Disability Action Plan 2023: Community Legal Centres NSW

# About Community Legal Centres NSW

Community Legal Centres NSW is the peak representative body for 41 community legal centres in New South Wales. Our team supports, represents and advocates for our members and the legal assistance sector more broadly, with the aim of creating a more equitable society where all people have dignity, respect and the resources they need to live a fulfilling life.

This is the first Disability Action Plan for Community Legal Centres NSW. It will be part of a broader Diversity and Inclusion Plan which will includes strategies to reduce discrimination and promote rights for other groups, such as women, First Nations peoples, culturally and linguistically diverse people and LGBTQI+ groups. We aim to develop a holistic approach to inclusion and support interconnectivity between diversity initiatives.

# **Rights of people with disability**

The Convention on the Rights of Persons with Disabilities (CRPD) entered into force in 2008. It came into existence as a result of the persistent call of people with disability to have their human rights respected, protected and fulfilled on an equal basis with others. The Convention celebrates human diversity and human dignity.

For workplaces like Community Legal Centres NSW, the Convention provides principles and international standards to inform workplace policies and practices to ensure the full participation of people with disability in our organisation and the promotion of the rights of people with disability in our law reform work.

The CRPD establishes that reasonable accommodation should be provided to people with disability to ensure equality, it promotes positive perceptions and greater social awareness towards people with disability, and it challenges customs and behaviour based on stereotypes, prejudices, harmful practices and stigma.

This disability action plan sets out how Community Legal Services NSW will use these principles and standards to take steps to create an accessible and inclusive workplace, provide leadership for the community legal sector and advocate for the rights pf people with disability.

## Australian anti-discrimination law

The *Disability Discrimination Act* (DDA)[[1]](#endnote-1) is a Federal anti-discrimination law that was designed to:

1. to eliminate, as far as possible, discrimination against persons on the ground of disability;
2. to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and
3. to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

The DDA provides for the development of an Action Plan which sets out how a service provider or employer may identify and deal with discrimination on the basis of disability. The essential elements of an Action Plan as set out in section 61 of the DDA are:

* policies and programs to achieve the objectives of the DDA;
* how these policies and programs to persons will be communicated with staff;
* a review that identifies any discriminatory practices;
* reasonable goals against which the success of the action plan may be measured;
* the way in which policies and programs will be evaluated; and
* appointment of persons within the service provider to implement the action plan.[[2]](#endnote-2)

## NSW legislation

In 2014 the NSW Parliament passed the *Disability Inclusion Act[[3]](#endnote-3)*. The Act provides the legislative framework for the development and implementation of a NSW Disability Inclusion Action Plan to drive disability access and inclusion. The state plan is based around four key focus areas:

1. developing positive community attitudes and behaviours towards people with disability;
2. creating more liveable communities for people with disability;
3. achieving a higher rate of meaningful employment participation by people with disability through inclusive employment practices; and
4. achieving more equitable access to mainstream services for people with disability through better systems and processes.

# Action plan resources

There are many resources to assist organisations to develop a Disability Action Plan. For this plan we will use the model provided by the Australian Human Rights Commission in the *Guide to creating an accessible and inclusive workplace[[4]](#endnote-4)* and the NSW Disability Network Forum’s report *Eliminating Discrimination and Embracing Diversity: Effective Disability Inclusion Action Planning in NSW.[[5]](#endnote-5)*

# Steps to creating a Disability Action Plan[[6]](#endnote-6)

1. **Review business practice**

The first step to create a Disability Action Plan is to conduct a review or audit of the ways in which our organisation’s practices might result in unfavourable or disadvantageous treatment of people with disability. The audit should find in what ways CLCNSW may directly or indirectly discriminates against people with disability and help identify the opportunities for improvement.

1. **Establish objectives and actions**

Based on the results of the audit, decide how we will implement the gaps identified in the audit. Each action should have a person responsible for implementation and reporting.

1. **Develop evaluation strategies**

The goals and targets will inform the evaluation process. The Disability Action Plan should include how the plan will be evaluated, who is responsible for undertaking the evaluation and how often this occurs.

1. **Communicate the Disability Action Plan**

The Disability Action Plan should be accessible for all employees, members and other stakeholders. This means that the plan should be compliant for accessibility and available in multiple formats including:

* Word and PDF
* Easy Read
* Large print
* Braille
* Languages other than English

| Objective | Action | Responsible | Timeline | Measure of Success |
| --- | --- | --- | --- | --- |
| By February 2023, complete an audit of disability access and inclusion for CLCNSW. | Complete the [IncludeAbility Access and Inclusion Health Check](https://includeability.gov.au/resources-employers/access-and-inclusion-health-check).  Identify actions for the rest of the plan  Use [NSW Disability Network Forum checklist](https://www.ncoss.org.au/policy-advocacy/policy-research-publications/eliminating-discrimination-and-embracing-diversity-effective-disability-inclusion-action-planning/) to assess plan and make changes as needed. | Executive Director; Policy and Advocacy Manager | End Feb | Health check complete  Draft Disabilty Action Plan complete  Staff consulted of draft plan  Plan evaluated  Plan agreed |
| By July 2023, to update organisational policies and procedures so that they are inclusive. | Review, amend and write policies to ensure that they are inclusive of people with disability to include:   * Reasonable workplace adjustment processes and assistive technology (formalise in policy). Workplace adjustments can be funded through JobAccess. * Job customisation including flexible work arrangements (formalise in policy) * Specific mention of disability in our Diversity Strategy * An effective complaint mechanism is in place * There are safeguards in place to ensure the privacy and confidentiality of employees who have identified as having a disability * There is an ICT procurement policy that complies with the Australian ICT procurement Standard, AS EN 301 549 (EN301) to clearly identify and include both the level of functional performance and accessibility requirements when procuring ICT.   Refer to IncludeAbility [*Customising a job for a person with disability*](https://includeability.gov.au/resources-employers/customising-job-person-disability). | Executive Director |  | CLCNSW policies contain provisions that are inclusive of people with disability. |
|  | Review and amend recruitment processes to ensure that they are inclusive and accessible for people with disability.   * Ensure the commitment to equal employment opportunities in job advertisements mention people with disability * Mention reasonable adjustment policy in job ads * Ensure all online job information and application processes are checked for accessibility and compatibility with screen read technology prior to publication * Enact process to ask applicant if they need reasonable adjustments for the interview process * All CLCNSW panellists have undertaken disability awareness training   Refer to IncludeAbility guide on [*Customising a job for a person with disability*](https://includeability.gov.au/resources-employers/customising-job-person-disability). | Executive Director; Office Manager |  |  |
|  | Review and amend induction procedures to ensure they are inclusive and accessible for people with disability. Do they:   * ask all incoming employees if they require any reasonable adjustments and then implement them? * ensure there are safeguards in place to ensure the privacy and confidentiality of employees who have identified as having disability? * design Personal Emergency Evacuation Plans (PEEPs) for people with disability?   Refer to IncludeAbility guide on [*Creating an accessible and inclusive induction*](https://includeability.gov.au/resources-employers/creating-accessible-and-inclusive-induction).  The Australian Network on Disability website has information about [evacuation procedures for people with disability](https://and.org.au/DFD/dfd-03-10-emergency-evacuation.html). | Office Manager; Policy and Advocacy Manager |  |  |
| By end of 2023, to ensure that the built environment at CLCNSW is accessible. | Complete an audit of CLCNSW built environment, identify barriers and develop actions to address areas of concern.  Take into account:   * the overall accessibility of the workplace * the internal accessibility of the workplace * the accessibility of signage associated with the workplace * the accessibility of waiting and reception areas.   Questions to ask are in the [IncludeAbility accessibility guide](https://includeability.gov.au/resources-employers/creating-accessible-and-inclusive-workplace#_edn2).  The specific requirements for buildings are outlined in the [Disability (Access to Premises—Buildings) Standards 2010 (Cth)](https://www.legislation.gov.au/Details/F2010L00668).  [Examples of accessible building features can be found here](https://www.cbos.tas.gov.au/topics/technical-regulation/building-standards/building-practitioners/disability-access). | Executive Director; Policy and Advocacy Manager | End Feb |  |
| By end of 2023, to ensure that communications and technology to ensure that they are accessible. | Do an audit of the website to ensure compliance with Web Content Accessibility Guidelines 2.2. [Refer to these checklists](https://www.digital.nsw.gov.au/delivery/digital-service-toolkit/resources/accessibility-resources/simple-accessibility-checklist).  Assistive technologies where needed.  Essential communications are provided in alternate formats, such as Easy Read or accessible word versions.  Non-discriminatory language guide included in general communications guide  Language in all CLCNSW publications is respectful and inclusive.  The NSW Public Service Commission has developed several tips to improve accessibility when creating documents:   * When using images in documents, add alternative text so that users of screen-readers do not miss out on any context or visual information. If you ‘right-click’ the image, you can find ‘Edit Alt Text’ in the list of options. From here, you can insert a description of the image. * Ensure that any colour contrast is not too low as this makes documents harder to read for people with low vision. * Use headings in the ‘styles’ function to logically organise information within documents into sections and sub-sections (for example, Headings 1, 2 and 3). Headings act as signposts for screen-reader users and assists them to navigate the document and skip to relevant sections. * Do not use blank lines in documents. Instead use line spacing, and page and section breaks to avoid confusing screen-reader users. * Do not use ‘merged cells’ when presenting data in tables to avoid confusing screen-reader users. * Do not use images or icons in tables as they will not be accessible to people using a screen-reader. * If documents or emails include hyperlinks, embed the links in a logical way and into words which describe the context of the link instead of using the words ‘click here’. * Use endnotes in referenced documents instead of footnotes to ensure references are accessible to screen-reader users.   These tips may also be transferrable to other programs such as Microsoft PowerPoint and when using email programs. Microsoft Outlook also has an Accessibility Check function.  See:   * [Creating accessible and inclusive communications](https://includeability.gov.au/resources-employers/creating-accessible-and-inclusive-communications) * [PWDA Language Guide](https://pwd.org.au/resources/language-guide/) |  |  |  |
| By the end of 2023, to show leadership within the sector on accessibility and inclusion of people with disability. | **Draft actions:**  Accessible and inclusive meetings.  Accessible and inclusive in-person meetings and events.  Communicate about our DAP and promote disability awareness.  Updates in sector communications channels.  See:   * [Hosting accessible and inclusive **in-person** meetings and events](https://includeability.gov.au/resources-employers/hosting-accessible-and-inclusive-person-meetings-and-events) * [Hosting accessible and inclusive **online** meetings and events](https://includeability.gov.au/resources-employers/hosting-accessible-and-inclusive-online-meetings-and-events) |  |  |  |
| By the end of 2023, to include disability in law reform activities. | **Draft actions:**  Disability included as a factor in government submissions.  Rights of people with disability raised with MPs.  Development of policy position on disability. |  |  |  |
| By the end of 2023, to collect data on workforce diversity. |  |  |  |  |
| By the end of 2023, to communicate about our Disability Action Plan outside of the sector. | Annual Report.  Lodgement with AHRC.  Consult with people with disability. |  |  |  |

1. Disability Discrimination Act 1992 (Cth) (Austl.). [↑](#endnote-ref-1)
2. Disability Discrimination Act 1992 (Cth) s. 61 (Austl.). [↑](#endnote-ref-2)
3. Disability Inclusion Act 2014 No 41 (NSW) [↑](#endnote-ref-3)
4. Australian Human Rights Commission *Disability Action Plan Guide 2021* Available at:[*https://humanrights.gov.au/our-work/disability-rights/publications/disability-action-plan-guide-2021*](https://humanrights.gov.au/our-work/disability-rights/publications/disability-action-plan-guide-2021)*.* Accessed 25 January 2023. [↑](#endnote-ref-4)
5. NSW Disabilty Network Forum Eliminating Discrimination and Embracing Diversity:

   *Effective Disability Inclusion Action Planning in NSW*. Available at: <https://www.ncoss.org.au/policy-advocacy/policy-research-publications/eliminating-discrimination-and-embracing-diversity-effective-disability-inclusion-action-planning/>. Accessed: 25 January 2023. [↑](#endnote-ref-5)
6. Australian Human Rights Commission *Disability Action Plan Guide 2021.* Available at:[*https://humanrights.gov.au/our-work/disability-rights/publications/disability-action-plan-guide-2021* Accessed 25 January 2023](https://humanrights.gov.au/our-work/disability-rights/publications/disability-action-plan-guide-2021%20Accessed%2025%20January%202023), pp 22-37. [↑](#endnote-ref-6)