilets, transport, parking • GSE and other considerations • Transition from education to work	*Examples include:* • Service quality monitoring • Staff training • Information formats • ICT – internal and external systems • Application processes • Service excellence and quality mainstream service delivery to all • Use of technology • Quality and complaints systems • Accessible communication approaches

Integrated monitoring & reporting framework

Monitoring, reporting and evaluation

A comprehensive reporting framework drives the ongoing refinement and implementation of the DIP and DIAPs by:
1. Regularly engaging with the stakeholders that have contributed to the development of priorities
2. Responding to the legislative, regulatory, compliance bodies and other reporting requirements
3. Identifying the outputs and outcomes of actions to allow progress to be clearly measured
4. Providing timely reporting that identifies progress and provides accurate data to inform future directions and decisions

As outlined in figure 1, the four themes of the Disability Inclusion Plan are carried across to the Action Plans. This emphasises the whole of government commitment to progress these areas. It is recognised that each public authority in NSW operates with legislative and policy obligations beyond these four areas, such as federal standards in transport, education and health. All Disability Inclusion Action Plans should be planned, developed and implemented in consideration of the unique legislative and policy responsibilities of each agency.

The DIA demonstrates the ongoing commitment of the NSW Government to building an inclusive community and requires the government to produce a Disability Inclusion Plan. The NSW Disability Inclusion Plan (DIP) supports the DIA and provides a strategy to implement the Act's objects and principles across government and the community.

Disability Inclusion Action Plans (DIAPs), also mandated by the DIA, play a critical role in promoting the ethos of inclusion and provide the practical measures by which intent is transformed into action by agencies and local government.

DIAPs outline the practical steps NSW Government agencies and local councils have put in place to break down barriers and promote access to services, information and employment and promote the rights of people with disability.

The social model of disability, outlined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), states people with disability are not disabled by their impairment but by the barriers in the community that prevent them gaining equal access to information, services, transport, housing, education, training, employment, and social opportunities. The NSW Government provide a positive role model of inclusion for other sectors of the community.

Analysis indicates that there are significant economic reasons for increasing the inclusiveness of our society. There are financial benefits for both individuals and for the economy by enabling people to have productive and fulfilling employment and by reducing modification costs through inclusive planning and the application of universal design principles.

It is the social responsibility of the NSW community to work to remove the barriers, so that people with disability can fully participate in community life, with less reliance on others and on specialist services. Australia's Disability Strategy 2021-2031 (ADS) identifies the key priorities and associated actions to remove barriers in its whole-of-government plan.

The Disability Inclusion Act 2014 defines disability as:

'The long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others.'

This definition reinforces the importance of viewing disability as the result of interaction between people living with a range of impairments and their physical and social environment. Disability is not just about the impairment. The onus to break down barriers rests with the whole community.

Disability action planning is not a new approach. Since the introduction of the NSW Disability Services Act 1993 (DSA), all NSW government departments and some other government bodies have been required to undertake disability action planning. The DIA replaces the DSA, and strengthens the commitment to inclusion, consultation with people with disability and protection of their rights.

These guidelines apply to public authorities when reviewing and remaking DIAPs. As of July 2022, all public authorities need to not only regularly review their DIAPs, but also remake them. A 'public authority' is any NSW Government or local council, or any statutory body which is a prescribed entity under the Disability Inclusion Regulation 2014. The term 'public authority' is used throughout these guidelines to describe these entities. Of course, any organisation which chooses to have a DIAP although not prescribed by law, can follow these guidelines too.

Timeframes for DIAPs

Local Councils

Under the Disability Inclusion Act 2014, amended by the Disability Inclusion Amendment Act 2022 local councils must:

- review their 2017 Disability Inclusion Action Plans before the end of 30 November 2022
- have new (remade) DIAPs by the end of 30 November 2023

The following DIAP review will be due 1 July 2025, with new plans due by 1 July 2026.

Departments and prescribed entities

Dates for the review of these DIAPs remain in line with the four-year cycle in Disability Inclusion Regulation 2014:

- DIAPs must be reviewed by 1 December 2023
- New DIAPs are due by 1 December 2024.

Flexibility in application

These guidelines are intended as a tool to assist with the development of DIAPs. The guidelines are provided to ensure that there is a concerted whole of government, whole of community approach in addressing the areas that people with disability have identified as priorities.

While the guidelines are aligned with the areas of focus of the NSW Disability Inclusion Plan, it is recognised that all public authorities will need to operate within their own legislative and compliance framework established by the laws, standards and good practices that guide delivery of government services.

The guidelines provide a framework that accommodates the major focus areas for inclusion and provide an approach to addressing issues through engagement, planning and co-design of solutions. It is recognised that flexibility with the provision of service delivery and infrastructure will be required to ensure the needs of all people with disability are considered in providing services.

The Department of Communities and Justice (DCJ) will work with NSW public authorities to support the development of DIAPs and their implementation and review over time.

Disability Inclusion Action Plans have a 4-year life, the work they do must become integrated into organisational culture and practice. To embed this in your organisational culture an active and ongoing commitment to be constantly aware of, and responsive to, opportunities to ensure we are inclusive of people with disability in our workplaces and in our engagement with the community is required.

Review of the Disability Inclusion Act

The Disability Inclusion Act was assented on 24 August 2014. A statutory review of the Act was required at the end of four years of the Act passing. This review commenced in 2019, resulting in the amendments to the Act in 2022.

The DIA requires the Minister to determine whether the policy objectives of the Act remain valid.

Consultation undertaken as part of the DIA review identified three main themes:

- the need for greater consultation with stakeholders, staff and the community through all stages of planning
- the importance of ensuring governance and accountability are in place at the outset and advice on designing governance and accountability arrangements to encourage effective implementation
- people with disability should be involved at all stages of the development, implementation and monitoring of the DIAP.

These Guidelines have been reviewed and updated to ensure they are consistent with contemporary policy and practice including with the amendments to the DIA in 2022. As part of the review of the Act DCJ conducted extensive consultations with people with disability, Local Councils, the sector and the Disability Council NSW to ensure the voices of stakeholders are reflected in the updated guidelines.

These guidelines include:

Consultation

- **A greater emphasis on consultation** at all stages of planning, implementation and monitoring and direction on how to conduct inclusive consultation with stakeholders, staff and the community have been included. Remember the rights of people with disability and ensure all information is accessible for people with disability.

Governance

- **Highlighting the importance of ensuring governance** and accountability are in place at the outset and advice on designing governance and accountability arrangements to

encourage effective implementation. A project summary **template** has been provided for indicators tied to positive inclusion outcomes for senior management.

Lived experience

- People with disability, and peak organisations representing people with disability, need to be involved in all stages of the development, implementation and monitoring of agencies' DIAPs. This includes respecting the lived experience of people with disability, empowering people with disability to influence the direction of their lives and encouraging full participation to enable the identification of barriers and propose solutions. Section 12 of the DIA mandates this during consultation. This includes respecting the lived experience of people with disability, empowering people with disability to influence the direction of their lives and encourages full participation to enable the identification of barriers and propose solutions. Section 12 of the DIA mandates this during consultation.
- Public authorities must maximise opportunities for participation of all people with disability – both staff and members of the community – at all stages of the consultation process.

DIAPs must be provided in formats which are accessible to people with disability. These Guidelines include guidance on accessibility - please see **Section 6 Accessibility.**

2 How to use these guidelines

The guidelines provide a framework for the major focus areas for inclusion and provide an approach to addressing issues through engagement, planning and co-design of solutions. It is recognised that flexibility within the provision of service delivery and infrastructure will be required to ensure the needs of all people with disability are considered in providing services.

The Department of Communities and Justice (DCJ) will continue to work with NSW public authorities to review current Action Plans and provide advice.

DIAPs and the guidelines should be reviewed in conjunction with statutory reviews of the Act to ensure they remain consistent with contemporary standards and ensure access and inclusion of people with disability.

These guidelines have been arranged into sections as follows:

- **Overview of DIAPs**– Background information on disability reform, DIAPs and the current policy and legislative context; the importance of integrating inclusion as core business into all NSW public authorities; and the key outcome areas under which to organise disability inclusion commitments.
- **Disability Inclusion Action Plan outline** – Provides a suggested outline for the plans which reflects the requirements of the Disability Inclusion Act. Given the diverse operating contexts of NSW public authorities, this outline is a guide only.
- **Step by step guidance for Action Plan development and implementation** – A guide to developing and implementing a high quality plan based on best practice.
- **Additional resources and support** – These guidelines will be updated over time in response to feedback, and as new resources, or approaches are developed. Users are encouraged to visit the DCJ website for updated versions and access to tools, learning and development and monitoring and evaluation resources.

Additional support or information is available via:

- Email: **DisabilityCouncil@facs.nsw.gov.au**
- Webpage: **https://www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/nsw-disability-inclusion-action-plan-guidelines.html**

3 Overview of Disability Inclusion Action Plans

3.1 The case for inclusion

Personal choice and control for all people in society is only possible in a community which ensures access and inclusion for people with disability, including physical disabilities, intellectual disabilities, cognitive disabilities, sensory disabilities, and those with psychosocial disabilities. Without an inclusive society and the opportunities that an inclusive community provides, diversity is not promoted, control over choice is limited and positive change for people with disability may not occur.

The case for an inclusive society and community is strong:

- As a community, we are poorer without a diverse range of viewpoints and individual perspectives.
- Exclusion leads to disadvantage and discrimination, which have far-reaching negative impacts across all aspects of life, including health, welfare, education and employment. These impacts are felt beyond the individual, with family units and the broader community all being negatively impacted by a non-inclusive society.
- There is a strong economic imperative for increasing the inclusiveness of our society. Analysis indicates that providing people with disability real job opportunities and the chance to move off social service dependence can have a large economic impact.[1]

Critical to achieving positive change and creating a more inclusive NSW is the provision of an overarching strategy, the NSW Disability Inclusion Plan, which provides a basis from which to build a more inclusive NSW for all people with disability.

People with disability in NSW form a diverse population having an equally diverse range of backgrounds, needs and aspirations. The wide variety of features that define individual people with disability is something that the NSW Government recognises and respects and will work to ensure that this diversity is reflected in the plans, programs and policies developed to support people with disability in this state.

In particular, the NSW Government recognises the unique rights, needs and aspirations of the following cohorts within the broader population of people with disability in NSW:

- Aboriginal and Torres Strait Islander people
- people from culturally and linguistically diverse (CALD) backgrounds
- women
- children
- LGBTIQ+ communities

1 Deloitte Access Economics (2011) The Economic Benefits of Increasing Employment for People with Disability.

By bringing to life the vision for a fully inclusive NSW as articulated in the NSW Disability Inclusion Plan, will enable NSW public authorities to enjoy the social and economic benefits of planning for greater inclusion. Depending on the operating context, each public authority in NSW will have a unique business case for supporting inclusion of people with disability. This rationale should be explored and documented in each DIAP.

> **'My hope is that we will be employing young graduates, coming out of their high school programs and giving them on the job training and pushing them through and influencing our supporters to provide better training programs for young people with disability...because it's a winner.'**
>
> Case study participant

REMEMBER: DIAPs should be positioned as core business and integrated with existing planning cycles, so that employees at every level consider inclusion of people with disability in their business.

3.2 Policy and legislative context

The introduction of the National Disability Insurance Scheme (NDIS) has placed the individual at the centre of Government supports.

The introduction of the NSW Disability Inclusion Act 2014 (DIA) has seen the NSW Government move from simply providing services, towards actions to include people with disabilities in all aspects of our communities, consistent with contemporary policy and practice.

Under the DIA, NSW public authorities and all Local Councils are required to develop a DIAP. In addition to developing and implementing DIAPs these organisations are also required to report against the effectiveness of these plans to the Minister for Families, Communities and Disability Services at the end of each financial year.

The NSW Disability Council assists the Minister in reviewing DIAPs and provides advice on their success annually.

3.2.1 NSW disability reforms

The NSW Disability Inclusion Act 2014 (DIA) continues the government's commitment to improving the lives of people with disability and reaffirms the state-wide focus on building a truly inclusive community, through planning and coordination across all levels of government and across portfolios.

The DIA also requires the development of the NSW Disability Inclusion Plan and DIAPs which provides NSW's ongoing commitment to people with disability now that the NDIS has been fully implemented.

With the passing of the Disability Inclusion Amendment Act 2022, the DIA now requires that:

- DIAPs must now be **remade** (not just reviewed) every four years
- New DIAPs are due 12 months after the review
- DIAPs must be made available in one or more **formats accessible** to people with disability.
- Supports and services provided to **LGBTIQ+ people** with disability are to be provided in a way that addresses the needs of LGBTIQ+ people with disability, and are informed by consultation with LGBTIQ+ people with disability. This is in addition to the other groups which already require their disability needs to be specifically addressed:
  - Aboriginal and Torres Strait Islander people
  - children
  - people from culturally and linguistically diverse (CALD) backgrounds
  - women

The NSW Disability Inclusion Plan, provides a whole of government strategy to support the objects and principles of the DIA. Specifically, the NSW Disability Inclusion Plan sets out:

1. the whole of government goals that support the inclusion in the community of people with disability and to improve access to mainstream service and community facilities by people with disability; and
2. provides for collaboration and co-ordination among public authorities in the provision of supports and services.

Under the amended DIA, the Government is required to consult with the Disability Council NSW and disability advocacy organisations as well as people with disability when preparing the State Disability Inclusion Plan (DIP), and the DIP must be a stand-alone document.

Other changes have also been made due to the implementation of the NDIS, but these do not affect disability inclusion action planning.

3.2.2 Overarching policy and legislation

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

The UNCRPD, ratified by Australia in 2008, acknowledges that people with disability have the same human rights as those without disability. This commits participating governments to ensure these rights can be exercised and that barriers are removed. Importantly, implementing a rights-based approach under the UNCRPD does not limit governments to addressing the provision of specialist services to people with disability – it requires mainstream services to be provided in a way that does not directly or indirectly prevent people with disability fully participating. This focus on mainstream service access means that all levels of government, as well as other parts of the community, have a role to play in giving effect to the UNCRPD.

Australia's Disability Strategy 2021-2031

Australia's Disability Strategy 2021-2031 replaces and builds on the National Disability Strategy 2010-2020.

The Strategy is a national framework that all governments in Australia have signed up to. It sets out a plan for continuing to improve the lives of people with disability in Australia over the next ten years. It supports Australia's commitment under the United Nations Convention on the Rights of Persons with Disabilities.

The Strategy's vision is for an inclusive Australian society that ensures people with disability can fulfil their potential as equal members of the community.

The Strategy includes targeted action plans for each of the outcome areas.

The Strategy drives change in seven outcomes areas:

Employment and financial security:

Providing jobs and career opportunities for people with disability and making sure they have enough income to meet their needs.

Inclusive homes and communities:

Increasing the number of accessible, affordable and well-designed homes and creating a community that is inclusive and accessible.

Safety, rights and justice:

Ensuring the rights of people with disability are promoted, upheld and protected, and people with disability feel safe and enjoy equality before the law.

Personal and community support:

Providing people with disability access to supports so they can live independently and engage in their communities.

Education and learning:

Supporting people with disability to access education and learning throughout their lives so they reach their full potential.

Health and wellbeing:

Increasing support and capability in the healthcare sector to meet the needs of people with disability, and ensuring disaster preparedness and emergency responses include the needs of people with disability.

Community attitudes:

Recognising the positive contribution people with disability make to society, and building confidence in the community to work and engage with people with disability.

The NSW Disability Inclusion Plan aligns with the Strategy.

NSW Ageing and Disability Commission

The NSW Government made an important step in progressing rights for people with disability through the introduction of the Ageing and Disability Commissioner Act 2019 and the establishment of the NSW Ageing and Disability Commissioner (Commissioner) in July 2019. The Commissioner provides an important new safeguard for adults with disability and older people in NSW, with a particular focus on abuse, neglect and exploitation in family, home and community settings.

The Commissioner is required to monitor the implementation of Australia's Disability Strategy in NSW. It will be establishing a Standing Review to fulfil this ongoing function, which will publicly report on a regular basis.

3.2.3 Other relevant legislation

In addition to the UNCRPD and Australia's Disability Strategy, there are additional pieces of legislation that provide a framework and basis for disability inclusion action planning.

Commonwealth Disability Discrimination Act 1992 (DDA)

The **Commonwealth Disability Discrimination Act 1992** (DDA) recognises the rights of people with disability to equality before the law and makes discrimination based on disability unlawful. The DDA covers many areas of life including employment, education, access to premises and provision of goods, services and facilities.

DDA sections 60 and 61 set out the provisions for the completion of DIAPs that fulfil the intent of the DDA and sets measurable and accountable goals. Public authorities may wish to draft their DIAPs under the DIA in such a way as to comply with both the DIA and the DDA.

NSW Anti-Discrimination Act 1977 (ADA)

The **NSW Anti-Discrimination Act 1977** (ADA) relates to discrimination in places of work, the public education system, delivery and goods and services including services such as banking, health care, property and night clubs.

NSW Government Sector Employment Act 2013

The **Government Sector Employment Act 2013** (GSE Act) and the associated Regulation and Rules provide a statutory framework focused on NSW government sector employment and workforce management. The GSE Act repealed the requirement for Equal Employment Opportunity Management Plans under the ADA.

Instead strategies for workplace diversity are now required to be integrated with workforce planning across the government sector. Integrating diversity requirements into workforce planning represents a shift in the way diversity is addressed in public sector employment. More information is available is on the Public Service Commission **website**.

REMEMBER: Public authorities are responsible for ensuring they meet the legislative and compliance obligations of all relevant legislation – these requirements will vary depending on the activities of each agency.

Additional Resources - Legislation

The following legislation may assist when developing Disability Action Plans.

NSW

NSW Disability Inclusion Act 2014

NSW Government Sector Employment Act 2013

NSW Anti-Discrimination Act 1977

NSW Legislation can be found at: **www.legislation.nsw.gov.au**

Commonwealth

Disability Discrimination Act 1992 (Cth)

Commonwealth legislation can be found at: **www.comlaw.gov.au**

Useful disability policy links include:

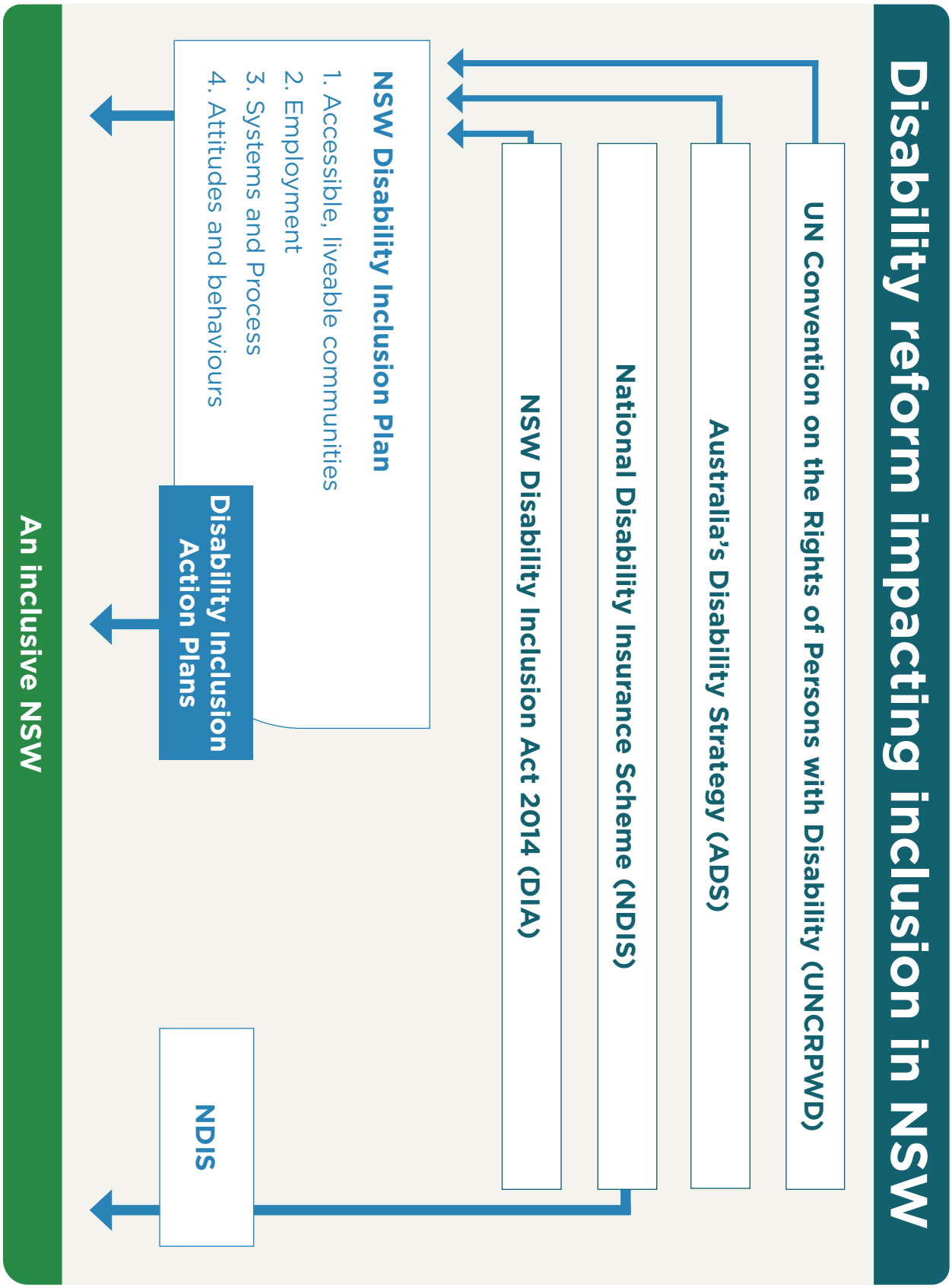
NSW Disability Inclusion Plan **www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/nsw-disability-inclusion-plan.html**

NSW Disability Action Planning **www.dcj.nsw.gov.au/community-inclusion/advisory-councils/disability-council-nsw/disability-inclusion-action-plans.html**

Australia's Disability Strategy 2021-2031 **www.disabilitygateway.gov.au/ads**

National Disability Insurance Scheme **www.ndis.gov.au**

Figure 2: The relationships between the relevant policy and legislative instruments



3.2.4 The role of Disability Inclusion Action Plans

Disability Inclusion Action Plans play an important role in fully including people with disability in our society. They:

- provide a public statement of the commitment to accessibility and inclusion among public authorities promoting equal rights for all
- communicate the vision for inclusion across public authorities, for staff, stakeholders and the broader community
- put the principles outlined in the NSW Disability Inclusion Act 2014 and the NSW Disability Inclusion Plan into practice across public authorities
- outline specific actions to facilitate access to mainstream services for people with disability, potentially with some level of adaptation or adjustment
- are a vehicle to engage with the internal and external disability community to bring to life real solutions for better inclusion
- include assessment and monitoring of actions within each plan

The complex structure and functions of some NSW public authorities may require them to individually assess their responsibilities under the DIA and other laws and decide whether to develop a department level DIAP, cluster DIAP, or include multiple agency level DIAPs for each agency or division in a combined DIAP.

It is envisaged that some NSW government departments may develop an overarching plan with sections that relate specifically to unique areas of business and/or service delivery within their cluster. Regardless of the number of DIAPs to develop and implement and at what levels, disability inclusion action planning should be integrated as part of broader corporate and budget planning processes.

3.3 Key outcome areas

The disability action planning areas of focus provide a suggested structure for a DIAP and examples of relevant actions for each area.

3.3.1 Attitudes and behaviours

The attitudes and behaviours of the general community towards people with disability have been described as the single greatest barrier to full access and inclusion. Attitudes and behaviour permeate all aspects of life. Consultation to date has identified that attitudes towards people with disability are often determined by ignorance, fear or lack of opportunity to interact. Developing positive attitudes involves increasing awareness and changing negative perceptions over time. This is a long term goal that may need to be dealt with in stages.

Examples of actions might include:

- integrate training on disability access and inclusion into all staff induction/orientation practices
- develop specific training for front line and service delivery staff to demonstrate competency in inclusive practice and service provision

- review and adjust funding agreements and contracts to specify delivery of accessible and inclusive services and programs by third parties or contractors
- develop messages and campaigns that highlight the case for disability inclusion
- involve people with a disability in the development of communication campaigns regarding disability inclusion

Practice examples – attitudes and behaviour.

The Department of Planning Industry and Environment launched AbilityAware, a six-month campaign which challenges the way staff think and feel about disability. It includes educational messages and videos on disability inclusion.

Lismore Council released an updated Tradies Guide to Good Access which provides builders with a quick reference guide to Australian Standards for accessibility.

Blayney Shire Council is providing businesses with preliminary accessibility compliance advice, triggered when a Construction Certificate is lodged.

3.3.2 Liveable communities

Creating liveable communities will focus attention and resources on the elements of community life that most people desire. Creating liveable communities for people with disability is more than modifying the physical environment, it covers areas such as accessible housing, access to transport, community recreation, social engagement and universal design.

Examples of actions might include:

- providing accessible toilets in all public buildings, including with automated, preferably sliding doors, and including those on the **National Public Toilet Map.**
- providing change tables (including adult change tables) in appropriate locations
- ensuring community events are accessible and venues, transport, toilets and parking are considered in the planning
- engaging people with disability in the design and planning phases of new major infrastructure and buildings
- conducting audits of buildings owned or leased by the authority to assess compliance with Australian standards for access and mobility (AS1428 parts 1 to 5)
- applying the principles of universal design in the planning of all new infrastructure and buildings

Where public authorities have a role in planning for, assessing or providing housing for NSW communities, universal housing design principals could be outlined in the DIAP. The

principles signal commitment to ensuring equitable housing supply and access for NSW households and refer to the liveable housing design guide.

Public authorities could encourage the delivery (either directly or indirectly through partners and stakeholders) of housing that meets the standards of the guideline.

The public authority should also seek to communicate opportunities and benefits of universally designed housing with its partners and stakeholders. Community and housing sector awareness is essential to promote the uptake and delivery of universal housing.

Practice examples – liveable communities

The Australian Museum improved accessibility by enhancing flows through the building, implementing dedicated bathrooms for visitors with more complex needs, and providing hearing loops in all galleries. In addition, a new bus bay provides a safe and convenient pick up and drop off for visitors, and most permanent galleries now have audio-described tours.

Orange Council has installed accessible play equipment in three playgrounds.

Armidale Regional Council's Curtis Park Playground features equipment such as a sensory garden and a flying fox with a seat for community members with restricted mobility.

City of Ryde created a 'regional recognition system' that identifies businesses that are accessible.

3.3.3 Employment

The Government Sector Employment Act 2013 (GSE Act) requires the integration of workforce diversity, including the employment of people with disability, into workforce planning. In particular, **section 63** of the GSE Act provides that the head of a government sector agency is responsible for workforce diversity within the agency and for ensuring that workforce diversity is integrated into workforce planning in the agency. This legislation supports workforce diversity obligations and processes across the government sector.

Under the DDA, all employers can and should modify recruitment practices to provide reasonable adjustments to allow applicants to meet inherent requirements. Further, Rule 26 of the **Government Sector Employment (General) Rules 2014** allows government sector agencies to modify their recruitment and selection process to facilitate the employment of people from disadvantaged groups, including people with disability.

People with disability are currently underrepresented in the NSW public sector workforce and the NSW Government are working to change this. We want 10,000 staff with disability working in NSW Government by 2025 – that's 5.6% of our total workforce.

Employment and economic security for most people are closely related. Employment contributes to feelings of self-worth, social interaction and mental health, and increases opportunities to support individual choice and control. Employment rates for people with disability are significantly lower than those without disability across all sectors.

People with disability experience multiple barriers at all stages of the employment process, ranging from inaccessible interview venues, lack of reasonable adjustments to the work environment, poor career planning opportunities, rigid role descriptions and online testing that may place applicants at a disadvantage. These factors reduce their opportunities to gain and retain employment.

There is also good evidence to show that organisational commitment to workforce diversity and inclusion is closely linked to strong business performance. Research by Deloitte and the Victorian Equal Employment Opportunity and Australian Human Rights Commission found evidence of a performance 'uplift of 80% when both conditions [commitment to diversity and to inclusion] were high'[2].

The research report goes on to say that when employees think their organisation is committed to, and supportive of diversity and they feel included, they '…report better business performance in terms of ability to innovate (83% uplift), responsiveness to changing customer needs (31% uplift) and team collaboration (42% uplift)'. The research highlights the importance of understanding that inclusion at work is about more than fairness and respect - it is also about being valued and a sense of belonging.

While there are many aspects to consider in executing a diversity and inclusion employment agenda, most benefit will come from taking an 'inclusion by design' approach. That is, employers and managers will maximise their ability to employ and retain a diverse workforce if they build inclusion into work design, workforce strategy and system-level decision making (as opposed to simply making reasonable adjustments to accommodate persons with disability on a case-by-case basis). For example:

- Design all work as flexibly as possible, with a focus on achieving the desired outcomes rather than starting from required work methods, location, hours and so on
- Actively develop respectful and welcoming work cultures
- Make diversity and inclusion a key consideration for strategic workforce planning
- Develop specific attraction and retention strategies
- Design role specifications and advertisements to avoid knowledge or capability requirements that are not essential for satisfactory performance in the role
- Design recruitment assessment methods to optimize the opportunities given to all applicants to demonstrate their merits against the job requirements
- Incorporate strategies and plans into learning and development opportunities as well as career planning
- Promote flexibility and accountability for all staff in the way that they work
- Make equity and access key criteria for decisions about physical infrastructure, and information and communications technology
- Keep inclusion front-of-mind when designing workforce management processes and practices, and
- Commit to regularly review the efficacy of the approach at systems and individual level in order to refine and improve.

2 Victorian Equal Opportunity and Human Rights Commission and Deloitte., Waiter, is that inclusion in my soup? Research Report, 2012

In designing inclusive workforce strategies, agencies should draw on relevant data to ensure that workforce planning is evidence-based. Data sources may include internal agency records, databases and surveys; Workforce Information Profiles; and the results of the annual People Matter Employee Survey. These data sets can assist agencies to understand their current position, challenges and opportunities. E.g. agencies may wish to consider information about the level, type and distribution of employment of people with a disability within their agency at present and over time, turnover and recruitment rates, and so on.

With this information they can plan more effectively. Authorities should also develop a strategy to encourage all staff to provide their diversity data so that the organisation's 'picture' is as accurate as possible. Actions to improve engagement and support for people with disability in public sector workplaces will include enhancing employee networks such as the Disability Employee Network outlined in the NSW Disability Inclusion Plan.

Guidance on specific actions that support employment for people with disability have been developed by the **Public Service Commission** (PSC).

REMEMBER: Many people with disability do not wish to identify with disability when applying for a job as they fear a negative consequence. People with disability are more likely to respond to job advertisements that actively demonstrate a culture that is inclusive and disability conscious. It will be hard to progress until we can create an environment where people are comfortable identifying with disability.

Practice examples - employment

NSW Department of Communities and Justice continued their participation in the 'Stepping Into' Internship Program (in partnership with the Australian Network on Disability), taking 20 interns with disability across summer 2020 and winter 2021.

Tamworth Regional Council entered into an agreement to employ 15 people with disability for three years at its waste management facility.

Blue Mountains Council has an ongoing traineeship program for people with disability, with opportunities to transition to long-term employment.

REMEMBER: there is no one checklist of actions that lists good practice or required actions, as one size fits all approaches are not appropriate. Priorities should be determined through consultation and planning to target barriers to access experienced by agency's clients, students, patients, workforce, customers or communities.

3.3.4 Systems and processes

A common issue for people with disability is the difficulty in navigating systems and processes to access the services and supports they need in the community. Some of these difficulties stem from the quality of service and training of front line personnel, the systems and processes required to access services, and the lack of accessible options for communicating, accessing information or providing input or feedback. There is often confusion about what services are provided across the three levels of government, and there is frequent repetition of information to be provided to public authorities and services.

Examples of actions to support improvements in this area might include:

- ensuring all service information is available in accessible electronic formats
- ensuring service users have access to communications supports such as hearing augmentation, touch screens and translation services
- mandating all feedback and complaint mechanisms to be fully accessible
- requiring web content compliance with at least conformance level AA in the W3C's Web Content Accessibility Guidelines
- providing information in Easy Read and Auslan
- providing a mechanism for feedback on access and inclusion in NSW
- ensuring internal systems and processes are accessible to staff with disability.

Practice examples – systems and processes

The Yass Valley Council implemented a process to facilitate communication with customers with disability that includes options for a web self-service, web chat and video calls.

Bega Shire Council uses an Engagement Toolkit which requires employees to consult, engage and collaborate with relevant stakeholders on associated work projects and development across the organisation. This document includes tools for engaging with people with disability.

Liverpool Plains Shire Council incorporates access and inclusion principles in event management plans approved by Council.

Northern Beaches Council ensures all new Council documents placed online meet accessibility standards for visual content and readability, including the use of a range of formats. Media such as video is developed with audio descriptors, transcripts and closed captions. Easy Read versions are provided for selected topics and audiences.

4 Disability Inclusion Action Plan outline

The following outline provides a suggested structure for DIAPs. Organisations may wish to incorporate additional information in their DIAPs to address specific legislation, standards or policy.

Introduction from Minister/Secretary/Mayor

Each public authority should provide a statement of vision and commitment to the principles of the NSW Disability Inclusion Plan, the UNCRPD and the National Disability Strategy, emphasising the importance of inclusion of people with disability based on ethical and economic imperatives.

The unique case for inclusion should be identified by each public authority, and a commitment affirmed to making inclusion core business.

Guiding Principles

The Guiding Principles outline the specific approach to inclusion given a unique operating environment, customer and staff profile. As a guide, public authorities should outline between 3 and 10 Guiding Principles.

Policy and legislative context

Authorities should reference the UNCRPD, Australia's Disability Strategy, the DIA, DDA, ADA and the GSE, and other legislation or regulations applying to the specific agency for example federal standards.

Our customers and staff

Each public authority should establish a profile of the range and scale of disability among their service users, potential service users and staff. This profile can be used to articulate the argument for improving interaction/inclusion and provide direction on potential priority areas and population groups.

Consultation governance and resources

Each DIAP should describe:

- the process undertaken to develop the plan including consultation, participants, research and planning including how the voice of people with disability from different diversity groups was included
- the governance and accountability arrangements
- resources and the process for developing actions

Key outcome areas and actions

The four focus areas of the NSW Disability Inclusion Plan provide a proposed structure under which to group actions. Additional outcome areas may be required to reflect the operating context within each public authority.

Each action should be as detailed as possible, at a minimum including:

- outcome area
- action title and description
- aim and expected outcome
- target population or audience
- timeframe for action to be commenced/achieved
- individual or area responsible
- resources
- specific and measurable indicators to assess performance including timeframes, responsibility allocation and executive ownership
- reporting requirements

Monitoring, reviewing and reporting

Outline an evaluation framework and detailed plan to monitor, measure and review results to track and report on DIAPs internally and externally.

5 Step by step plan for DIAP development and implementation

The following is a step-by-step approach to assist public authorities plan the DIAP development and implementation process. Each public authority drafting a DIAP will need to consider their specific operating context, existing planning cycles and objectives and adjust this approach for development and implementation accordingly.

5.1 Allocate executive ownership and responsibility

Before allocating specific responsibilities in development and implementation, at least one executive level sponsor within the public authority should be identified. The sponsor(s) will champion the importance of inclusion planning for people with disability throughout the organisation, assume overall accountability for resourcing and planning decisions, and commit to driving the inclusion action planning process. Executive ownership of DIAP actions can be included in executive performance plans.

REMEMBER: The Disability Inclusion Action Plan must be sponsored and championed at the executive level to position inclusion planning as a high priority.

Following the appointment of an executive level sponsor, a lead officer or project manager to chair the Disability Inclusion Action Planning working group and lead the development and implementation should be identified. This internal working group should have representation from operational and service areas of the authority including customer services/front-line staff.

The DIAP development and implementation requires a range of skills across community consultation, strategic and operational planning, measurement, communications development and organisational change, therefore the ideal working group should be a multi-disciplinary team.

Consider bringing in outside experts to the working group such as people with disability or representatives of disability organisations (the Disability Council NSW for example), taking care to achieve an appropriate representation across the range of disability.

REMEMBER: Resources must be allocated for Disability Inclusion Action Plan development and implementation as part of budget planning.

5.2 Map your functions, facilities, services and information sources

To develop effective DIAPs, working groups will ideally need a clear picture of the overall operating environment in which improved inclusion may be possible.

Each member of the internal working group should invest time into preparing a list of their service areas' operations, including programs, facilities, public information sources, services including contracted operations and an organisational structure including all internal roles and contractors. In addition, typical service user pathways should be identified.

The term 'service users' has been used throughout this document as a collective term for NSW public sector users that may include customers, patients, students, people in contact with the justice system and other service user types.

Once each service area is identified and areas for improved inclusion are documented, the working group should come together to:

- identify opportunities for improved inclusion
- identify additional areas through consultation with staff with disability, the disability sector and members of the disability community
- identify actions, resources, strategies and approaches to improve inclusion between the disability sector and members

REMEMBER: Including case studies and examples in your DIAP can be an effective way to highlight achievements of inclusion planning.

5.3 Determine governance and accountability arrangements

Governance structures exist to provide clear and transparent lines of accountability. A strong relationship exists between good governance and good government performance.

In order for DIAPs to be successfully implemented and drive real and lasting change, governance and accountability arrangements must be established early and clearly communicated.

This may be achieved through the incorporation of indicators tied to positive inclusion outcomes for senior management. It may also involve allocating specific ongoing responsibility for monitoring and evaluating implementation of the plan.

Public authorities may choose to link performance indicators directly to disability inclusion outcomes.

REMEMBER: Governance and accountability structures should link disability inclusion planning, implementation and reporting directly to the executive level of public authorities. Special attention should be paid towards actively engaging the views of people with disability who are Aboriginal or Torres Strait Islander; from CALD backgrounds; are from the LGBTIQ++ community; as well as women and children.

5.4 Consultation and co-design with people with disability, staff and the community

An essential element in preparing a DIAP is community consultation and engagement. This ensures the plan is focused on the needs of staff and customers and service users. When done well, consultation should give respect to the lived experience of people with disability, empower people to influence the direction of their lives and encourage full participation to enable the identification of barriers and propose solutions. Section 12 of the DIA mandates this consultation.

Consultation and engagement take time and skill to do well. Consultation with communities and staff with disability is essential in the development of DIAPs and while this adds a layer of complexity if considered carefully and included in the early planning stages it adds great value to the process.

REMEMBER: Section 12 of the Disability Inclusion Act 2014 mandates that disability inclusion planning should be done in consultation with people with disability. Special attention should be paid towards actively engaging the views of people with disability who are Aboriginal or Torres Strait Islander; from CALD backgrounds; are from the LGBTIQ++ community; as well as women and children.

Consultation should be approached as a process of co-design and collaboration with staff and communities, rather than an information briefing. For consultation and engagement to be truly collaborative, it must commence at the beginning of the development process, with multiple opportunities for involvement and a commitment to informing all participants of the progress and outcomes of each consultation occasion.

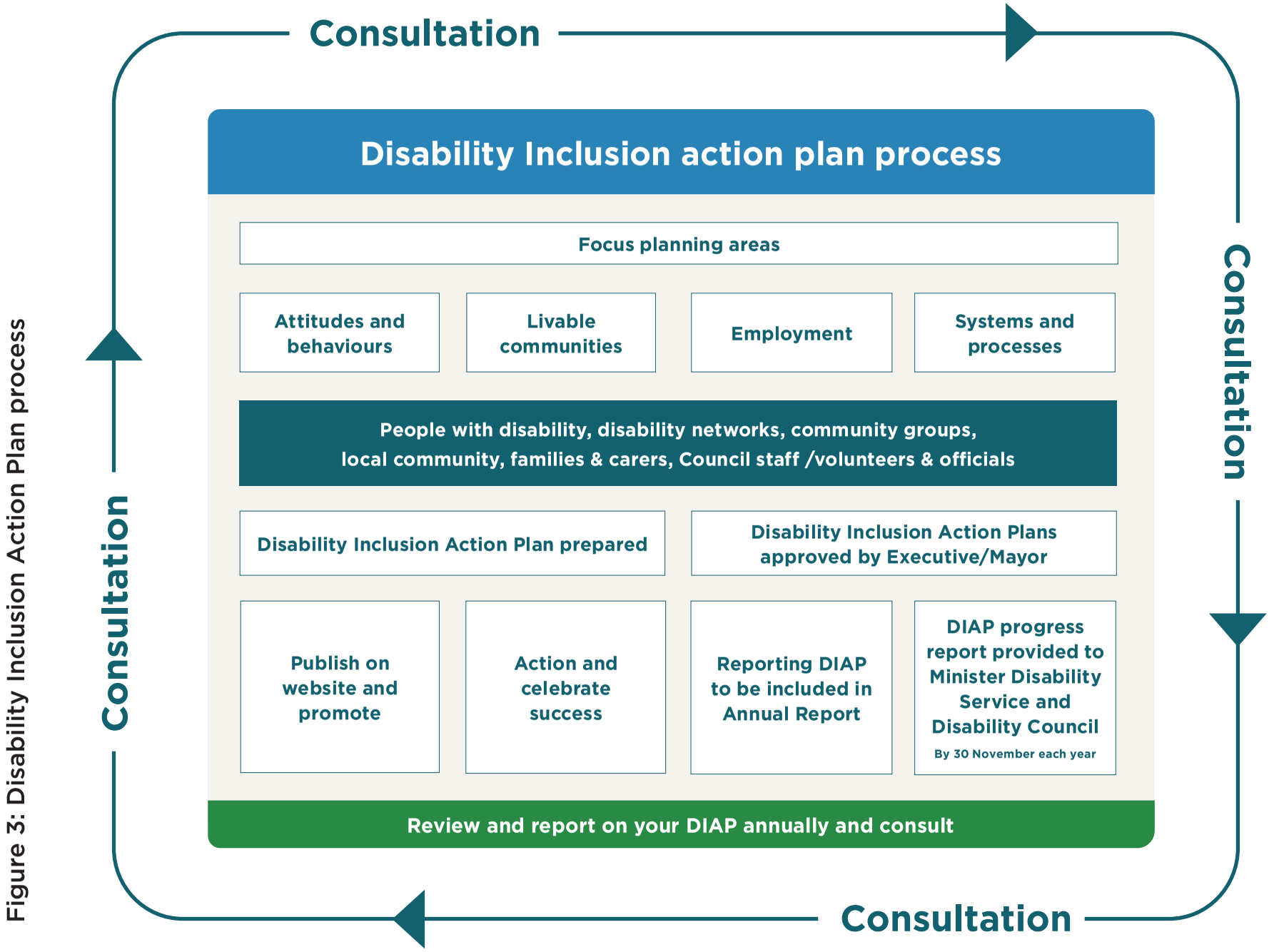


Figure 3: Disability Inclusion Action Plan process

5.4.1 Plan the consultation

Working groups should develop a detailed consultation plan, for both internal and external consultation. Well thought-out planning will maximise participation.

When conducting any consultation, the following checklist for good practice should be considered:

- always make the purpose of consultation clear
- acknowledge the scope for influence, and the limitations associated with each consultation
- remember the rights of people with disability to be involved in decision making that affects their lives, as well as their right to not participate
- ensure all information such as documents, invitations, directions, forms etc. are in accessible formats including websites, community languages,
- provide adequate time, both in terms of notifying stakeholders of engagement opportunities and time allowed to access, review and respond to materials
- be mindful that people with disability may require a longer lead time in which to organise transportation to the consultation
- budget for consultation. People with disability should be paid for their time and expertise. Where consultation is sought internally, ensure that staff members' time is valued and recognised.
- consider the value of convening joint consultations with other NSW public authorities
- ensure participants are informed at consultations how their information will be used and report back to participants regarding the results and next steps of engagement
- it may not always be possible to canvas the views of all disability groups, especially in smaller communities.

Public authorities should consider the needs of all disability groups, irrespective of whether they are able to participate in the consultations. Alternative consultation methods are outlined in the section below.

The consultation strategy should be signed off by the executive level sponsor, to ensure support and encourage participation across all levels of the organisation.

5.4.2 Select appropriate consultation methods

The appropriate consultation methods will vary across NSW public authorities, depending on size, location, nature of services and service users including type of disability and the purpose of the consultation. Some options to consider include:

- large public meetings/community forums
- small group discussions/meetings
- online forums, via multimedia
- interviews, either face to face or over the phone
- surveys, either online, via telephone or paper based
- written submissions, either online or paper based

- convening a steering group
- guest attendance at groups that meet regularly

For consultation opportunities aimed at maximising responses, a range of methods should be used to encourage participation including:

- social media, newspaper, broadcast and online advertisements
- use of internal communications
- direct invitations

REMEMBER: Community consultation must be undertaken in the spirit of collaboration rather than an information briefing. Involve staff and the disability community early in the development of the DIAP, taking steps to maximise participation at multiple consultation opportunities.

5.4.3 Decide who to engage

Working groups should determine those best placed to participate, with a focus on internal audiences, external stakeholders, service users and potential service users.

Internal audiences might include:

- front line/customer service staff
- staff whose role relates to access and inclusion
- managers
- members of the disability access or advisory committee
- staff with disability, including disability employee networks
- volunteers.

External stakeholders might include:

- people with disability
- carers/families of people with disability
- disability service providers
- disability peak bodies/advocacy organisations, taking care to represent the diversity of disability type and membership of different diversity groups
- community groups
- local residents

Service users should include both current and potential service users. The true value of consultation around barriers is the opportunity to talk to 'consumers' who are not currently accessing services but should be.

REMEMBER: Seek additional advice on engagement with people with disability if required. DCJ Disability Access and Inclusion and the Disability Council NSW can direct agencies to resources and contacts within key organisations.

5.4.5 Additional Resources - Consultation

Meetings and Events Australia has produced a guide to organising accessible events, Accessible Events: **A guide for meeting and event organisers**.

The International Association for Public Participation provides several resources regarding public participation available at the Resources section of their **website**.

Privacy NSW has produced advice regarding privacy and people with decision making disabilities, **Best practice guide: Privacy and people with decision making disabilities**.

Urbis has prepared an accessible consultations guide, Accessibility considerations in hosting consultations see **www.urbis.com.au/accessible-consultations**

The Victorian Department of Human Services has produced a guide for inclusive consultation and communication with people with disability available on their **website**.

5.4.6 Report on the consultation

The DIA mandates that Disability Inclusion DIAPs should provide a summary of the consultation process undertaken in developing the plan and should outline:

- audiences/organisations involved in the consultation including how this included people with disability, women and children with disability, and people with disability from CALD, Aboriginal and Torres Strait Islander and LGBTIQ+ communities.
- the methods utilised in the consultation process
- brief description of the timeline, from start to finish
- a summary of the influence the consultation had on the content and structure of the Action Plan
- plans for ongoing consultation

5.5 Undertake disability inclusion action planning

For disability inclusion action planning to be embedded as core business in NSW public authorities, it is critically important that action planning is integrated with existing planning cycles and processes to align the process with existing strategic priorities and achieve efficiencies where possible.

Specific actions, to be organised under the four key outcome areas (incorporating additional outcome areas if required), are to be determined based on the consultation process, the map of public authority functions, attention to whole of government actions and in consideration of the agency specific priorities and strategic plans.

For each action, the Disability Inclusion Action Plan must indicate the:

- outcome area
- action title and description
- aim and expected outcome
- target population or audience
- timeframe for action to be commenced/achieved

- individual/or area responsible
- resources including budget
- specific and measurable indicators to assess performance
- reporting requirements

REMEMBER: DIAPs should include specific and measurable indicators of success for every action, avoiding the use of ambiguous timeframes, targets, indicators and responsibilities. Develop a measurement and evaluation strategy to ensure there is an evidence base for progress.

5.6 Develop risk mitigation strategy

Integral to strategic planning processes is a risk mitigation strategy – to identify risks in implementation and draft strategies to overcome these risks before they finalise.

Risks in implementation should be documented and strategies to mitigate determined. Staff and communities involved in the development of the Action Plan should be informed of the risk mitigation strategy, and asked to provide input before finalising.

The risk mitigation strategy should be overseen by the Disability Inclusion Action Plan lead officer or executive level sponsor, rather than the working group to promote a more objective appraisal of risks.

5.7 Prepare a monitoring and reporting strategy

All public authorities must report annually as soon as is practicable after the availability of the authority's Annual Report, on the implementation of their DIAP. The type of reporting will depend on the type of public authority but will be either a direct report to the Disability Council NSW or form part of an Annual Report which is then provided to the Council. Public authorities are encouraged to use the **DCJ's DIAP portal** to provide their reports.

These reports are provided to the Minister for Disability Services for tabling to Parliament.

To enable reporting on the success of implementation of Action Plans, a monitoring and reporting strategy outlining the specific and measurable actions must be developed, communicated, implemented and its progress tracked.

Regular monitoring of the Action Plan will enable public authorities to:

- amend their Action Plan to reflect achievements, and adapt and respond to new inclusion challenges
- redirect attention and resources to areas where changes prove difficult to achieve
- provide accurate and timely reporting
- meet their obligations under the DIA including how the Action Plan supports the goals of the NSW Disability Inclusion Plan

The working group should prepare the monitoring and reporting strategy at the time of drafting the Action Plan. Monitoring and evaluation must be considered during the planning process, to ensure actions are specific and measurable and appropriate data is collected.

See **Appendix 3** for a suggested reporting structure. In preparing the monitoring and evaluation strategy, working groups should:

- design a measurement and evaluation framework for the Action Plan, including identifying indicators for every action
- identify all data sources required to regularly report the progress against each action including developing strategies for additional data collection as required
- determine the frequency, format and responsibility for reporting on the indicators against each action in the plan and the arrangements for collating this data
- seek executive level approval and sign-off on the monitoring and evaluation strategy, to encourage support and commitment across the public authority

REMEMBER: Ongoing engagement with those who are impacted by or benefit from actions in the Action Plan provides a valuable source of data and mechanism by which to judge efficacy.

5.8 Plan for continual engagement

The DIA requires public authorities to review their Disability Inclusion Action Plan every four years. The review of DIAPs should be approached in the spirit of continuous improvement.

REMEMBER: The Disability Inclusion Action Plan is a dynamic document regularly reviewed and improved, not a standalone document that is developed and shelved.

At least quarterly meetings of the working group should be conducted to monitor progress, as well as a bi-annual internal review to adjust actions as required, and an annual review including elements of staff and community consultation to reassess actions and risk mitigation. A suggested work plan for continual engagement is listed below.

Embedding inclusion planning within the culture of the NSW Government through continual engagement is important. To begin achieving this significant cultural shift towards disability inclusion, the working group and other public authority staff and stakeholders should revisit the Action Plan and monitor progress as a standing item on management agendas.

REMEMBER: Disability awareness is at the core of the Disability Inclusion Action Plan. Training, particularly for frontline service delivery staff, regarding the importance of, and practical steps toward disability inclusion is crucial.

5.9 Publish your Action Plan

The DIA mandates that Disability Inclusion DIAPs prepared by public authorities in NSW must be readily available to the public. DIAPs should be easily accessed on websites that are W3C compliant (Web Content Accessibility Guidelines conformance level AA). This will allow assistive technology users to easily navigate and access information available on websites in formats pursuant to the W3C guidelines which include, Rich Text Format (RTF), Text and Word versions.

NSW public authorities must take steps to ensure their DIAPs are provided in accessible formats (Appendix 2). For example, using a minimum font size 12 in high contrast with the background and providing alternative formats such as audio, large print and Easy Read (also known as Easy English). A system should be in place so requests can be responded to.

The DIA requires that public authorities provide the Disability Council NSW with their DIAPs. Public authorities are encouraged to use the DIAP reporting portal [add link once online] to provide their DIAPs. All versions of your DIAP should be provided, and information included as to accessibility of each, particularly PDFs. These will be published on the Disability Council's **registry of DIAPs.**

5.10 Promote the Action Plan to staff and the community

DIAPs should be distributed internally within public authorities and an investment should be made into raising awareness of the Action Plan (or key actions within the plans) in a range of ways to be tailored by organisations. These methods might include:

- poster campaigns
- newsletters
- awards recognising individuals involved in achieving disability inclusion targets
- integration of the Action Plan in induction processes
- including disability inclusion KPIs in performance plans

REMEMBER: Use plain intentional English and design the Disability Inclusion Action Plan to be visually engaging and usable.

DIAPs should also be promoted in a range of ways externally, including using the website, existing external communications and the media as appropriate.

Regular updating of progress on the DIAP's implementation is as important as its initial launch. Integrating disability inclusion into the core business of all public authorities in NSW is at the heart of disability inclusion planning. Some suggestions for regular updates on progress include:

- development of a dashboard, to report on high level progress against actions and key outcome areas
- case studies in print or through internal media, to communicate the impact the DIAP is having on staff and service users
- including a standing item within internal communications regarding the DIAPs progress

5.11 Evaluation

DIAPs are the mechanism to deliver on the intent and objectives of the DIA. To this end, DCJ is developing a whole-of-government evaluation framework for reporting on the NSW Disability Inclusion Plan and Disability Inclusion Action Plans. Resources will be made available online.

REMEMBER: Under the DIA public authorities must include a report on the progress of their Disability Inclusion Action Plan in their Annual Report. An explanation of how the plan supports the goals of the NSW Disability Inclusion Plan and a summary of the consultation process undertaken in developing the plan must be provided. A copy of the Disability Inclusion Action Plan must be given to the Disability Council NSW and be publicly available.

6 Accessibility

Accessibility means that everyone can use, view and contribute to your facilities, products, services, information, training and career opportunities.

You need to consider accessibility:

- when undertaking internal and external consultation on your DIAP
- in the actions you prioritise in your DIAP (particularly in the focus areas of 'Liveable communities', 'Employment' and 'Systems and processes')
- in the publication of your DIAP.

This can take place in two ways:

1. Universal design
2. Adjustments

6.1 Universal design

Universal design is a way of building in accessibility – it means designing buildings, products or environments to make them accessible to all people, regardless of age, disability or other factors. Public authorities should always consider universal design when designing products and services, including consultation and publications.

Examples of universal design:

- digital publications and websites which conform to Web Content Accessibility Guidelines
- buildings which are built with ramps, lifts, 'speaking' lifts, accessible toilets with automated sliding doors, visual and audio emergency alerts, quiet rooms, adjustable lighting, hearing loops etc
- documents written in line with the NSW Design Standard
- printers which have large screens and 'speak'
- ensuring that all consultations within your organisation include people with disability
- human resources systems, training modules and survey tools which work well with screen readers
- online meetings which have automated captioning
- providing contact details which include both text-based (e.g. email) and verbal (e.g. phone) methods for all employment opportunities, customer feedback etc.

6.2 Adjustments

Adjustments are changes to how you provide information, goods and services, or how processes or procedures are performed, or how an environment is used, to provide accessibility to people with disability.

If you build in universal design to your goods and services, you will need to make fewer adjustments.

Examples of adjustments:

- providing Auslan-English interpreters or professional captioning at consultation events, meetings, customer interactions and public forums
- providing Easy English versions of documents
- allowing a job applicant to conduct their interview via email rather than in real time
- setting aside more time for a customer with disability.

6.3 Types of accessibility needs

Building in access can benefit more people than you may think. Consider that disability can be:

- permanent
- temporary
- situational.

Most of your DIAP actions will rightly be focused on people with permanent or long-term disability. But if you design for access, others will benefit too:

- the person with a broken leg will benefit from lifts and from accessible bathrooms
- the parent with a pram will benefit from a ramp
- the person who has difficulties with written English will benefit from Easy English
- the person in a loud environment will benefit from captioned meetings and training materials.

6.4 Access to information and systems

6.4.1 Digital accessibility

The Web Content Accessibility Guidelines (WCAG) are used widely around the world as a benchmark for web accessibility.

All NSW Government websites must conform – at a minimum – to WCAG 2.0 Level AA.

WCAG has four main principles:

- **Perceivable** – Information and user interface components must be presentable to users in ways they can perceive.
- **Operable** – User interface components and navigation must be operable.
- **Understandable** – Information and the operation of user interface must be understandable.
- **Robust** – Content must be robust enough that it can be interpreted reliably by a wide variety of user agents.

For each principle, there is a list of criteria that need to be met to make sure your online content is accessible.

The **How to meet WCAG quick reference guide** is a helpful starting point.

6.4.2 Procurement

- Ensure that any ICT systems, online training etc you procure are accessible by adhering to the **Australian ICT procurement standard AS EN 301 549**.
- Consider processes to ensure that non-ICT goods and services are accessible.
- Consider ways in which you can support people with disability economically by procuring goods and services from disability-owned businesses.

6.4.3 Accessible documents

Step one

Write and format documents using the **NSW Design Standards** – see **Writing content**. For more information about writing and formatting accessibly, see Appendix 2.

Step two

Ensure that your final product is accessible.

Word, PowerPoint, Outlook and other Microsoft products all have inbuilt **accessibility checkers**.

You can improve accessibility of these documents in your organisation by:

- establishing policies requiring documents to be checked prior to being shared or published
- providing training and resources (for example, Microsoft offers a **free online course** on accessibility fundamentals).

PDF documents can be more difficult to make accessible; some organisations choose not to use them at all for this reason. However, if you need to use them, ensure the **Accessibility check tool** is always used prior to sharing or publication.

6.4.4 Publishing your DIAP in accessible formats

The Disability Inclusion Act requires that your DIAP is published in a format accessible to people with disability. At a minimum, your DIAP should be published in:

- HTML on your website, to at least WCAG 2.0 Level AA, and/or
- as a fully accessible stand-alone document (e.g. Word, PDF).

Formatting and writing style should meet the requirements of the NSW Design Standards.

For further information on accessible formats, please see Appendix 2.

You should also consider publishing your DIAP, or at least an executive summary, in:

- community languages, including Auslan
- easy Read/Easy English
- large print, braille or audio on request.

Appendices

Appendix 1 - Additional resources

NSW Disability Council:

Email: DisabilityCouncil@facs.nsw.gov.au

Webpage: **https://www.dcj.nsw.gov.au/community-inclusion/disability-and-inclusion/nsw-disability-inclusion-action-plan-guidelines.html**

Evidence base for disability inclusion

Australian Bureau of Statistics collections on disability data are available on their website **here**.

The Australian Human Rights Commission overview of the history and aims of the Commonwealth Disability Discrimination Act 1992. A series of publications are available on their **website.**

Physical access

Standards Australia has written the following standards for disability access to buildings:

- AS 1428.1-2009 Design for access and mobility - General requirements for access to buildings
- AS 1428.2-1992 Design for access and mobility - Enhanced and additional requirements - Buildings and facilities
- AS 1428.3-1992 Design for access and mobility - Requirements for children and adolescents with physical disabilities
- AS/NZS 1428.4.1:2009 Design for access and mobility - Means to assist the orientation of people with vision impairment - Tactile ground surface indicators
- AS 1428.5-2010 Design for access and mobility - Communication for people who are deaf or hearing impaired

The **Australian Human Rights Commission** provides a range of resources on disability and access issues, including information about **access to premises and other resources.**

The Australian Network on Disability website has information about evacuation procedures for people with disability which can be accessed on their **website.**

Accessibility

The W3C Guidelines for website design are available on their **website.**

Vision Australia has produced a guide to adaptive technologies for people with vision impairment, which can be accessed on their **website**.

Language

People with Disability Australia guide to language relating to disability which can be accessed on their **website**.

Employment

The **NSW Public Service Commission** has resources to support disability employment including its **Age of Inclusion resources.**

The NSW Department of Communities and Justice publishes information about employing people with disability on their **website.**

JobAccess supports the employment of people with disability by providing information and advice for people with disability and their employers, which can be accessed on their **website**.

Disability Employment Australia has collated resources about how to ensure that a workplace is an inclusive and supportive environment for people with disability, which can be accessed on their **website.**

Appendix 2 - Writing and formatting accessible documents

Introduction

Your documents need to be accessible to everyone, including people:

- who are blind or have low vision
- who have intellectual, cognitive or learning disability
- who have English as a second language, including Deaf people with Auslan as a first language.

The techniques in this document will help you ensure that your digital documents are usable and understandable by everyone regardless of their level of ability.

How technology helps

Many devices and programs now have inbuilt accessibility features, and there are also apps and programs to enhance accessibility.

Examples include:

- **Screen readers**, which are software applications that enable people who are blind or have low vision to use a device. Screen readers work closely with the operating system to provide information about icons, menus, dialogue boxes, files and folders
- **Screen magnifiers**, software that interacts with a computer's graphical output to present enlarged screen content
- **Speech to text**, which allows the user input text via speech, for example if they have dyslexia, are blind or low vision, or limited fine motor control; it also can enhance communication with a person who is hard of hearing, where what a speaker says is converted into text
- **Text to speech**, which allows the user to input information via text and have it come out as speech, which can help a person who is Deaf or has complex communication needs to communicate; or helps a person who is blind or has dyslexia to navigate a website or control a device.

To ensure that assistive technologies work well with digital content it's important that the content and structure of all digital formats are optimised for accessibility.

Creating an accessible document

Language

- Always use plain English. This makes it easier for everyone
- Use language which is respectful of people with disability.

Format appropriately

- Avoid excessive use of formatting. Excessive use of bold, italic and underline can render text more difficult to read.
- Avoid excessive use of CAPITALS. It is difficult to read and infers that you are shouting at the reader.
- Avoid the use of justified text. Justified text creates large uneven spaces between letters and words. When these spaces line up above one another, a distracting river of white space prominently appears. This can cause dyslexic readers to lose their place repeatedly.
- Avoid the use of serif fonts. Serif fonts have feet or hooks at the ends of the letter strokes. They may look decorative, but they can cause reading problems for people with dyslexia. Serif fonts tend to obscure the shape of letters, making them run together. Sans serif fonts help users see the shapes of letters more clearly. This also increases the spacing between letters, making words more distinguishable.
- Ensure font size is sufficient. The minimum font size should be about 12 points. At smaller sizes, the text becomes illegible on a screen.

Check documents for excessive formatting

Inspect the document for more than one sentence of italic, underlined or capitalised text. Update the content so that only the emphasised parts of the paragraphs are bolded.

- Check documents for justified text.
- Inspect the document for text that is aligned to both the left and right margins.
- Check documents for serif fonts.
- Inspect the file for text that has hooks at the ends of the letters.

Colour contrast

Ensuring good contrast between foreground and background colours is important for users who have low vision or colour blindness. Ensure the document has text/background colour combinations with a contrast ratio of at least 4.5:1, unless it is large text (18 point unbolded or at least 14 point bolded) where a reduced contrast ratio of 3:1 is required.

Vision Australia has a Colour Contrast Analyser tool to assist with the selection and testing of ratios.

Use the Colour Contrast Analyser

1. Select the foreground eyedropper icon.
2. Hover the magnifier over the foreground text and select.
3. Select the background eyedropper icon.
4. Hover the magnifier over the background and select.

Use of colour

Colour used to highlight or call attention to content can assist sighted users. People who use a screen reader, however, are likely to miss out on this information as screen readers do not communicate colour changes. In addition, some sighted users who have trouble seeing colours may also miss out on information conveyed through colour.

Whilst the use of colour is encouraged, it must not be the sole method of communication. Use an additional method of conveying the same information such as including text, a shape or symbol.

Check a document for use of colour

- Inspect the document for elements that use colour alone to highlight or call attention to content.
- Update the element to include another sensory characteristic such as text, shape or symbol. If you choose to use a shape or symbol, ensure to add alternate text to the image.

Headings

When headings are implemented correctly, tags are attached to each heading level. This allows the screen reader to announce the heading level of the text. This hierarchy helps people map the structure of the content in their mind; it communicates the most and least important information and how sections of information relate to each other. It also helps those with cognitive impairment, learning difficulties or literacy issues understand the structure of a document.

Use the true heading styles to indicate the hierarchical level of headings in the document. True heading styles are available within the Home ribbon in Microsoft Word.

Use true heading styles

1. Click in the heading text.
2. Select a heading style from the Home tab Styles group.

Numbered and bulleted lists

Lists are simple but useful because they provide meaning to information in a document. For example, lists can help a person who is blind to build a mental map of the information. Screen readers include shortcuts for navigating through list content.

Remember not to create a custom list using symbols and increase indent. Screen readers will not be able to detect the text as a list.

Implement numbered and bulleted lists

Use the true numbered/bulleted list function in Word to make lists accessible instead of indenting and putting a dash or dot character. Choose a list style under Home in Microsoft Word.

Blank lines

Spaces, tabs and empty paragraphs may be perceived as blanks by people using screen readers. Navigating through multiple consecutive blanks adds unnecessary screen reader

noise to the page. In addition, a user may think they have reached the end of a document after encountering a long list of blanks.

Use formatting, indenting, and styles to create white space instead of repeating blank characters.

Create paragraph spaces and insert a page break

- Instead of creating space between paragraphs by inserting blank lines, use the Line Spacing Options under Home.
- Instead of moving content to a new page by including multiple blank lines, insert a Page Break (under Insert).

Data tables

Sighted users can gain a holistic view of information when associating a table header with its data cell. However, if a table is not optimised for accessibility, screen readers will not announce cell data with its associated headers. This makes it difficult for blind or low-vision users to perceive tabular content.

There are three types of simple data tables:

1. Column tables: the first row, going from left to right, contains table headers.
2. Row tables: the first column contains the table headers.
3. Combination tables: combination tables contain both column and row headers.

Once you have defined whether your data table has column headers, row headers or both, you can apply the correct techniques to enhance the accessibility of your data table.

Identify the column headers of tables:

1. Select the first row of the table.
2. Right-click on the selected row.
3. Select Table Properties then Row.
4. Tick the “Repeat as header row at the top of each page” option.

Make tables accessible for Job Access With Speech (JAWS) users

For tables containing column and row headers:

1. Select the cell where column headers meet row headers.
2. Select Insert then Bookmark.
3. Enter “Title” in the Bookmark Name field.

For tables containing column or row headers only:

1. Select the column or row containing the headers.
2. Select Insert then Bookmark.
3. Enter “RowTitle” (for row headers) or “ColumnTitle” (for column headers) in the Bookmark Name field.

Remember, Microsoft Word does not allow two bookmarks to use the same name. If there is more than one table in your document, add a number or descriptive word to the end of the bookmark text used to indicate headers. For example:

- Title_1
- RowTitle_Revenue
- ColumnTitle_Expenses

Complex tables

In Word screen readers are only capable of associating a data cell with up to two table headings (i.e. simple data tables).

A complex table has more than two sets of table headings making navigating and understanding the table difficult.

We recommend creating a set of simple data tables instead of one complex table.

Alternative text

People who are blind are not able to access information conveyed visually through images. A screen reader will identify an image on a page and announce the alternative text (alt-text). The alt-text should be meaningful and convey the purpose of the image.

Decorative images

Decorative images do not convey information; they are included in a document purely for aesthetic purposes. You should be able to remove a decorative image without affecting the meaning, information or content of that page.

Provide alternative text ('alt-text') for images

1. Right-click on the image.
2. Select Format Picture then Layout & Properties then Alt Text.
3. Enter a text description in the Description field.
4. Include a summary in the Title field (optional).

Charts and graphs

Complex images contain substantial information, more than can be conveyed in a short phrase or sentence. It may not be appropriate to describe a complex image in alt-text as the description will be too long. Instead, implement the following techniques:

1. State the image type at the start of the alt-text, e.g. a chart.
2. Include the title of the complex image (e.g. chart) in the alt-text, e.g. Number of coffees consumed yearly by DCJ staff 2013 to 2018.
3. Include in the chart's alt-text the location of where a text description can be located, e.g. read below for more information.
4. Provide a text description in the content below the image.
5. Provide an associated accessible data table.

If using a legend choose a colour scheme with a high contrast ratio and use additional visual cues.

Choose colours with a high contrast ratio and use additional visual cues.

Some users find it difficult to perceive differences in colours and cannot access information that is conveyed solely through colours. Therefore, it is necessary to ensure adjacent colours on a graph or chart present a contrast ratio of 4.5:1 and communicate the same information via additional visual means. Additional visual cues (e.g. different patterns) must be used to distinguish between data sets.

Diagrams and illustrations

Depending on the complexity of the image it is not always possible to place the text alternative in the content directly below the image (nor would it make sense to sighted users).

In these situations we recommend placing the text alternative in the Appendix. Place a link from the flowchart to the text alternative and place another link from the text alternative back to the flowchart.

Table of contents

A table of contents makes it easy for users to quickly navigate to a section of your document. Each item in your table of contents links to sections of your document that use the heading styles.

Sighted keyboard-only users and screen reader users will rely on a linked table of contents to efficiently navigate long documents.

Inserting a table of content:

1. Select References then Table of Contents.
2. Choose a style.

Accessibility checker

The Microsoft Accessibility Checker helps to quickly identify and resolve many common accessibility issues. This tool helps content authors test content before they publish it. The Accessibility Checker detects common accessibility problems such as missing alt text and the inclusion of styles.

The inspection results are categorised as:

- Errors: Indicate content that people with disability are unable to read.
- Warnings and Tips: Indicate content that people with disability might find difficult to read.

Launch the Accessibility Checker

1. Select File then Check for Issues then Check Accessibility.
2. Select the first Error, Warning or Tip.
3. Refer to Additional Information for instruction on how to fix the accessibility issue.

Adding accessibility tags to PDF files makes it easier for assistive technologies to read and navigate a document, with a table of contents, hyperlinks, bookmarks, alt text, and so on.

There are two methods you can use to convert accessible Word documents to PDF:

1. Using the Acrobat PDFMaker add-in (to access this, the Acrobat Pro or DC software must be installed), or
2. Save an accessible PDF using the Office feature.

By using the techniques outlined in this factsheet most of the structure added to your Word document will be maintained in the PDF output in the form of tags.

Note that the PDF output will still need to be updated to comply with the Web Content Accessibility Guidelines (WCAG) 2.0 which can be done using the Acrobat Pro or DC software.

How to: Export to PDF using Acrobat PDFMaker add-in

Set accessible options in PDFMaker Settings:

1. Select Acrobat then Preferences
2. In Acrobat PDFMaker select Settings
3. Tick the Create Bookmarks, Add Links and Enable Accessibility and Reflow with tagged Adobe PDF options.

Select accessible options in PDFMaker Security:

1. Select Acrobat then Preferences
2. In Acrobat PDFMaker select Security
3. Tick the Enable text access for screen reader devices for the vision impaired option.

Converting Documents using PDFMaker:

1. Select Acrobat then Create PDF

If you do not have the Adobe add-in (PDFMaker) installed, use the following method.

How to: Export to PDF using Office Save As

1. Go to File then Save As
2. Select Save as type then PDF (*.pdf)
3. Select Options
4. Select Document structure tags for accessibility.

Appendix 3 - DIAP project summary template

Business area:	
DIAP focus area:	
Action plan title:	
Action plan description:	
Why is this Action important?	
What will successes look like?	
How will measure success?	
Who was consulted?	
Timeframe for this Action	

Approval process

Project lead:	
Name:	
Position:	
Contact email:	
Contact number:	
Signature:	

Executive/Mayor	
Name:	
Position:	
Contact email:	
Contact number:	
Signature:	

Appendix 4 - Abbreviations

ADA – Anti-Discrimination Act 1977 (NSW)

ADC – Ageing and Disability Commission

AND – Australian Network on Disability

ADS – Australia's Disability Strategy

DDA – Disability Discrimination Act 1992 (Commonwealth)

DIA – Disability Inclusion Act 2014 (NSW)

DIAPs – Disability Inclusion Action Plans

DSA – Disability Services Act 1993 (NSW)

DCJ – Department of Communities and Justice

GSE – Government Sector Employment Act 2013 (NSW)

ICT – Information and communications technology

KPI – Key performance indicator

LGBTIQ++ - lesbian, gay, bisexual, transgender, queer or questioning, intersex and other self-identifications under the umbrella of sexuality and/or gender

NDIS – National Disability Insurance Scheme

PSC – Public Service Commission

SDAC – Survey of Disability, Ageing and Carers

UNCRPD – United Nations Convention on the Rights of Persons with disabilities.

Appendix 5 - References

Australia: Summary of Findings. Canberra: Australian Bureau of Statistics.

Australian Network on Disability (2014). Business Benefits. Sydney, NSW, Australia.

Deloitte Access Economics. (2011). The Economic Benefits of Increasing Employment for People with Disability.

International Association of Public Participation. (n.d.) Public Participation Spectrum. Wollongong, NSW, Australia.

OECD. (2010). Sickness, Disability and Work: Breaking the Barriers. Paris: OECD.

PricewaterhouseCoopers. (2011). Disability expectations: investing in a better life, a stronger Australia. Sydney: PricewaterhouseCoopers.

World Bank. (2013, August 15). Social Accountability and the Demand for Good Governance.

NSW
GOVERNMENT