

Department of Aboriginal and Torres Strait Islander Policy

Disability Discrimination Action Plan 2003–05



Queensland Government
Department of **Aboriginal and
Torres Strait Islander Policy**



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Message from the Director-General



This Disability Discrimination Action Plan affirms our department's commitment to fulfilling our responsibilities to indigenous people with a disability. These whole-of-government responsibilities were identified in the *Queensland Government Strategic Framework for Disability 2002-2005*.

The action plan is a visible and positive move towards overcoming existing and potential barriers to access and participation by people with a disability. It identifies key strategies for ensuring that they have equitable access to our information, to our built environment and to the employment opportunities we offer.

The plan was developed under the provisions of the Commonwealth *Disability Discrimination Act 1992* and is in line with our Memorandum of Understanding with the Aboriginal and Torres Strait Islander Commission.

We are committed to promoting the human rights of all people and to eliminating barriers that restrict individuals' access to social and economic opportunities. As part of our commitment to achieving these goals, we will take an active stance in promoting the plan to our staff and stakeholders. Through this communication, we will strive to integrate the principles of the plan into our work environment.

I commend this Disability Discrimination Action Plan to you as an important step towards achieving our goals.

A handwritten signature in brown ink that reads "Frank Rockett". The signature is written in a cursive, flowing style.

Frank Rockett
Director-General
Department of Aboriginal and Torres Strait Islander Policy



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What is the *Disability Discrimination Act*?

The Commonwealth *Disability Discrimination Act 1992*, which came into effect on 1 March 1993, is a strong statement that discrimination on the basis of disability is unlawful. The Act reflects a rights-based approach to disability issues. It recognises that people with a disability have the same fundamental rights as other people and should have equal opportunities to participate in community life.

During the past ten years, these rights have been strengthened and articulated in legislation such as the *Disability Services Act 1992* (Qld), the *Guardianship and Administration Act 2000* (Qld) and the *Anti-discrimination Act 1991* (Qld). Internationally, Australia co-sponsored the development of the 1993 *United Nations Standard Rules on the Equalisation of Opportunities for Persons with Disabilities*. Like the *Disability Discrimination Act*, the Standard Rules focus on human rights and access issues. They recognise that, for many people, having a disability leads to constraints and barriers that exclude them from participating in community life. The Australian Government supports the Standard Rules and is committed to a program of action that encourages equality of opportunity for people with a disability and ensures the environment is accessible to them and responsive to their needs.

“...discrimination on the basis of disability is unlawful...”

Section 60 of the *Disability Discrimination Act* reflects a commitment to comply with the Standard Rules. This section of the Act provides for government and non-government organisations to develop Disability Discrimination Action Plans. Each plan is to outline strategies to overcome discriminatory behaviours and barriers that prevent people with a disability from fully participating in the organisation and accessing its services.



How is discrimination identified under the Act?

Section 5 of the Act identifies two broad types of discrimination:

- **disability discrimination:** this occurs when an individual is treated less favourably because of his or her disability.
- **indirect discrimination:** this refers to treatment which is neutral on its face, but imposes a condition or requirement that disadvantages a person with a disability and that is not reasonable. This includes:
 - not recognising that changes or adjustments may have to be made for a person with a disability
 - having conditions or requirements that a person with a disability is not able to comply with.

Why have an action plan?

The Queensland Government has taken positive steps to demonstrate its ongoing commitment to equal opportunity for people with a disability, but a great deal remains to be done. Translating this plan into action requires continuing effort on the part of government and the Department of Aboriginal and Torres Strait Islander Policy (DATSIP).

In 2000, the Queensland Government *Strategic Framework for Disability 2000–05* was released. This document reaffirmed the Government's commitment to the Queensland *Disability Services Act 1992* and provided a clear whole-of-government vision for meeting the needs of people with a disability, their families and carers. The Queensland Government is committed to a strategy of developing and progressively implementing Disability Discrimination Action Plans within this framework and in line with the Commonwealth *Disability Discrimination Act 1992*. The Act provides for agencies to develop such plans (section 60) and to lodge them with the Human Rights and Equal Opportunity Commission (section 64).

The DATSIP Disability Discrimination Action Plan has been developed to ensure that everyone, regardless of their disability, has the opportunity to access the services and facilities of the department. It is essentially about good management practice with a client focus. It is also in line with DATSIP's social justice and equal opportunity values and the Government's broader social justice agenda.

What are the benefits of having an action plan?

This plan will help us focus on dealing with issues associated with:

- access to the built environment
- access to information
- employment.

What does the plan cover?

The plan outlines strategies for improving the access of people with a disability to DATSIP premises, information and employment. According to the Commonwealth, State/Territory Disability Agreement, people with a disability are those who have a disability attributed to an intellectual, psychiatric, sensory, physical or neurological impairment or acquired brain injury (or a combination of these) which is likely to be permanent and results in substantially reduced capacity in at least one of the following, and which requires ongoing or episodic support:

- self care/management
- mobility
- communication.

Section 61 of the *Disability Discrimination Act* requires action plans to include the following provisions:


(a) the devising of policies and programs to achieve the objects of this Act

(b) the communication of these policies and programs to persons within the service provider

(c) the review of practices within the service provider with a view to the identification of any discriminatory practices

(d) the setting of goals and targets, where these may reasonably be determined, against which the success of the plan in achieving the objects of the Act may be assessed

(e) the means, other than those referred to in paragraph (d), of evaluating the policies and programs referred to in paragraph (a)



(f) the appointment of persons within the service provider to implement the provisions referred to in paragraphs (a) to (e) (inclusive).

Plans should identify clear, practical and achievable goals, how they will be achieved and how progress will be monitored, reviewed and reported.

How was the plan developed?

The plan was developed in consultation with departmental staff, led by an Executive Project Group.

Three main goals were identified under the *Disability Discrimination Act*:

- access to the built environment
- access to information
- access to employment within DATSIP.

These form the basis of the DATSIP Disability Discrimination Action Plan. The plan outlines strategies and actions associated with these goals and identifies who will take responsibility for ensuring these actions are carried out in the given time frame.

The DATSIP Disability Discrimination Action Plan is a living document that will evolve with the growth and development of the department.



Goals, strategies and actions

Goal 1: An accessible built environment

Everyone can easily and safely enter, move through and use the facilities of the Department of Aboriginal and Torres Strait Islander Policy premises.

Strategy 1.1

To carry out audits of the built environment and develop a program to progressively upgrade DATSIP premises to meet accessibility standards based on Human Rights and Equal Opportunity Access to Premises Notes and Standards.

Actions

- 1.1.1 Develop an audit program for all DATSIP sites to include a schedule for audits of all DATSIP sites and sites used by DATSIP (for public seminars/conferences).

<i>Timeframe:</i> June 2004	<i>Responsible officer:</i> ADG Corporate and Executive Services	<i>Work unit:</i> Finance and Administration Branch
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- 1.1.2 Develop an accessible premises policy to include reference to existing premises and venues used by DATSIP for consultations and workshops.

<i>Timeframe:</i> June 2004	<i>Responsible officer:</i> ADG Corporate and Executive Services	<i>Work unit:</i> Finance and Administration Branch
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- 1.1.3 Engage a disability-specific access consultant to develop access protocols and assessment criteria (based on the Human Rights and Equal Opportunity Commission's Access to Premises Advisory Notes and Relevant Standards) for DATSIP premises to support the participation of people with a disability, covering:

- existing workplaces
- public areas
- venues for meetings and consultation.

<i>Timeframe:</i> June 2004	<i>Responsible officer:</i> ADG Corporate and Executive Services	<i>Work unit:</i> Finance and Administration Branch
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- 1.1.4 Develop a stages works program to progressively upgrade sites to meet standards, including time frames and resource requirements and to implement these progressively.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Finance and Administration Branch</i>

Goal 2: Accessible information

Information developed by or for the Department of Aboriginal and Torres Strait Islander Policy is equitably available to people who have a disability.

Strategy 2.1

To provide departmental documentation in a range of formats to take account of the particular needs people may have as a result of their cultural background, language, disability or geographical location.

Actions

- 2.1.1 Develop a communication policy and guidelines on the availability/ accessibility of publications, information and all forms of communication to people with a disability.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>October 2003</i>	<i>ADG Corporate and Executive Services</i>	<i>Marketing and Communication Branch</i>

- 2.1.2 Ensure all new promotional materials, reports, publications and information conform to the new guidelines.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Marketing and Communication Branch</i>

Goal 3: Equitable employment opportunities

That the Department of Aboriginal and Torres Strait Islander Policy provides a workplace free of disability discrimination.

Strategy 3.1

To ensure that people with a disability can participate equitably in the DATSIP workplace.

Actions

- 3.1.1 Monitor reporting on the collection of Equal Employment Opportunity (EEO) statistics.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Human Resources Branch</i>

- 3.1.2 Integrate EEO principles and practices into all HR strategies, policies and guidelines.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Human Resources Branch</i>

- 3.1.3 Complaints and grievance mechanisms are in place to address issues raised by staff with regard to equitable recruitment policy and practice in DATSIP.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Human Resources Branch</i>

Strategy 3.2

To ensure all DATSIP employees are aware of the rights and needs of people with a disability.

Actions

3.2.1 Incorporate disability awareness issues within the department's induction strategy.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Human Resources Branch</i>

3.2.2 Develop and disseminate information about disability discrimination to DATSIP staff via multi-channel service and information systems.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Human Resources Branch Marketing and Communication Branch</i>

3.2.3 Develop a communication strategy to promote the Disability Discrimination Action Plan and DATSIP's commitment to achieving best practice in providing a workplace free of disability discrimination.

<i>Timeframe:</i>	<i>Responsible officer:</i>	<i>Work unit:</i>
<i>June 2004</i>	<i>ADG Corporate and Executive Services</i>	<i>Human Resources Branch Marketing and Communication Branch</i>



Implementation, review and reporting

We will implement the strategies and actions in the Disability Discrimination Action Plan progressively during the next two years.

As the plan is a living document, we will review it every six months to maintain its currency and relevance. The review process will require the responsible work units to report performance against each action and will provide an opportunity for modifying the actions in the plan in order to better achieve the goals. A fuller review of the plan will occur every two years with input from the sector, service providers and staff. Revised plans will be submitted to the Human Rights and Equal Opportunity Commission every two years.

To ensure the plan remains a dynamic document, we will report on its progress in our internal and external reporting processes, such as quarterly management reports and the Annual Report. We will also integrate the plan in the strategic, business planning and budgeting processes, and monitor it through Executive and Board of Management forums at regular intervals.

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Strategic Policy, Planning and Performance Branch**

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