

Disability action plans and legislation

Refer to this resource:

- ▶ to plan for the elimination of disability discrimination from the provision of goods, services and facilities in your organisation.

A disability action plan is a proactive approach to the *Disability Discrimination Act 1992*¹ (Cth) and has benefits for both organisations and people with disability.

Creating a disability action plan

For all organisations, disability action plans can enhance the corporate image as a proactive and socially inclusive organisation.

All Queensland Government departments have a legislative obligation to develop a disability service plan (the equivalent of a disability action plan) under the *Disability Services Act (Qld) 2006*.

In the private sector, disability action plans are sometimes known as accessibility and inclusion plans and may come under an organisation's inclusion and diversity and/or their corporate social responsibility commitments.

Developing an effective plan means consulting with people with disability and/or their representative organisations to review policies and practices, identifying barriers for people with disability in accessing their services, and implementing strategies to remove these barriers.

Implementing the plan removes barriers for all customers. The plan benefits the organisation through increasing the effectiveness of service delivery and enabling access to a wider customer and market base.

For people with disability, the plans mean eliminating disability discrimination is not dependent on customer complaints.

The more organisations that develop and implement disability or accessibility plans means a more inclusive society for all Queenslanders.

Examples of actions in a disability action plan may include:

- ▶ consulting with people with disability in the development of disability action plans (see Resources 1 and 2)
- ▶ ensuring legislation, policies and programs are consistent with national commitments under international conventions
- ▶ considering the needs or interests of people with disability and carers
- ▶ promoting and upholding the human rights of people with disability
- ▶ working with your management committee or board to gain commitment to inclusion
- ▶ engaging an organisation from the disability sector to provide disability awareness sessions for your employees (see Resource 4)
- ▶ identifying opportunities to employ people with disability and improving accessibility and removing barriers over time² (see Resource 3)
- ▶ considering membership with employer organisations such as the Australian Network on Disability (AND) at www.and.org.au. AND is a not-for-profit organisation resourced by its members to advance the inclusion of people with disability in all aspects of business. AND helps its members and clients to welcome people with disability as employees, customers and suppliers.

Action plan resources

Some useful resources to assist with developing action plans include:

- ▶ disability action plan guidelines at: www.humanrights.gov.au/our-work/disability-rights/publications/developing-effective-dda-action-plan
- ▶ the Australian Local Government Association resource, Disability Inclusion Planning – A Guide for Local Government, may assist councils to develop and implement a disability action plan. The guide contains useful checklists and is available at: <https://alga.asn.au/disability-inclusion-planning-guide-for-local-government/>
- ▶ examples of disability and accessibility action plans from a variety of organisations at: www.humanrights.gov.au/our-work/disability-rights/register-disability-discrimination-act-action-plans

Understanding the legislative and strategic framework

The diagram on the following page shows the key legislation at international, national and state levels that protect and promote the active participation of people with disability. It also shows how action plans from organisations fit with the wider strategic and legislative framework.

References

1. Disability Discrimination Act 1992. No. 135, 1992: www.legislation.gov.au/Details/C2018C00125
2. What is an Accessibility Action Plan? Australian Network on Disability www.and.org.au/pages/what-is-an-accessibility-action-plan.html
3. Reshaping the Disability Services Act 2006. An inclusive and accessible Queensland: www.communities.qld.gov.au/disability/disability-services-act-2006/reshaping-disability-services-act-2006
4. Queensland Government Disability Service Plans: www.communities.qld.gov.au/disability/state-disability-plan-2017-2020
5. United Nations – Disability. Department of Economic and Social Affairs. Convention on the Rights of Persons with Disabilities (CPRD): www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html
6. Queensland Legislation. Carers (Recognition) Act 2008: www.legislation.qld.gov.au/view/html/inforce/current/act-2008-070
7. Department of Social Services. National Disability Strategy: www.dss.gov.au/our-responsibilities/disability-and-carers/publications-articles/policy-research/national-disability-strategy-2010-2020
8. All Abilities Queensland: www.allabilities.qld.gov.au
9. Queensland Human Rights Commission: <https://www.qhrc.qld.gov.au/>

Understanding the legislative and strategic framework

International

United Nations Convention on the Rights of Persons with Disabilities

Australia joined other countries in ratifying the UNCRPD as part of a global effort to promote the equal and active participation of all people with disability.

National

National Disability Strategy (NDS)

To implement the UNCRPD, Australia developed the NDS to outline a framework for a unified, national approach to improving the lives of people with disability, their families and carers. Implementation of the NDS is supported through state and territory disability plans, such as All Abilities Queensland.

National Disability Insurance Scheme (NDIS)

Provides eligible people with disability with funding for supports such as equipment and services. Does not include income support (Disability Support Pension).

Disability Discrimination Act 1992

Implements Australia's obligations under the UNCRPD and protects people with disability from discrimination in employment, education, accommodation, access to services and public spaces.

State

All Abilities Queensland (AAQ) State Disability Plan

Provides an overarching, integrated approach across the Queensland Government and addresses Queensland's commitments under the NDS and NDIS.

Human Rights Act 2019

Protects the dignity and worth of all human beings regardless of background, what they think, believe, or any other characteristic.

Disability Services Act 2006 (DSA)

Provides a foundation for promoting the rights of Queenslanders with disability for increasing wellbeing and participation in community life. It requires all Queensland Government departments to develop and implement a disability service plan every three years.

Carers (Recognition) Act 2008 (CRA)

Recognises the rights of carers and their vital role in our community.

Anti-Discrimination Act 1991

Ensures all Queenslanders are protected from unfair discrimination.

Guide, Hearing and Assistance Dogs Act 2009

Ensures certified dogs have access to public places, including restaurants and shops, workplaces, public transport, including taxis, and accommodation.

Organisations

Queensland Government departments

Disability service plan (DSP)

Aims to improve access to government services for people with disability.

Under the DSA, every Queensland Government department must develop and implement a disability service plan (DSP) every three years.

The DSP reflects each department's commitments towards implementing the state disability plan. Together all DSPs form part of a coordinated whole-of-government approach for service delivery to people with disability.

Private sector, not-for-profit, and local governments

Disability action plan or accessibility plan

Creating a plan is a proactive approach to ensuring organisations are compliant with the legislation and has benefits for both organisations and people with disability.

Your plan here...



legislative Acts of Parliament



conventions, schemes and strategic frameworks

For further information

All Abilities Queensland: Opportunities for all, is the state disability plan for a welcoming and inclusive Queensland. A state where people with disability are respected for their abilities and have equal access to opportunities and to contribute and participate in all that Queensland has to offer.

For more information and resources, visit: www.allabilities.qld.gov.au

Resources in this series include:

1. Creating inclusive and accessible events
2. Accessible and inclusive communication
3. Employing people with disability
4. Increasing disability awareness
5. Disability action plans and legislation
6. Increasing participation of people with disability on boards and committees
7. Accessible places and spaces