



NSW Ombudsman

Disability Action Plan 2010-2014

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Ombudsman's Foreword

The NSW Ombudsman is an independent and impartial watchdog body. Our job is to make sure that the public and private sector agencies and employees we watch over fulfil their functions properly. We help those agencies and their employees to be aware of their responsibilities to the public, to act reasonably and to comply with the law and best practice in administration.

Our vision is to 'see fair, accountable and responsive administrative practice and service delivery in NSW'. We work to promote good conduct, fair decision making, protection of rights and the provision of quality services. We pride ourselves on the quality of our work and the standard of our service. Our reputation for maintaining high standards in administrative conduct is important because it helps ensure that agencies accept our advice and implement our recommendations. We aim to lead by example and focus on practical outcomes that do the most good for the most people.

It is essential that our office is accessible to anyone who needs us. To this end, we have identified a number of strategies that focus on the needs of particular vulnerable groups. One such strategy is our Disability Action Plan, which outlines our commitment to achieving the outcomes for people with disabilities set out in the NSW State Plan and Guidelines for Disability Action Planning by NSW Government Agencies.

Our action plan outlines our strategies to:

- identify and remove barriers to services
- provide information about our services in a range of accessible formats
- make our facilities and services accessible
- assist participation in public consultations, government advisory boards and committees
- increase employment participation of people with a disability in the NSW public sector
- use government decision making programs and operations to influence other agencies and sectors to improve community participation and quality of life.

This plan, which complies with Section 9 of the *NSW Disability Services Act (1993)*, builds on our experience and the work and achievements of our previous action plans. New or extended objectives have been formulated through consultation with our staff to identify priority areas for action.

This action plan will guide our delivery of programs and services to people with disabilities until the end of 2014. The disability action plan is a working document.

The progress of implementation will be reviewed regularly and reported to our Senior Officers Group at least quarterly. Progress will also be reported in our annual report.



Bruce Barbour
Ombudsman

Contents

Policy statement	3
What is the NSW Ombudsman?	3
What does the Ombudsman do?	3
Data profile	4
Consultation process	6
Monitoring and review	8
Communication	8
Outcome 1: Identify and remove barriers to services for people with a disability	11
Outcome 2: Provide information in a range of formats that are accessible to people with a disability.....	15
Outcome 3: Making government buildings and facilities physically accessible to people with a disability.....	17
Outcome 4: Assist people with a disability to participate in public consultations and to apply for and participate in government advisory boards and committees.....	19
Outcome 5: Increase employment participation of people with a disability in the NSW public sector.....	20
Outcome 6: Use government decision-making, programs and operations to influence other agencies and sectors to improve community participation and quality of life for people with a disability	23
Appendix 1: Access and Equity Policy	25
Appendix 2: Disability Policy	27

Disability Action Plan 2010-2014

Policy statement

See Appendix 1 & 2 for our current *Access and Equity Policy* and *Disability Policy*.

We aim to be an effective organisation. Having an access and equity program to make sure that our services are accessible to all members of the public and to disadvantaged groups in particular is one way of achieving this. It is essential that our office is accessible to anyone who needs our services and any barriers are identified and where possible eliminated.

Our Access and Equity Policy sets the framework for our access and equity activities. We have identified a number of disadvantaged groups including people with disabilities, and developed strategies to improve their access to our services.

What is the NSW Ombudsman?

The NSW Ombudsman is an independent and impartial watchdog body. Our job is to make sure that the public and private sector agencies and employees we watch over fulfil their functions properly. We help those agencies and their employees to be aware of their responsibilities to the public, to act reasonably and to comply with the law and best practice in administration.

Our work is governed by a range of legislation including the *Ombudsman Act 1974*, the *Community Services (Complaints, Reviews and Monitoring) Act 1993* and the *Police Act 1990*.

Our vision is to 'see fair, accountable and responsive administrative practice and service delivery in NSW'. We work to promote good conduct, fair decision making, protection of rights and the provision of quality services.

What does the Ombudsman do?

Our work supports the achievement of the State Plan themes, strategies and priorities. We assist agencies to improve their services to the public. Traditionally, we fulfilled this mandate by responding to complaints and overseeing investigations - recommending improvements to the way agencies perform in relation to both individual matters and broader issues.

Over the years Parliament has greatly expanded the scope of our functions. We now oversee the investigation of complaints about police and community service providers, the handling of child abuse allegations and convictions by persons and agencies within jurisdiction, and the use of powers to conduct controlled operations.

We review the delivery of community services, the causes and patterns of deaths of certain children and of people with disabilities in care, and the operation of a number of new pieces of legislation conferring additional powers on police.

We audit complaint handling systems of NSW agencies and community service providers, and telephone interception records held by agencies that are authorised to intercept telephonic communications.

In the 2008/2009 financial year, we received 24,252 informal complaints and inquiries, as well as 8,742 formal complaints and notifications. We conducted a large number of audits, reviews, visits and consultations, as outlined in the table below:

Table 1: Outline of other work of the Ombudsman

Category	Type of work	08/09
Audits	Number of police records audited	10,400
	Controlled operation records audited	433
	Surveillance device warrants audited	374
	Witness protection appeals	3
	Number of child protection 'agency' audits conducted	18
Police powers under review	Number of reviews of legislation conferring new police powers concluded	2
	Number of reviews of legislation conferring new police powers in progress	4
Visits	Number of hours spent on visiting services (official community visitor program)	8,867
	Number of visits to residential services (official community visitor program)	3,239
	Correctional and juvenile justice centre visits	60
	Visits to regional and remote communities	73
Reviews*	Complaint-handling systems	20
	Number of individual reviews (section 13) of the circumstances of children and other persons in care	35
	Reviews (section 11(c)) of the delivery of community services	7
Consultations	Number of people consulted during systemic investigations and reviews	1,328

* The number of reviewable deaths is recorded by calendar year. In 2008, the deaths of 88 people with disabilities in care and 145 children were reviewable.

Our legislation generally requires that complaints to us be in writing. We can, however, take oral complaints in certain circumstances, for example, complaints about community services matters. We assist people in making written complaints by providing an on line complaint form on our website, or by making available complaint forms targeting specific groups, or by assisting the public in writing their letters of complaint.

Data profile

Potential Clients

Any person having contact with a NSW government agency, local council, public or private school, childcare centre, or community service provider is a potential client of this Office. This includes almost one in five people in NSW who have a disability (2001 ABS Survey).

Service User Profile

We do not systematically collect information on the users of our service. However, from time to time we conduct complainant satisfaction surveys in which some client profile information was obtained. Our last survey reveals that:

- 9% of the respondents stated that they had a disability
- Of these respondents, 21% stated that they had problems in seeing; 32% had problems in reading; 6% had problems in hearing; 20% had problems in speaking and 39% had problems in walking.

From time to time we also conduct more targeted surveys to get feedback from particular groups. For example In June 2007 we conducted a survey during a two-week period to find out how satisfied our clients are with our Inquiry Service. Among the 114 callers who participated in the survey, 22% identified themselves as having a disability.

Staff Profile

The NSW government has set targets for employing people from various EEO groups including people with disabilities. Measurement against these targets is a good indication of how effective our EEO program has been.

Tables 2 & 3 show the percentage of staff with disabilities by salary level and employment basis.

Table 2: Staff identified as having a disability – by salary level (2008-2009)

Level	Total Staff	Respondents	People with a Disability	People with a Disability Requiring Adjustment at Work
< \$36,677	0	0	0	0
\$36,677 - \$48,172	10	10	1	1
\$48,173 - \$53,854	8	8	0	0
\$53,855 - \$68,147	34	34	3	1
\$68,148 - \$88,127	92	92	5	3
\$88,128 - \$110,160	41	41	2	0
> \$110,160 (non-SES)	3	3	1	0
> \$110,160 (SES)	5	5	1	0
TOTAL	193	193	13	5

Table 3: Staff identified as having a disability – by employment basis (2008-2009)

Employment basis		Total Staff	Respondents	People with a Disability Requiring Adjustment at Work
Permanent	Full-Time	118	118	3
	Part-Time	41	41	1
Temporary	Full-Time	22	22	1
	Part-Time	8	8	0
Contract	SES	5	5	0
	Non SES	1	1	0
TOTAL		100	100	5

Table 4 shows the trends in representation of our staff with disabilities as compared to the government benchmark.

Table 4: Trends in the representation of staff with a disability as compared to the government benchmark.

Representation	Government benchmark (%)	Ombudsman representation (%)				
		04/05	05/06	06/07	07/08	08/09
People with a disability	12	6	7	7	6	7
People with a disability requiring adjustment at work	7	2.1	1.5	2	2	2.6

From the above table we can see that while our figures show a consistent and steady improvement they are considerably lower than the targets set by the government. However, we believe that these figures may not be an accurate account of our staff profile considering the number of reasonable adjustment requests we process each year. These issues were discussed by our DAP Advisory Committee. We have identified possible contributing factors for the low figures (eg staff surveys not regularly conducted to capture any change in staff profile) and developed strategies in the action plan to address this issue.

Consultation process

Internal consultation

We established a DAP Advisory Committee which is a consultation mechanism that provides advice/guidance to the office DAP planning process. The Committee is chaired by the Director Corporate, who is the nominated 'lead officer' for our office DAP development. Members of the Committee include representatives from all business areas.

External consultation

We regularly consult with peak disability groups in the course of our core business work. Twice yearly the Deputy Ombudsman who is also the Community & Disability Services Commissioner formally meets with peak disability organisations to discuss relevant issues. The Deputy Ombudsman also visits rural and regional areas to listen to the concerns raised by people with disabilities, their carers and community services workers.

Our investigations and reviews into issues such as support for people with mental health problems to maintain their social housing, meeting the needs of people with disabilities living in large residential centres, and improving access to services for Aboriginal people with disabilities all involved extensive consultations with service providers and consumers of community services.

To review the effectiveness of our communication/information strategies and to develop a comprehensive program for improving how we consult with our stakeholders, the Ombudsman has established a working party to develop a stakeholder engagement strategy for the office. The DAP Advisory Committee is working closely with this working party to ensure that appropriate consultation strategies for all vulnerable groups including people with disabilities are reflected in the whole of office stakeholder engagement strategy.

Major outcome achieved

The Ombudsman's Disability Action Plan 2000-2002 was developed using the Department of Ageing and Disability's previous framework. This plan covered six priority areas for action: physical access, promoting positive community attitudes, training of staff, information about services, employment in the public sector and complaints procedures. The plan was carried forward after its expiry. We reported on our implementation of this plan in our annual report.

Over the years we were able to achieve some positive outcomes to improve our services to people with disabilities. These include but not limited to:

- reconfigured our public access area to ensure wheelchair access to our reception area and interview room
- reconfigured office pathways, utility rooms and entrance doors, made reasonable adjustments including the provision of equipment and software to ensure individual work areas are accessible to staff with disabilities
- conducted website accessibility audits and made modifications to ensure our website complies with the Level AA criteria as set out in the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines
- produced and distributed key information about our role and functions in a range of accessible formats including large print, Braille, audio and disc
- developed a mandatory disability awareness training program to improve staff awareness and competence in communicating with people with disabilities
- delivered training programs to both service providers and consumers of community services on complaint handling and consumer rights issues
- supported and participated in key disability events such as the Don't DIS my ABILITY campaign and the IDEAS Expo.

Being the key oversight body for public administration in NSW our central goal is to keep government and certain non government agencies accountable and to protect the rights of all people in NSW. In conducting reviews and investigations into the way agencies provide services to people with disabilities, we are able to instigate systemic improvements and achieve positive outcomes. We do this by promoting good administrative conduct, fair decision-making and high standards of service delivery. Some example includes:

- we investigated the implementation of the *Joint Guarantee of Service for People with Mental Health Problems and Disorders Living in Aboriginal, Community and Public Housing* and made 10 recommendations to improve the system to better respond to their housing needs
- we reviewed and reported on the individual planning in DADHC large residential centres. Issues we examined include individual planning process, decision-making and choice, health care, behaviour support, and community participation and integration
- we completed a review of complaint handling by 20 agencies providing services under the DADHC funded Community Participation program, and provided practical recommendations to help service providers improve their practices
- we are implementing a new system that enables Official Community Visitors to report electronically to services on the quality of care they provide. This system is aligned with the *Disability Services Act 1993*, DADHC's Integrated Monitoring Framework and the Out-of-Home Care Standards.

Monitoring and review

As part of the Access and Equity Plan, the progress of the implementation of the Disability Action Plan will be regularly monitored and evaluated. Responsibilities, performance indicators and timelines are specified against each strategy/action in the plan. The Director Corporate is responsible for overall implementation of access and equity programs including the DAP within the Office. The Director Corporate will report the progress of the implementation to the Senior Officers Group at least quarterly. Progress with implementation will also be reported in our annual report.

Communication

The Disability Action Plan will be distributed in the following ways:

- e-mailed to all staff
- placed on NSW Ombudsman's website
- provided to new staff at induction
- submitted to the Disability Action Planning Team in DADHC
- registered with Human Rights and Equal Opportunity Commission
- reported in Annual Report.

Purpose: Outline our strategies and planned actions to ensure that our services are accessible and appropriate for people with a disability in NSW

Outcomes	Strategies	Planned Outcomes
<p>1 Identify and remove barriers to services for people with a disability</p>	<p>1.1 Identify barriers to services for people with disabilities including physical, infrastructural, procedural and social barriers</p>	<p>Barriers to our services by people with disabilities identified</p>
	<p>1.2 Incorporate disability access issues in the planning process to reflect the needs of people with disabilities</p>	<p>Disability access issues addressed in all levels of planning process</p>
	<p>1.3 Review our complaint handling practices to remove barriers for people with disabilities</p>	<p>Complaint handling process reviewed and barriers to access removed</p>
	<p>1.4 Improve data and data collection in relation to disability issues</p>	<p>Improved understanding of issues affecting people with disabilities</p>
	<p>1.5 Improve disability awareness among all staff</p>	<p>Improved disability awareness and staff competence in dealing with complaints/inquiries by people with disabilities</p>
<p>2 Provide information in a range of formats that are accessible to people with a disability</p>	<p>2.1 Improve the accessibility of key information about our services</p>	<p>Information about our role and services available in a range of accessible formats</p>
	<p>2.2 Improve the overall usability and accessibility of our website</p>	<p>Website meets accessibility guidelines</p>
	<p>2.3 Meet the information needs of ATSI & CALD people who have a disability</p>	<p>Information about our role and services in appropriate formats for ATSI & CALD communities</p>
<p>3 Make government buildings and facilities physically accessible to people with a disability</p>	<p>3.1 Identify physical and infrastructural barriers to access for people with disabilities</p>	<p>Access barriers to our building and facilities identified</p>
	<p>3.2 Develop and implementing an improvement plan to reduce the barriers identified</p>	<p>Identified barriers are removed and access improved</p>
	<p>3.3 Develop systems to ensure disability infrastructure planning is incorporated into our asset management plans</p>	<p>Access issues addressed in asset management plans</p>

Purpose: Outline our strategies and planned actions to ensure that our services are accessible and appropriate for people with a disability in NSW

Outcomes	Strategies	Planned Outcomes
<p>4 Assist people with a disability to participate in public consultations and to apply for and participate in government advisory boards and committees</p>	<p>4.1 Incorporate consultation with people with disabilities into the office wide stakeholder engagement strategies</p>	<p>People with disabilities are fully engaged in our stakeholder consultations</p>
	<p>4.2 Encourage people with disabilities to take part in our consultative process</p>	<p>People with disabilities are represented on our committees and consultative groups where appropriate</p>
	<p>4.3 Ensure that our venues for public consultations are accessible to people with disabilities (also see 3.2 & 3.2)</p>	<p>Outreach venues are accessible to people with disabilities, where possible</p>
<p>5 Increase employment participation of people with a disability in the NSW public sector</p>	<p>5.1 Ensure our recruitment practices for all positions are accessible and non-discriminatory</p>	<p>Recruitment practices are non discriminatory</p>
	<p>5.2 Promote employment opportunities to people with disabilities</p>	<p>Employment opportunities are promoted to people with disabilities, where appropriate</p>
	<p>5.3 Take all reasonable steps to increase employment participation for people with disabilities</p>	<p>Strategies developed to meet relevant public service employment benchmarks</p>
<p>6 Use government decision-making, programs and operations to influence other agencies and sectors to improve community participation and quality of life for people with a disability</p>	<p>6.1 Help agencies to identify and remove barriers to access for people with disabilities through our complaint handling work</p>	<p>Issues relevant to specific needs of people with disabilities identified in our assessment of complaints Agency compliance of our recommendation(s) regarding the removal of barriers to access for people with disabilities monitored Agency barriers removed</p>
	<p>6.2 Help agencies to improve their services to people with disabilities through our monitoring and project work</p>	<p>Recommendation(s) to improve agencies' services to people with disabilities made Agency compliance of our recommendation(s) monitored Agency services improved</p>
	<p>6.3 Support other NSW agencies to achieve better outcomes for people with disabilities</p>	<p>Support provided to agencies where appropriate</p>

Outcome 1: Identify and remove barriers to services for people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
1.1 Identify barriers to services for people with a disability including physical, infrastructural, procedural and social barriers	a) Consult with staff and relevant stakeholders to identify the range of barriers to access by people with disabilities	Director Corporate	Physical, infrastructural, procedural and social barriers to access our office are identified	30/06/10
	b) Develop improvement plan with a priority list, seeking funding where appropriate	Director Corporate	Priority areas for improvement are established funding sought where appropriate	31/10/10
	c) Implement improvement plan	Director Corporate	Implementation plan and timetable developed Progress monitored and reported to senior officer group	From 01/07/10
1.2 Incorporate disability access issues in the planning process to reflect the needs of people with a disability	a) Ensure that all business areas participate in the DAP planning process	Director Corporate	DAP Advisory Committee with business representatives established	Completed
	b) Ensure that strategies to address issues relating to people with disabilities are reflected in or linked to our corporate plan and relevant business plans	Director Corporate	DAP strategies reflected in and linked to our office planning process	30/06/10
	c) Ensure that implementation of DAP strategies are regularly reported at the senior officers meetings	Director Corporate	DAP Advisory Committee reports to senior officers at least quarterly	Quarterly, commencing 03/10
1.3 Review our complaint handling practices to remove barriers for people with a disability	a) Review our complaint handling practices to identify any gaps in service provision for people with disabilities, including people with writing difficulties, when lodging a complaint	Division Management	Complaint handling practices reviewed Gaps identified and where possible removed	31/12/10

Outcome 1: Identify and remove barriers to services for people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
1.3 Review our complaint handling practices to remove barriers for people with a disability cont'd	b) Consult with relevant stakeholders including people with disability on complaint handling practices	Division Management and relevant staff	Stakeholders consulted	Ongoing, and linked to project plans
	c) Promote the use of oral complaints where appropriate by providing training to staff and updating procedure manuals	Manager Inquiries Division Management	All staff are competent in taking oral complaints when applicable Procedure manuals updated	30/10/10, then ongoing 30/06/10, then regular review
	d) Provide training to complaints and inquiry staff on the use of alternative communication means such as telephone typewriters (TTY) and National Relay Service (NRS)	Manager Inquiries	Complaints and inquiry staff trained	Ongoing
	e) Identify and if appropriate recommend changes to any legislative barriers to the dissemination of information about the work of the office	Director Corporate	Legislative barriers, if any, identified and recommendations made	30/06/10
	f) Ensure our community education program includes informing people with disability about our complaint handling processes and procedures	Director Strategic Projects Community Education Project Officer Community Relations	Complaint process included in community education programs	Ongoing

Outcome 1: Identify and remove barriers to services for people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
1.4 Improve data and data collection in relation to disability issues	a) Gather information about issues that affect people with disabilities from all available sources (such as ABS statistics and profiles, reports and research papers, etc)	Project Officer Community Relations	Information on disability issues gathered and updated regularly	Ongoing
	b) Consult regularly with key disability groups to identify any gaps in our awareness strategies	Division Management	Awareness about our services among key disability groups improved	Ongoing
	c) Explore means to survey people who contact our office within a specific period (such as telephone survey and website feedback/survey facility) to gain better understanding of the profile of our clients/customers	Director Corporate Project Officer Community Relations	Survey conducted and client profile established	30/06/10 then ongoing
	d) Explore partnership opportunities with other complaint handling bodies to identify and address issues relating to people with disabilities	Division Management Project Officer Community Relations	Joint project opportunities explored	Ongoing
	e) Develop a page on our intranet as a focal point to share and disseminate information about issues relating to people with disabilities	Project Officer Community Relations	Intranet page developed and promoted within the office	30/06/10
	f) Ensure the information collected is reflected in our planning process	Division Management	Planning process includes issues relating to people with disabilities	Ongoing

Outcome 1: Identify and remove barriers to services for people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
1.5 Improve disability awareness among all staff	a) Continue our disability awareness training program to improve staff competence	Director Corporate	Training provided to all staff	Ongoing
	b) Promote DAP strategies to all staff in a range of forums such as the intranet, office policy register and induction programs	Director Corporate	DAP included in policy register, on the Intranet and included in induction program	Ongoing
	c) Provide opportunities for staff across office to participate in disability awareness activities/events (such as International Day for People with a Disability)	Division Management	Staff participate in disability awareness activities	Ongoing

Outcome 2: Provide information in a range of formats that are accessible to people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
2.1 Improve the accessibility of key information about our services	a) Review our current information in accessible formats for effectiveness and appropriateness	Project Officer Community Relations Publications	Review conducted including feedback from people with disabilities Recommendations considered and implementation plan, timetable and budget developed and approved	30/06/10 31/12/10
	b) Involve relevant stakeholders in the development of communication strategies to promote our services to people with disabilities	Director Corporate Director Strategic Project	Appropriate communication strategies developed People with disabilities consulted	30/06/10 Ongoing
	c) Develop and distribute key information in accessible formats to people with disabilities, their families, carers and advocates.	Project Officer Community Relations Publications	Information in accessible formats developed and distributed	From 01/01/11
2.2 Improve the overall usability and accessibility of our website	a) Audit our current website against Web Content Accessibility Guidelines (WCAG) 2.0 standards and ensure that it meets the criteria for Level AA as a minimum	Project Officer Community Relations	Audit completed Our website is WCAG 2.0 Level AA compliant	Completed
	b) Review and redevelop our website to improve its overall usability and accessibility, seeking funding if required	Director Corporate	New website is fully compliant with WCAG 2.0 Level AAA criteria	30/06/10

Outcome 2: Provide information in a range of formats that are accessible to people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
2.3 Meet the information needs of ATSI & CALD people who have a disability	a) Consult with relevant stakeholders in the development of communication/ information strategies to promote our services to ATSI people with disabilities	Director Corporate Division Management	Stakeholders consulted Communication/information strategy developed Information targeting ATSI people with disabilities in accessible formats developed and promoted	Ongoing
	b) Consult with relevant stakeholders in the development of communication/ information strategies to promote our services to CALD people with disabilities	Director Corporate Division Management	Stakeholders consulted Communication/information strategy developed Information targeting CALD people with disabilities in accessible formats developed and promoted	Ongoing

Outcome 3: Making government buildings and facilities physically accessible to people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
3.1 Make our office physically accessible to people with a disability (both staff and members of the public)	a) audit our current office fit-out against relevant Building Codes, Australian standards and the provisions under the <i>Disability Discrimination Act (1992)</i> for access and mobility, particularly those areas identified in the consultation process	Director Corporate DAP Advisory Committee	Physical barriers to access our building and office are identified	30/06/10
	b) Consult staff and relevant stakeholders upon completion of the audit and identify priority areas of improvements	Director Corporate DAP Advisory Committee	Priority areas for improvement are established	31/10/10
	c) Develop an improvement plan, seeking funding if required	Director Corporate DAP Advisory Committee	Improvement plan is developed	31/12/10
	d) Implement improvement plan	Director Corporate	Physical barriers to access our office are removed	From 01/01/11
	e) Raise concerns about building specific issues with building management, seeking advice on rectification plans if appropriate and proposed timeframes	Project Officer Administration	Physical barriers concerning the building are raised with building management	Ongoing
	f) Flag any ongoing concerns as part of future rent negotiations	Director Corporate	Physical barriers concerning the building are raised in rental negotiations	Ongoing

Outcome 3: Making government buildings and facilities physically accessible to people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
3.2 Make our outreach venues including training venues accessible to people with a disability where appropriate	a) Develop a policy and procedures for outreach venue booking to include accessibility checklist	Project Officer Community Relations	Venue booking accessibility checklist is developed and incorporated into venue booking processes and used by staff	30/06/10
	b) Educate staff to ensure that the venue booking procedure is followed	Project Officer Community Relations	Where appropriate, our outreach venues are accessible	30/06/10
	c) Establish an accessible venue register and promote it within the office	Project Officer Community Relations	Accessible venue register published on intranet Where appropriate, venue accessibility questions incorporated in all session evaluation/feedback questionnaires	30/06/10

Outcome 4: Assist people with a disability to participate in public consultations and to apply for and participate in government advisory boards and committees

Strategies	Action	Responsibility	Performance indicator	Time frame
4.1 Liaise with disability groups to ensure the needs of people with a disability are reflected in relevant decision making process	a) Ensure that the needs of people with disabilities are reflected in our office stakeholders engagement strategies	Stakeholder Engagement Working Party DAP Advisory Committee	People with disabilities are consulted as part of our stakeholder engagement strategy	30/06/10
	b) Maintain regular communication with disability groups to understand and address specific needs of people with disabilities	Division Management Project Officer Community Relations	Regular communication with disability groups maintained	Ongoing
4.2 Encourage participation of people with a disability in our consultative process	a) Take all reasonable steps to encourage people with disabilities to take part in relevant advisory committees, round table discussions and public forums	Division Management	People with disabilities are represented on relevant advisory committees, round table discussions and public forums Policy developed concerning use of advocates and support people/ interpreters and payment for such	Ongoing
	b) Ensure that all public consultations are promoted to people with disabilities in a range of formats	Division Management	Public consultations promoted to people with disabilities using identified strategies People with disabilities are represented in our consultation	Ongoing
4.3 Make all our venues for public consultations accessible to people with a disability where appropriate	(see 3.1 & 3.2)			

Outcome 5: Increase employment participation of people with a disability in the NSW public sector

Strategies	Action	Responsibility	Performance indicator	Time frame
5.1 Ensure our recruitment practices for all positions are accessible and non-discriminatory	a) Review our recruitment practices against NSW government recruitment and EEO strategies	Personnel Manager	Recruitment practices reviewed and revised	30/06/10
	b) Provide information and training to managers and supervisors on disability and employment issues	Personnel Manager	Awareness of employment and disability issues improved among all managers and supervisors	Ongoing
	c) Conduct regular staff surveys to keep workplace profile updated	Personnel Manager	Staff surveys conducted once every two years	Ongoing
	d) Provide information about our Access and Equity policies to all applicants and address accessibility issues raised in relation to the recruitment process	Personnel Manager Director Corporate	Access and Equity policies included in Job Pack Concerns regarding accessibility in recruitment process addressed	30/06/10 then ongoing
	e) Provide Job Pack and other recruitment information in accessible formats upon request	Personnel Manager	Accessible information provided to all job applicants upon request	Ongoing
	f) Ensure any recruitment agencies we use are disability accessible and support applicants with disabilities where possible	Personnel Manager	Review government contract list to identify disability accessible employment agencies Recruitment agencies contacted and disability employment issues discussed	31/12/10

Outcome 5: Increase employment participation of people with a disability in the NSW public sector

Strategies	Action	Responsibility	Performance indicator	Time frame
5.2 Promote employment opportunities to people with a disability	a) Where appropriate, circulate job advertisements through targeted publications and websites (eg NCOSS website)	Personnel Manager	Employment opportunities promoted in appropriate media for people with disabilities	Ongoing
	b) Work in partnership with relevant disability groups to improve understanding of the work of the office and to promote employment opportunities	Personnel Manager Project Officer Community Relations	Employment opportunities promoted to people with disabilities via appropriate disability groups	Ongoing
5.3 Take all reasonable steps to increase employment participation for people with a disability	a) Review relevant policies and procedures to ensure compliance with best practice following disability stakeholder consultations	Personnel Manager	Relevant policies and procedures reviewed and amended	Ongoing
	b) Promote the principle of reasonable adjustment within the office, particularly among supervisors and managers and inform managers and supervisors of current ways of meeting the needs of employees with disabilities	Personnel Manager	All staff and particularly managers and supervisors understand and apply the principle of reasonable adjustment	Ongoing
	c) Consider job modification and reasonable adjustment to ensure accessibility for staff with disabilities	Personnel Manager Division Management	Reasonable adjustment made to meet the needs of staff with disabilities where appropriate Regular review conducted to ensure staff needs are met	Ongoing

Outcome 5: Increase employment participation of people with a disability in the NSW public sector

Strategies	Action	Responsibility	Performance indicator	Time frame
5.3 Take all reasonable steps to increase employment participation for people with a disability cont'd	d) Ensure all work-related communications and information is accessible to all employees	Director Corporate Division Management	Accessible work-related communications and information provided where appropriate	Ongoing
	e) Incorporate the needs of staff with disabilities in all emergency procedures	Director Corporate	Emergency and evacuation procedures reviewed to include the needs of staff with disabilities	30/06/10 then ongoing
	f) Research traineeship, internship and other programs to encourage employment participation for people with disabilities and make recommendations to management	Personnel Manager	Programs assisting employment for people with disabilities explored Existing networks for disability employment explored	31/12/10

Outcome 6: Use government decision-making, programs and operations to influence other agencies and sectors to improve community participation and quality of life for people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
6.1 Facilitate agencies to identify and remove barriers to access by people with a disability through our complaint handling work.	a) Improve staff ability in identifying issues relating to people with disabilities in complaint handling work through awareness training (see 1.5)	Director Corporate	Disability awareness training provided to all staff.	Ongoing
	b) Identify any issues relevant to people with disabilities when assessing complaints	Division Management	Issues relevant to specific needs of people with disabilities identified in assessment of complaints.	Ongoing
	b) Facilitate agencies to address issues relevant to people with disabilities.	Division Management	Recommendations to improve service delivery to people with disabilities made to agencies where appropriate.	Ongoing
6.2 Facilitate agencies to improve their services to people with a disability through our monitoring and project work	a) Identify systemic issues relevant to the needs of people with disabilities when conducting audit or project work	Division Management	Needs of people with disabilities addressed in audit and project work	Ongoing
	b) Monitor the implementation of our recommendations to help agencies to improve their services to people with disabilities	Division Management	Compliance of our recommendations monitored Recommendations adopted by agencies	Ongoing
6.3 Support other NSW agencies to achieve better outcomes for people with a disability	a) Provide guidelines to agencies to improve their practices in handling complaints	Division Management	Guidelines and fact sheets developed and distributed Review promotional opportunities on our website. Review and expand 'people with disability' section on our website	Ongoing

Outcome 6: Use government decision-making, programs and operations to influence other agencies and sectors to improve community participation and quality of life for people with a disability

Strategies	Action	Responsibility	Performance indicator	Time frame
6.3 Support other NSW agencies to achieve better outcomes for people with a disability cont'd	b) Provide training and workshops on complaint handling to community services providers	Division Management	Training workshops provided	Ongoing
	c) Support agencies seeking to improve their services to people with disabilities	Division Management	Support and provide referrals as appropriate	Ongoing

Access and Equity Policy

Preface

We aim to be an effective organisation. Having an access and equity program to make sure that our services are accessible to all members of the public and to disadvantaged groups in particular is one way of achieving this. It is essential that our office is accessible to anyone who needs our services and any barriers are identified and where possible eliminated.

Purpose

The purpose of this policy is to provide the framework for our Access and Equity activities. The following communities, which are widely recognised as being disadvantaged, have been identified as our target groups for the purpose of this policy:

- Aboriginal and Torres Strait Islander communities
- Children and young people
- Culturally and linguistically diverse communities
- People in custody including juveniles
- People in non metropolitan and regional areas
- People with disabilities
- Older people
- Women.

Special consideration includes implementing strategies for removing barriers and facilitating access. However it should be noted that while we endeavour to ensure 'equity' for all, we do not intend to use the same strategies for all target groups. We will develop strategies that are relevant for a particular group to ensure appropriate levels of assistance.

Separate strategies supporting this policy are:

- the Ethnic Affairs Priority Statement Forward Plan
- the Disability Action Plan
- the Action Plan for Women.

The *NSW Ombudsman Multicultural Policies and Services Program Forward Plan* details the manner in which we conduct our affairs, observing the principles of cultural diversity as defined by the *Community Relations Commission and Principles of Multiculturalism Act 2000*. Our current forward plan expires at the end of 2009. A new forward plan will be developed using the revised Multicultural Planning Framework developed by the Community Relations Commission.

The *NSW Ombudsman Disability Action Plan* details the methods in which we will meet our obligations under the *Disability Services Act 1993*, *Disability Discrimination Act 1992 (Cth)*, the *Anti-Discrimination Act 1997*, and the objectives of the NSW Government Guidelines for Disability Action Planning.

The *Action Plan for Women* details the strategies that we will implement to meet our obligations under the NSW Government's policy for improving outcomes for women.

The Ombudsman has established a working party to develop a stakeholder engagement strategy. This working party will examine our existing communication/information strategies and if necessary, develop a comprehensive program for improving how we consult with and inform our stakeholders, including the target groups identified in this policy. Our identified programs may need to be modified following this review.

Strategies for other target groups are included in relevant division/team business plans.

Responsibility

The Director Corporate is responsible for overall coordination of each of our separate access and equity programs. Business specific programs, eg correctional centre visits are the responsibility of the relevant business unit.

Individual staff will be identified in each of the accompanying plans to progress the implementation of the relevant plans.

Changes to these separate programs can be approved by the Director Corporate.

Legislative/Policy framework

Disability Services Act 1993

Disability Discrimination Act 1992 (Cth)

Anti-Discrimination Act 1977

Guidelines for disability action planning by NSW Government agencies

Community Relations Commission and Principles of Multiculturalism Act 2000

Multicultural Planning Framework

Definitions

Not applicable.

Policy statement

The Ombudsman should be accessible.

In accordance with legislative provision and NSW Government policies, we will take all necessary steps to:

- consult with relevant target groups about service provision
- identify and remove, where possible, barriers in our service provisions
- provide information about services and processes in accessible formats
- increase the representation of relevant target groups in our staffing profile.

The contents of this policy document, the strategies/action plans that accompany it and any of the policies and procedures manuals referred to in these documents, outline the processes that relate to the Office's commitment to improved access and equity.

Ombudsman approval



Bruce Barbour
Ombudsman

Disability Policy

Preface

We aim to be an effective organisation. Having an access and equity program to make sure that our services are accessible to all members of the public and to disadvantaged groups in particular is one way of achieving this. It is essential that our office is accessible to anyone who needs our services and any barriers are identified and where possible eliminated.

Purpose

The purpose of this policy is to outline our commitment to improve our services to people with disabilities. It details strategies we have or will put in place to comply with our legislative responsibilities and with the Guidelines for Disability Action Planning for NSW Government Agencies.

Responsibility

The Director Corporate is the nominated lead officer for our disability action planning. Each division/team has nominated staff to support this process. The Project Officer (Community Relations) is the project manager.

Legislative/Policy framework

Disability Services Act 1993

Disability Discrimination Act 1992 (Cth)

Anti-Discrimination Act 1977

Guidelines for disability action planning by NSW Government agencies

NSW State Plan

Definitions

DAP Advisory Committee

The DAP Advisory Committee is the office wide advisory committee that serves as a consultation mechanism and provides advice/guidance to the office Disability Action Plan (DAP) planning process. The committee is chaired by Director Corporate, the nominated 'lead officer' for our office DAP development. Members of the Committee include representatives from the business.

Disability

There are a number of definitions of 'disability' which appear in both state and federal legislation. The Commonwealth *Disability Discrimination Act 1992* contains the most widely used definition of 'disability'. This definition is broad-ranging and covers physical, sensory, intellectual and psychological disabilities. The definition includes:

- total or partial loss of the person's bodily or mental functions
- total or partial loss of a part of the body
- the presence in the body of organisms causing or capable of causing disease or illness
- the malfunction, malformation or disfigurement of a part of the person's body
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- a disorder, illness or disease that affects a person's thought process, perception of reality, emotions or judgement or that results in disturbed behaviour.

The definition includes a disability that:

- presently exists, or
- previously existed but no longer exists, or
- may exist in the future, or
- is imputed to a person.

Senior Officer Group

The senior management committee consists of the Ombudsman, Deputy Ombudsman (Public Administration and Strategic Projects), Deputy Ombudsman (Human Services), (also Community & Disability Services Commissioner), Deputy Ombudsman (Police and Compliance), Director Corporate and Director Strategic Projects.

Policy statement

The Ombudsman is committed to achieving the outcomes for people with disabilities set out in the NSW State Plan and Guidelines for Disability Action Planning by NSW Government Agencies. The accompanying action plan outlines our strategies to:

- identify and remove barriers to services
- provide information about our services in a range of accessible formats
- make our facilities and services accessible
- assist participation in public consultations, government advisory boards and committees
- increase employment participation of people with a disability in the NSW public sector
- use government decision making programs and operations to influence other agencies and sectors to improve community participation and quality of life.

The Ombudsman confirms that we are a level 2 planning agency under the Guidelines for Disability Action Planning by NSW Government Agencies. Our action plan reflects this classification.

The disability action plan is a working document. The Director Corporate has the authority to amend strategies and timeframes following consultation with the DAP Advisory Committee, and if appropriate, may refer issues to the Senior Officers Group. Amendments may be made following the review of our communication/information strategies being undertaken by our stakeholder engagement working party.

The disability action plan will detail the timeframes for implementation of each strategy.

The Director Corporate will report the progress of implementation to the Senior Officers Group at least quarterly. Progress with implementation will also be reported in our annual report.

Ombudsman approval



Bruce Barbour
Ombudsman