Providing an inclusive workplace and service free from disability discrimination

Guidelines

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# Purpose

The Commission is committed to providing a workplace and services that are proactively inclusive and free from disability discrimination.

These guidelines provide information to staff regarding their obligations towards colleagues, clients, stakeholders and other people with disability.[[1]](#endnote-1) They also aim to direct staff to various internal and external resources that can assist them in to ensure the Commission’s workplace and services are proactively inclusive.

The information provided in these guidelines is not intended to be exhaustive, or to take the place of legal advice.

# Defining disability

‘Disability’ is an evolving social and legal concept. Agencies and legislative instruments may define disability differently for a range of reasons, including their purpose. Three important, differing definitions are set out below.

The *United Nations Convention on the Rights of Persons with Disabilities* (CRPD)[[2]](#endnote-2) does not explicitly define disability. Rather, its definition is to be gleaned from how it is discussed throughout its text. The CRPD states:

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.[[3]](#endnote-3)

The *Disability Discrimination Act 1992* (Cth) defines disability as follows:

*…disability*, in relation to a person, means:

(a) total or partial loss of the person’s bodily or mental functions; or

(b) total or partial loss of a part of the body; or

(c) the presence in the body of organisms causing disease or illness; or

(d) the presence in the body of organisms capable of causing disease or illness; or

(e) the malfunction, malformation or disfigurement of a part of the person’s body; or

(f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or

(g) a disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;

and includes a disability that:

(h) presently exists; or

(i) previously existed but no longer exists; or

(j) may exist in the future (including because of a genetic predisposition to that disability); or

(k) is imputed to a person.[[4]](#endnote-4)

To avoid doubt, a ***disability*** that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

In its 2015 *Survey of Disability, Ageing and Carers* (SDAC),[[5]](#endnote-5) the Australian Bureau of Statistics adopted the World Health Organisation’s definition of disability:

…any limitation, restriction or impairment which restricts everyday activities and has lasted, or is likely to last, for at least six months.[[6]](#endnote-6)

# Models of disability

Historically, there has been a shift from conceptualising disability solely or primarily as a medical issue to a social construct.

The medical model of disability holds that disability is caused by a person’s impairment or difference alone,[[7]](#endnote-7) and consequently places an obligation on the *person* to change or adapt. People with disability are viewed as patients requiring treatment or care.

The social model of disability, however, holds that disability is socially constructed. Under the social model, disability results from the interaction between people’s impairments and their environments; filled with physical, attitudinal, communication-related, and social barriers.[[8]](#endnote-8) The social model calls for the adoption of positive and inclusive attitudes and practices, and places an obligation on governments, service providers and the community to remove barriers to participation.

Generally, officers of the Commission should consider disability from the social model perspective.

# Some statistics

The statistics set out below provide an important impression of life with disability in Australia. According to the 2015 *Survey of Disability, Ageing and Carers*: [[9]](#endnote-9)

* Almost one in five Australians (18.3% or 4.3 million people) reported living with disability.
* Of those with disability aged 15 to 64, 53.4% participated in the labour force, compared to 83.2% of those without disability.
* Around two in five (41.9%) people of working age with disability reported that their main source of cash income was a government pension or allowance.
* 2.4 million Australians with disability (living in households) needed assistance with at least one activity of daily life. Assistance was most commonly needed with health care (29.3%), property maintenance (26.9%) and household chores (23.5%). Of all Australians with disability (living in households) who needed assistance, 62.1% reported their needs were fully met.
* Almost one in 12 Australians with disability aged 15 years and over and living in households (281,100 people or 8.6%) reported they had experienced discrimination or unfair treatment because of their disability in the last 12 months.
* Over one-third (35.1%) of women and over one-quarter (28.1%) of men with disability aged 15 years and over had avoided situations because of their disability.

According to the data from the 2009 Census:[[10]](#endnote-10)

* Women and girls make up 51% of all people with disability in Australia and 9.5% of the total Australian population.
* Fifty per cent of Aboriginal and Torres Strait Islander people aged 15 years and over have a disability or long-term health condition.[[11]](#endnote-11)
* Of those aged 4 years and under, 3.4% were affected by disability, compared with 40% of those aged 65-69 years and 88% of those aged 90 years and over.[[12]](#endnote-12)

# Legal and Policy Framework

It is important that staff are aware of the multiple sources of their responsibility to ensure that the Commission’s workplace and services are discrimination-free for people with disability.

## The Convention on the Rights of Persons with Disabilities (CRPD)

The CRPD was ratified by Australia in 2008 and sets out the fundamental human rights of people with disability. Its purpose is to:

Promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.[[13]](#endnote-13)

There are eight guiding principles that underpin the CRPD: [[14]](#endnote-14)

* respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons
* non-discrimination
* full and effective participation and inclusion in society
* respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
* equality of opportunity
* accessibility
* equality between men and women
* respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

## The *Disability Discrimination Act 1992* (Cth) (Disability Discrimination Act)

The DisabilityDiscrimination Act aims to eliminate discrimination, as far as possible, against people with disability.[[15]](#endnote-15) The Disability Discrimination Act protects people against unlawful discrimination on a number of grounds,[[16]](#endnote-16) including:

* past, present, future or imputed disability
* association with a person with disability
* having a carer or assistant
* having an assistance animal
* having a disability aid.

‘Direct’ disability discrimination occurs when a person with disability is treated less favourably because they have a disability than someone without the disability would be treated in the same or similar circumstances.[[17]](#endnote-17)

‘Indirect’ disability discrimination can occur when a person with disability does not or cannot comply with a requirement or condition because of the disability, the requirement is likely to disadvantage persons with disability and the requirement is not reasonable under the circumstances.[[18]](#endnote-18)

Failure to provide reasonable adjustment to accommodate a person’s disability could constitute direct or indirect discrimination.[[19]](#endnote-19) The Disability Discrimination Act states that:

An adjustment to be made by a person is a reasonable adjustment unless making the adjustment would impose an unjustifiable hardship on the person.[[20]](#endnote-20)

It is unlawful to discriminate against a person with disability in a number of areas of public life,[[21]](#endnote-21) including:

* employment
* access to premises
* goods, services and facilities
* administration of Commonwealth laws and programs.

It may not be unlawful to discriminate against a person on the ground of disability if avoiding the discrimination would impose an unjustifiable hardship.[[22]](#endnote-22)

Any conduct engaged in on behalf of an employer or service provider by directors, employees or agents of the organisation within the scope of their actual or apparent authority is taken to have been engaged in also by the organisation unless it establishes that it took reasonable precautions and exercised due diligence to avoid the conduct.[[23]](#endnote-23)

## The Australian Human Rights Commission Act 1986 (Cth) (Australian Human Rights Commission Act)

The Australian Human Rights Commission Act empowers the Commission to investigate and try to resolve by conciliation complaints alleging:

* acts or practices that are contrary to or inconsistent with human rights, including those set out in the CRPD[[24]](#endnote-24)
* discrimination in employment or occupation[[25]](#endnote-25)
* unlawful discrimination, including under the Disability Discrimination Act.[[26]](#endnote-26)

Any distinction, exclusion or preference made on the basis of:

* medical record
* impairment
* mental, intellectual or psychiatric disability
* physical disability

that has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation may constitute discrimination for the purposes of the Australian Human Rights Commission Act. [[27]](#endnote-27) This does not include any distinction, exclusion or preference based on the inherent requirements of a particular job.[[28]](#endnote-28)

A person acting on behalf of the Commission or a member of the Commission is not liable to an action or proceeding for damages in relation to things done in good faith in the performance of a function or power of the Commission.[[29]](#endnote-29)

## The *Fair Work Act 2009* (Cth) (Fair Work Act)

The Fair Work Act makes it unlawful for an employer to take adverse action against an employee or prospective employee because of their physical or mental disability.[[30]](#endnote-30)

‘Adverse action’ includes doing, threatening or organising any of the following:[[31]](#endnote-31)

* refusing to employ a prospective employee
* discriminating against a prospective employee in the terms and conditions of their offer of employment
* altering an employee’s position to their detriment
* discriminating against one employee compared to another
* injuring an employee in their employment
* dismissing an employee.

## The *Public Service Act 1999* (Cth) (Public Service Act) and Australian Public Service (APS) Values

The Public Service Actoutlines the APS Values and Code of Conduct. All APS employees are required to uphold the APS Values and comply with the Code of Conduct, and failure to do so may attract sanctions. The APS Values and the Code of Conduct guide the relationship between APS employees and the public, both of which include people with disability.

APS Values include that:

The APS respects all people, including their rights and their heritage.[[32]](#endnote-32)

The Code of Conduct requires that employees must: [[33]](#endnote-33)

* behave honestly and with integrity in the course of APS employment
* act with care and diligence in the course of APS employment
* treat everyone with respect and courtesy, and without harassment
* comply with all applicable Australian laws.

## The National Disability Strategy (the Strategy)

The Strategy sets out a ten year national policy framework for improving the lives of Australians with disability, their families and carers; spanning from 2010 to 2020.[[34]](#endnote-34) The Strategy is an example of Australia seeking to fulfil its obligations under the CRPD; and is an important example of a cooperative approach by Australian governments to support Australians with disability.

## The Commission’s Diversity Strategy

The objective of the Commission’s Diversity Strategy is to ensure that the Commission is representative of the community it serves and that it values and makes full use of the diverse backgrounds, skills, talents and perspectives of its staff, community members and service recipients.[[35]](#endnote-35) The Diversity Strategy brings together the commitments of the Disability Action Plan (DAP), Reconciliation Action Plan (RAP), and Workforce Diversity Program.[[36]](#endnote-36)

Relevantly, the Commission’s Diversity Strategy states:

The Commission’s starting point is that accessibility issues should always be at the forefront of our thinking. It is too late to consider these vital issues as an afterthought or ‘Band-Aid’ to a poor situation.

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

The Commission’s focus, as informed by the DAP, is on four key areas:

* developing and promoting a disability lens approach to our work
* technology and accessibility
* our workplace and employment
* community Connections.

## The Commission’s Reasonable Adjustment Policy

The Commission recognises the diversity of its workforce and is committed to ensuring that all employees are able to effectively and efficiently use their skills and experience to contribute to the organisation. This includes the opportunity to participate without discrimination in both work-related and other activities conducted within a work context.

Under the Reasonable Adjustment Policy, the Commission must consider making workplace changes or ‘reasonable adjustments’ if a current employee needs them to perform the inherent requirements of their job, or if a prospective employee requires them to fully participate in the recruitment /selection process (unless to do so would be unreasonable or result in unjustifiable hardship being placed on the Commission).[[37]](#endnote-37)

Examples of reasonable adjustments can be found in sections 6.3 and 6.4 of these guidelines.

Please also note that the Australian Government’s [Employment Assistance Fund](https://www.jobaccess.gov.au/employment-assistance-fund-eaf) (EAF) may be able to provide financial assistance to purchase work-related modifications and services.[[38]](#endnote-38)

# Inclusion in practice

Below are some practical suggestions and considerations to assist staff of the Commission meet their obligations to provide an inclusive workplace and service free from disability discrimination. Please note the below information is not intended to be exhaustive or to take the place of legal or other advice.

## Inclusive communication with and about people with disability

* Be aware that language used to describe and/or discuss disability is disputed and evolving.
* Be conscious of ‘disability etiquette’. For example:
  + Avoid asking personal questions about someone’s disability.
  + Avoid terms that imply people with disability are brave or ‘inspirational’ just because they experience disability.
  + Unless requested to do otherwise, address the person with disability directly, rather than the person’s carer, attendant, support person or other associate.
* Employ a social model approach. For example:
  + Consider accessibility of publications, resources and events in early planning stages rather than waiting for people with disability to identify access barriers and seek adjustments.
  + Be creative in addressing identified barriers to inclusion, rather than relying on people with disability to identify how a barrier should be addressed.
* Be guided by the terminology used by people with disability and the organisations which represent them.
* Avoid correcting the terminology people use to describe their own disability or the disability of a close associate, even if this seems inconsistent with generally accepted terminology (e.g. ‘My son is retarded and has a mental age of 5’), but model generally accepted language (e.g. ‘So as I understand it, your child has an intellectual disability?’).

For more information, see ‘[Appropriate language and etiquette guides’](#_Appropriate_language_and) at 7.1 below.

## Accessibility of internal and external communications and publications

* Use Plain English principles. For example:
  + Write short sentences.
  + Use the active voice.
  + Use headings and lists.
  + Avoid technical or complex terms when possible/appropriate.
* Give due consideration to requests for adjustments, such as adjustments to timing and format of communications.
* Consider the need for sign language or other interpreters.
* Provide information on National Relay Service where appropriate.
* Take reasonable steps to ensure correspondence and other printed content is accessible. For example:
  + Use clear sans serif fonts.
  + Use suitable colour contrasts.
  + Include descriptions of pictures, flowcharts, tables and other pictorial content.
* Ensure information is available in a range of formats on request as appropriate (e.g. print, HTML, audio, Braille, etc.).
* Take reasonable steps to ensure audio-visual content is accessible (e.g. by including audio-description and/or captioning).

For more information, see ‘[Website and publication accessibility information](#_Website_and_publication)’ and ‘[Interpreting, live captioning and other communication services](#_Interpreting,_live_captioning)’ at 7.2 and 7.3 below.

## An inclusive workplace

### Where people work:

* Paths of travel should be kept clear and allow sufficient space for travel by people using wheelchairs or other mobility aids. For example:
  + Chairs should be tucked into desks or tables when not in use.
  + Bags, umbrellas and other object should be stored so as not to block access paths.
  + Cupboard doors, dishwasher doors, etc. should be closed when not in use.

Some of these measures will also help prevent injury to people who are blind or have a vision impairment.

* Consideration should be given to the location of allocated office/desk space to staff with disability. For example:
  + Staff who require additional light should be allocated office or desk spaces near windows or other light sources. The opposite may be the case for staff requiring reduced lighting.
  + Staff using wheelchairs or other mobility devises, staff who are blind or have a vision impairment and staff with restricted mobility should be allocated office/desk space near exits, bathrooms and common areas as appropriate.
  + Staff may require allocation of quiet/isolated office/desk space if using assistive technology with speech input/output or if they have impaired concentration.
  + The ability to work from home may be appropriate to accommodate the needs of some staff with disability.
* Accessible bathroom and other facilities must be appropriately signposted, maintained and available for use by people with disability.
* Automatic doors, lifts, fire alarms, etc. should include accessibility features and be well maintained (e.g. flashing lights for fire alarms, audible announcements for lifts, etc.).
* Modifications to workstations should be considered to accommodate the needs of staff with disability (e.g. increased/reduced lighting, additional desk space, adjustable height desk, different seating options, etc.).

### How people work:

* Be responsive to requests for flexible working arrangements to accommodate disability or association with a person with disability.
* Balance any need for disclosure of a staff member’s disability with relevant privacy obligations.
* Give due consideration to requests for adjustments to accommodate a staff member’s disability. Adjustments can include:
  + flexibility of hours of work and timing/duration of breaks to accommodate disability related sleeping patterns, support routines, timing and impact of medications, variations in energy levels, etc.
  + adaptive technology, such as screen reading software, magnification software, voice recognition software, etc.
  + changes to communication and supervision arrangements, such as receiving instructions/directions by email/in person, frequency/duration of supervision meetings, etc.
  + physical modifications to the workplace, such as provision of a height-adjustable desk, additional desk space, additional/reduced lighting, etc.
  + assistance by another staff member to perform tasks the person with disability is unable to perform because of the disability (e.g. a blind person may require assistance to use touch-screen devices, a person with physical disability may require assistance to carry/lift certain objects, etc.
  + temporary or permanent reduction or variation to workload
  + temporary or permanent changes to duties where the duties are not inherent to the role and/or changes would not impose an unjustifiable hardship.
* Be conscious that people with disability may not be aware of the most appropriate adjustment to accommodate disability-related needs in a particular role. It may be appropriate to trial different types of adjustments and/or obtain role specific needs assessments.
* Be conscious that staff with disability may be reluctant to disclose disability or request adjustments if they have had adverse experiences in the past or are concerned about the implications of such disclosures/requests.

For more information, see ‘[Inclusive employment and recruitment practices information](#_Inclusive_employment_and)’ at 7.4 below.

## Accessible recruitment

* Ensure job descriptions and essential/desirable criteria do not unduly exclude applicants with disability. For example, a requirement for a drivers licence may exclude applicants with vision impairment, epilepsy or who are otherwise unable to drive. Consideration should be given to whether the requirement is that the successful applicant has a drivers licence or whether the successful applicant is able to travel independently between locations in metropolitan Sydney.
* Where appropriate, conduct Expression of Interest processes for vacancies before advertising a position. This will maximise development opportunities for staff with disability already in the organisation.
* Ensure advertisements for vacant positions, position descriptions, information about the application process etc. are accessible (see 6.2 above for more information on accessible communications).
* Be aware that applicants with disability may not disclose disability for a range of reasons, including advice by service providers and previous experiences of discrimination.
* Balance any need for disclosure of an applicant’s disability with relevant privacy obligations.
* Consider potential barriers for applicants with disability when planning recruitment processes (e.g. application timeframes, timing of interviews, recruitment activities/tasks, etc.).
* Give due consideration to requests for adjustments to the recruitment process to accommodate disability. Adjustments could include:
  + extension to deadline for submission of application or completion of recruitment activities
  + provision of information in alternative formats
  + modifications to recruitment activities/tasks, including provision of additional time, facilitating use of adaptive technology, task modification (e.g. requiring spoken rather than written answers), etc.
  + changes to location, format, timing and duration of interviews.
* Avoid asking intrusive questions about an applicant’s disability unless the questions are necessary to assess the applicant’s ability to perform the inherent requirements of the role.
* Be aware of the potential for unconscious bias against applicants with disability.

For more information, see ‘[Inclusive employment and recruitment practices information](#_Inclusive_employment_and)’ at 7.4 below.

## Accessibility of meetings, consultations, training and other events

The considerations and suggestions set out below relate to internal and external events, including internal meetings, internal staff events, conciliation conferences, internal and external training, consultations, events open to the public, and so on.

* Consider disability access in the early planning stages for any event.
* Ensure invitations and/or promotion for events are accessible (see 6.2 above for more information on accessible communications).
* Ensure response, registration and payment methods for events are accessible. Issues to consider may include accessibility of registration platforms to adaptive technology, time allowed for online registration/payment, availability of different payment methods, etc.
* Proactively seek information about participant needs for adjustment. It may be of assistance to provide some information about the types of activities involved to assist participants with disability identify any need for adjustment.
* Provide participants with as much notice of the event as possible to enable people with disability and their associates to make necessary arrangements to enable them to attend. These may include changes to support routines and transport arrangements.
* Where possible, hold events in accessible venues that comply with the *Disability (Access to Premises – Buildings) Standards 2010* (Cth). Care should be taken that all areas of the venue to be used during the event are accessible, including bathroom facilities.
* Consider whole-of-journey accessibility for travel to and from the event. This may include availability of accessible parking, drop-off zones, accessible transport services and accessible transport infrastructure.
* Ensure participants using wheelchairs and other mobility aids or those with mobility disability have access to continuous accessible paths of travel and to seating near exits and accessible bathroom facilities.
* Ensure participants accessing sign-language interpreters are provided with seating with direct line-of-sight to interpreters.
* Catering should accommodate potential dietary and other disability-related needs, such as accommodation of allergies and intolerances, availability of straws for those unable to drink from cups, direct assistance for those unable to serve themselves from a buffet, availability of seating/tables, etc.
* Where appropriate, conduct a roll call at the beginning of the event to enable participants to are blind, have a vision impairment or have certain cognitive impairments to know who is present.
* Ensure content, presentations and activities are accessible. This may involve:
  + using Plain English principles
  + providing sign-language or other interpreters
  + providing a hearing loop
  + ensuring audio-visual content is captioned and/or audio-described
  + providing materials to participants with disability prior to the event
  + making printed materials available in alternative formats
  + addressing barriers to participation in Q&A, group work or other interactive activities.
* Give due consideration to requests for adjustments prior to the event and on the day.

For more information see ‘[Inclusive event planning information](#_Inclusive_event_planning)’ and ‘[Information on accessible service provision](#_Information_on_accessible)’ at 7.5 and 7.6 below.

# Useful links and resources

The following is a non-exhaustive list of organisations and resources aimed at assisting staff in providing a workplace and services that are both free from disability discrimination, and proactively inclusive. Please follow the links for further information and examples.

## Appropriate language and etiquette guides

* Commission’s
  + [Disclosure of Information Guidelines](http://intranet/searchcenter/Pages/Results.aspx?k=privacy&s=Intranet)
  + [Style Guide](http://intranet/TemplatesGuidelines/Pages/Default.aspx)
* Australian Network on Disability’s [Inclusive Language](https://www.and.org.au/pages/inclusive-language.html) page and [Disability Etiquette](https://www.and.org.au/pages/etiquette.html) page
* Arts Access Victoria’s [Guide to Talking about Disability](https://www.artsaccess.com.au/talking-about-disability/)
* Family and Community Services’ [What’s Hot and What’s Not](http://intranet/HumanResources/Documents/What%27s%20Hot%20and%20What%27s%20Not%20Guide%20D.pdf) guide.
* People with Disability Australia’s [Guide to Reporting Disability](http://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwj9kub1q83bAhVV6bwKHVGwCdIQFgguMAE&url=http%3A%2F%2Fwww.pwd.org.au%2Fdocuments%2Fpubs%2FGuide-to-Reporting-Disability.doc&usg=AOvVaw1IzO8by_gAJAjmmgJ2rBFc) and [Terminology](http://www.pwd.org.au/student-section/terminology-used-by-pwda.html) page

## Website and publication accessibility information

* Commission’s [Style Guide](http://intranet/TemplatesGuidelines/Pages/Default.aspx)
* Australian Government’s Content Guide – [Accessibility and inclusivity section](https://guides.service.gov.au/content-guide/accessibility-inclusivity/).
* Media Access Australia’s [Service Provider’s Accessibility Guide](http://www.mediaaccess.org.au/digitalaccessibilityservices/ndisnewworld/) and [Cognitive Disability Digital Accessibility Guide](https://www.mediaaccess.org.au/digitalaccessibilityservices/cognitiveguide/)
* Scope’s [Accessible Information and Easy English](https://www.scopeaust.org.au/service/accessible-information/) guide
* Vision Australia’s [Accessibility Toolkit](https://www.visionaustralia.org/services/digital-access/services/accessibility-toolkit) and [Online and print inclusive design and legibility considerations](https://www.visionaustralia.org/services/digital-access/blog/03-12-2014/online-and-print-inclusive-design-and-legibility-considerations).

## Interpreting, live captioning and other communication services:

* 121 Captions: <https://www.121captions.com/>
* A1 Transcriptions: <https://www.a1transcriptions.com.au/>
* Access2Arts: <https://access2arts.org.au/>
* Access Media: <http://www.accessmedia.com.au/>
* Auslan Connections: <http://auslanconnections.com.au/services/live-captioning/>
* Auslan Interpreters: <https://deafsociety.org.au/interpreting/page/book_now>
* Easy Read: <http://www.nswcid.org.au/hire-us/cid-consulting.html>
* National Relay Service: <https://relayservice.gov.au/>
* Vision Australia: <https://www.visionaustralia.org/>

## Inclusive employment and recruitment practices information

* Commission’s:
  + [Disclosure of Information Guidelines](http://intranet/searchcenter/Pages/Results.aspx?k=privacy&s=Intranet)
  + [Reasonable Adjustment Policy](http://intranet/HumanResources/Documents/Forms/Workplace%20Diversity.aspx)
  + [Willing to Work: Good Practice Examples for Employers](https://www.humanrights.gov.au/our-work/disability-rights/publications/willing-work-good-practice-examples-employers-2016)
  + [Workers with Mental Illness: A Practical Guide for Managers](https://www.humanrights.gov.au/our-work/disability-rights/publications/2010-workers-mental-illness-practical-guide-managers)
  + [Workplace Flexibility Policy and Principles](http://intranet/HumanResources/Documents/Forms/Conditions%20of%20Employment.aspx)
* Australian Government’s [Employment Assistance Fund](https://www.jobaccess.gov.au/employment-assistance-fund-eaf)
* Australian Network on Disability’s [Manager’s Guide to creating a disability inclusive workplace](https://www.and.org.au/pages/resources-publi-managers-guide-disability-in-the-workplace-969.html)[[39]](#endnote-39)
* Guide Dogs NSW/ACT’s [Employers’ guide for hiring people who are blind or vision impaired](https://www.nswbusinesschamber.com.au/NSWBC/media/Media-Centre/Ebooks/Guide-Dogs-Employer-Guide-EBOOK.pdf)
* Informa’s [Eliminating Barriers: Supporting the Employment of People with Disabilities through Accessible Communications](https://www.informa.com.au/insight/disability-employment-through-accessible-communications/)
* PEAT’s [Communicating your Commitment to Accessibility: Tips for Employers](https://www.peatworks.org/staff-training/communicating-your-commitment) guide

## Inclusive event planning information

* Commission’s [Event Guidelines](http://intranet/TemplatesGuidelines/Commission%20Logo%20%20Styleguide/Events%20Toolkit%202018/Event%20Guidelines%202018.pdf)
* Australian Network on Disability’s [Event Accessibility Checklist](https://www.and.org.au/pages/event-checklist.html)
* Meetings & Events Australia’s [Accessible Events – a Guide for Meeting and Event Organisers](http://www.meetingsevents.com.au/downloads/Accessible_Events_Guide.pdf) document
* Social Inclusion Week Australia’s [Event Accessibility Checklist](http://socialinclusionweek.com.au/1456/images/AccessibilityChecklist-SocialInclusionWeek_2017.pdf)

## Information on accessible service provision

* Commission’s [Access for all: improving accessibility for consumers with disability](https://www.humanrights.gov.au/our-work/disability-rights/publications/access-all-improving-accessibility-consumers-disability-2016)
* Media Access Australia’s [Service Providers Accessibility Guide: A quick reference guide for accessible communications](http://www.mediaaccess.org.au/digitalaccessibilityservices/ndisnewworld/)
* NSW Business Chamber’s resource [Making Your Business Accessible](https://www.nswbusinesschamber.com.au/getattachment/Issues/Issues/Workforce-Skills/Employ-Outside-the-Box-the-benefits-of-diversifyi/Making-your-business-accessible-(1).pdf.aspx)
* NSW Ombudsman’s resource [Managing Unreasonable Complainant Conduct: a manual for frontline staff, supervisors and senior managers](https://www.ombudsman.gov.au/__data/assets/pdf_file/0022/35617/GL_Unreasonable-Complainant-Conduct-Manual-2012_LR.pdf)

## Organisations representing people with disability

* Blind Citizens Australia: <https://www.bca.org.au/>
* Brain Injury Australia: <https://www.braininjuryaustralia.org.au/>
* Children and Young People with Disability Australia: <http://www.cyda.org.au/>
* Deafness Forum of Australia: <https://www.deafnessforum.org.au/>
* First People’s Disability Network Australia: <https://fpdn.org.au/>
* Inclusion Australia (formerly National Council on Intellectual Disability): <https://www.inclusionaustralia.org.au/>
* People with Disability Australia: <http://www.pwd.org.au/>
* Physical Disability Australia: <http://www.pda.org.au/>
* Spinal Cord Injuries Australia: <https://scia.org.au/>
* Women with Disabilities Australia: <http://wwda.org.au/>

## Legal and other advocacy organisations

* Australian Centre for Disability Law: <http://disabilitylaw.org.au/>
* Basic Rights Queensland: <http://www.brq.org.au/>
* Canberra Community Law: <http://www.canberracommunitylaw.org.au/>
* Darwin Community Legal Service: <https://www.dcls.org.au/>
* Disability Advocacy Network Australia: <http://www.dana.org.au/>
* Disability Discrimination Legal Service (Vic): <http://www.ddls.org.au/>
* Launceston Community Legal Centre: <http://www.lclc.net.au/>
* Local Community Legal Centre finder: <http://www.naclc.org.au/clc_directory.php>
* Uniting Communities Law Centre (SA): <https://www.unitingcommunities.org/>
* Sussex Street Community Legal Service (WA): <http://www.sscls.asn.au/>

## Statutory complaint agencies

* ACT Human Rights Commission: <http://hrc.act.gov.au/>
* Anti-Discrimination Commission Queensland: <https://www.adcq.qld.gov.au/>
* Australian Human Rights Commission: <https://www.humanrights.gov.au/>
* Commonwealth Ombudsman: <http://www.ombudsman.gov.au/>
* Equal Opportunity Tasmania: <https://equalopportunity.tas.gov.au/>
* Fair Work Commission: <https://www.fwc.gov.au/>
* Fair Work Ombudsman: <https://www.fairwork.gov.au/>
* NSW Anti-Discrimination Board: <http://www.antidiscrimination.justice.nsw.gov.au/>
* NT Anti-Discrimination Commission: <http://www.adc.nt.gov.au/>
* SA Equal Opportunity Commission: <https://eoc.sa.gov.au/>
* Victorian Equal Opportunity and Human Rights Commission: <https://www.humanrightscommission.vic.gov.au/>
* WA Equal Opportunity Commission: <http://www.eoc.wa.gov.au/>

# Endnotes

1. These guidelines use the phrase ‘person/people with disability’ as opposed to ‘people with a disability’, ‘people with disabilities’ or ‘disabled-people’, although these may be accepted by members of the disability community in Australia and internationally. The term ‘disability’ is used in these guidelines to refer to the interaction between a person’s impairment and social barriers to inclusion, rather than to a medical condition or impairment. The chosen phrase also emphasises that disability is only one aspect of an individual’s experience and identity. [↑](#endnote-ref-1)
2. United Nations: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html#Fulltext> [↑](#endnote-ref-2)
3. Article 1 of the CRPD [↑](#endnote-ref-3)
4. Section 4 of the Disability Discrimination Act [↑](#endnote-ref-4)
5. Australian Bureau of Statistics: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4430.0> [↑](#endnote-ref-5)
6. World Health Organisation: <http://www.who.int/classifications/icf/en/> [↑](#endnote-ref-6)
7. People with Disability Australia: <http://www.pwd.org.au/student-section/the-social-model-of-disability.html> [↑](#endnote-ref-7)
8. People with Disability Australia: <http://www.pwd.org.au/student-section/the-social-model-of-disability.html> [↑](#endnote-ref-8)
9. Australian Bureau of Statistics: <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4430.0main+features202015> [↑](#endnote-ref-9)
10. It should be noted that the Bureau of Statistics did not collect disability data in the 2013 or 2017 censuses. [↑](#endnote-ref-10)
11. *The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples, Oct 2010* (ABS 4704.0):<http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/58E4D2078377D4B5CA257839000FA9F0?opendocument> [↑](#endnote-ref-11)
12. Australian Bureau of Statistics: <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4446.0Main%20Features42009?opendocument&tabname=Summary&prodno=4446.0&issue=2009&num=&view>= [↑](#endnote-ref-12)
13. Article 1 of the CRPD [↑](#endnote-ref-13)
14. Article 3 of the CRPD [↑](#endnote-ref-14)
15. Section 3 of the Disability Discrimination Act [↑](#endnote-ref-15)
16. Sections 4 and 5 to 9 of the Disability Discrimination Act [↑](#endnote-ref-16)
17. Section 5 of the Disability Discrimination Act [↑](#endnote-ref-17)
18. Section 6 of the Disability Discrimination Act [↑](#endnote-ref-18)
19. Sections 5(2) and 6(2) of the Disability Discrimination Act [↑](#endnote-ref-19)
20. Section 4 of the Disability Discrimination Act [↑](#endnote-ref-20)
21. Sections 15 to 21, 22 to 29 and 30 of the Disability Discrimination Act [↑](#endnote-ref-21)
22. Sections 11, 21A and 29A of the Disability Discrimination Act [↑](#endnote-ref-22)
23. Section 123 of the Disability Discrimination Act [↑](#endnote-ref-23)
24. Sections 3 and 11 and Part II, Division 3 of the Australian Human Rights Commission Act [↑](#endnote-ref-24)
25. Sections 3 and 11 and Part II, Division 4 of the Australian Human Rights Commission Act [↑](#endnote-ref-25)
26. Sections 3 and 11 and Part IIB of the Australian Human Rights Commission Act [↑](#endnote-ref-26)
27. Section 3 of the Australian Human Rights Commission Act and part 4 of the *Australian Human Rights Commission Regulations 1989* (Cth) [↑](#endnote-ref-27)
28. Section 3 of the Australian Human Rights Commission Act [↑](#endnote-ref-28)
29. Section 48 of the Australian Human Rights Commission Act [↑](#endnote-ref-29)
30. Section 351 of the Fair Work Act [↑](#endnote-ref-30)
31. Section 342 of the Fair Work Act [↑](#endnote-ref-31)
32. For more information see section 10 of the Public Service Act. [↑](#endnote-ref-32)
33. For more information see section 13 of the Public Service Act [↑](#endnote-ref-33)
34. Australian Government Department of Social Services: <https://www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/national-disability-strategy-2010-2020> [↑](#endnote-ref-34)
35. Commission’s Diversity Strategy: <http://intranet/HumanResources/Documents/Forms/Workplace%20Diversity.aspx> [↑](#endnote-ref-35)
36. Commission’s Diversity Strategy: <http://intranet/HumanResources/Documents/Forms/Workplace%20Diversity.aspx> [↑](#endnote-ref-36)
37. Commission’s Reasonable Adjustment Policy: <http://intranet/HumanResources/Documents/Forms/Workplace%20Diversity.aspx> [↑](#endnote-ref-37)
38. Employment Assistance Fund: <https://www.jobaccess.gov.au/employment-assistance-fund-eaf> [↑](#endnote-ref-38)
39. Please note: this guide must be purchased and is not available free of cost. [↑](#endnote-ref-39)