



Communities  
& Justice

# NSW Disability Inclusion Plan Update Consultation Paper

October 2020



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# 1 Introduction

## 1.1 Context

The NSW Disability Inclusion Act 2014 (DIA) was legislated to promote the social and economic inclusion of people with disability, provide choice and control, and implement safeguards. The DIA represents a shift away from a focus on service and towards a human rights-based approach to disability inclusion.

Section 10 of the DIA requires the NSW Government to have a Disability Inclusion Plan (NSW DIP). This plan sets out the whole of government goals that will support the inclusion of people with disability and improve their access to mainstream services and community facilities.

The NSW DIP has four focus areas:

- developing positive community attitudes and behaviours
- creating liveable communities
- supporting access to meaningful employment
- improving access to mainstream services through better systems and processes.

The NSW DIP is based on principles taken from the *United Nations Convention on the Rights of Persons with Disabilities*.

The NSW DIP applies to all NSW Government departments and agencies, and local councils in NSW. These agencies are required to have Disability Inclusion Action Plans (DIAP) which outlines how they will put into action the NSW DIP within their specific organisation.



The NSW DIP now needs updating to ensure that the goals and contents of the plan continue to support the inclusion of people with disability in NSW and their access to government services and community facilities.

Input obtained from consultations conducted within the NSW Government, with non-government organisations and members of the community will be considered when developing the final stage of the NSW DIP.

## 1.2 The Background

The Department of Communities and Justice (DCJ) is responsible for overseeing the NSW DIP on behalf of the Minister for Disability Services (Minister), the Hon. Gareth Ward MP.

When the current edition of the NSW DIP was published in 2015, the National Disability Insurance Scheme (NDIS) was still in its conceptual stage and was only fully rolled out in NSW in 2018. This has meant that, currently, the NSW Government's strategy in relation to the NDIS is separate from the NSW DIP. The NSW Government has determined that the next edition of the NSW DIP will include its strategy in relation to the NDIS in NSW.

Additionally, a recent review of the *Disability Inclusion Act 2014* by the NSW Government and the amendments to the Act that will be made subsequent to it will also make it necessary to update the NSW DIP every four years to keep pace with these changes.

In accordance with Section 11 of the DIA the NSW DIP was reviewed in 2018 by the Sax Institute on behalf of the Minister. The review found that some areas of the NSW DIP could benefit from improvement. A copy of this report found be found <https://www.parliament.nsw.gov.au/tp/files/76444/Final%20Report%20of%20the%20NSW%20Disability%20Inclusion%20Plan%202018.PDF>

## 2. Direction of the new NSW DIP

The NSW Government has identified a number of policy areas within the scope of the NSW DIP that are likely to be updated in the new NSW DIP. The major features that are expected to be made in the new NSW DIP will be outlined below.

It should be noted however, that shape of the new NSW DIP outlined here is only indicative what may appear in the final edition of the new NSW DIP issued by the NSW Government. The shape and content of final edition will be adjusted to reflect feedback received in consultations.

### 2.1 Retention of the four 'focus areas'

It is expected that the NSW DIP will retain the four focus areas that appear in the current NSW DIP. The four focus areas are:

- developing positive community attitudes and behaviours
- creating liveable communities
- supporting access to meaningful employment
- improving access to mainstream services through better systems and processes

These focus areas are streams within NSW Government's policy in relation to improving inclusion for people with disability which have been identified for concentrated action. On the basis of the NSW DIP review, these areas appear to be correctly identified and are driving positive change for people with disability in NSW. Therefore, the NSW Government intends to retain them in the next edition of the NSW DIP.

## 2.2 Incorporation of NSW Government NDIS strategy and policy

The NSW Government has determined that the next version of the NSW DIP will include its associated policy in relation to the NDIS in NSW. While the NDIS is overseen by the Federal Government, the NSW Government provides funding to the scheme and has a role in ensuring that the scheme meets the needs of people with disability in NSW. The NSW Government works in partnership with the Federal Government to improve the interface between NDIS services and mainstream services provided by the NSW Government. The policy will include principles of how this will be done as well as how the NSW can manage its funding relationship with the scheme.

## 2.3 Increased emphasis on Disability Inclusion Action Plans (DIAPs)

Disability Inclusion Action Plans (DIAPs) are the key mechanism by which the NSW DIP is put into action within individual NSW Government departments and agencies and local councils in NSW. In this way DIAPs work downstream from the NSW DIP by ensuring that the broad principles and goals it sets out change the way that NSW Government departments, agencies and local councils design and deliver policies and programs that affect people with disability.

DIAPs have been one of the great successes that have come from the *Disability Inclusion Act* and the next version of the NSW DIP will seek to promote the work of DIAPs further.

Feedback from the review conducted by the Sax Institute indicated that the current NSW DIP was not giving DIAPs the attention they deserved given their importance in delivering the NSW Government's disability policy. The review also concluded that the NSW DIP should give greater emphasis to DIAPs to encourage greater community participation in their implementation.

The next edition of the NSW DIP will include a stronger focus on DIAPs themselves in addition to:

- their central role in implementing the NSW DIP
- the central role they play in improving inclusion for people with disability within individual NSW Government departments and agencies and local councils in NSW
- the need for communities become familiar with the DIAPs of NSW Government agencies and local councils that they interact with and actively participate in the implementation process.

## 2.4 Expansion into non-government sector

There is an openness with the next version of the NSW DIP to pursue strategies to look at ways to expand the DIAP model into the non-government sector. Non-government organisations, both businesses and not-for-profits, could be encouraged to establish DIAPs for their organisations. However, this would be voluntary for non-government organisations. Scope may exist for the NSW Government to recognise examples of best practice in establishing DIAPs in the non-government sector in NSW.

## 2.5 Recognising the needs of particular groups

The review by the Sax Institute recommended that the recognition of needs of particular groups within the population of people with disability be given greater attention in the NSW DIP to better align it with the *Disability Inclusion Act*. The *Disability Inclusion Act* identifies four groups within the population of people with disability that have particular needs which

must be recognised by the NSW Government in the way that supports and services are provided to them. These groups are:

- Aboriginal and Torres Strait Islander people
- people from culturally and linguistically diverse backgrounds (CALD)
- women
- children

The next edition of the NSW DIP will include these groups within the population of people with disability in NSW that must be recognised by NSW Government and local councils. It is also expected that this recognition will be reflected in the DIAPS of individual NSW Government departments, agencies and local councils.

## 2.6 Increased emphasis on community participation

The next edition of the NSW DIP will also contain a greater emphasis on the need for consultation in the implementation of the NSW DIP as well as in the design and implementation of the policy affecting people with disability in NSW. The need to consult with people with disability is something that is set out clearly within the provisions of the *Disability Inclusion Act* and specifying this need more clearly within the NSW DIP will bring out better alignment with the Act.

Additionally, the review of the NSW DIP by the Sax Institute demonstrated the design and implementation of policy and programs affecting people with disability is always improved if done in consultation and cooperation with people with disability. In this way, with the next edition of the NSW DIP, the NSW Government hopes to establish a relationship of partnership with the community, particularly including people with disability, in the implementation of the NSW DIP.

## 2.7 Responsibility within the NSW Government

Within the NSW Cabinet, it is the Minister for Disability Services who has responsibility for overseeing the implementation of the NSW DIP. This arrangement will not change in the next version of the NSW DIP. Within the NSW Government Departments, primary responsibility for the oversight and management of the NSW DIP has been provided by the Department of Premier and Cabinet. In the next version of the NSW DIP, this role will be performed by the Department of Communities and Justice (DCJ).

## 2.8 Plain English documentation

The next version of the NSW DIP will be written in plain English and will undergo professional readability analysis before it is approved and published in its final form. This is to ensure that the NSW DIP itself is as accessible as it can be to as much of the community as possible. The NSW Government wants the next NSW DIP to be a document that the community is familiar with and actively involved with, so ensuring that it is written in plain English is a key part of this.

## 2.9 Dynamic online format

The next NSW DIP will be delivered to the people of NSW in an online, dynamic format on the website of the Department of Communities and Justice (DCJ). The online format will ensure that the NSW DIP can be as accessible as possible to as many people as possible. It will also allow the document to be more easily updated in the future to adapt to changed circumstances.

The NSW DIP will also be available as a printable pdf version that will reflect the 4 year plan, along with in an easy read printable format to ensure the information is accessible for everyone.

## 3. Consultation approach

### 3.1 Purpose

The purpose of the NSW Government's consultation in relation to the next version of the NSW DIP is to ensure that the NSW DIP is developed in partnership with people with disability and is, as far as possible, made in alignment with their aspirations and expectations. Consultation will also provide the NSW Government additional guidance on any new elements that should be included in the new NSW DIP.

Consultations will also occur to ensure that all stakeholders with an interest with the next version of the NSW DIP are given an opportunity to have their views heard and considered in the development of its final form.

### 3.2 Stakeholders identified for consultation

The following stakeholders have been identified for consultation to inform the development of the next version of the NSW DIP:

- people with disability
- carers and families of people with disability
- Aboriginal and Torres Strait Islander people
- LGBTIQ people
- people from culturally and linguistically diverse communities
- Disability Council NSW
- NSW Carers Council
- NSW Government Departments
- local councils
- advisory groups and peak agencies
- National Disability Insurance Agency (NDIA) in NSW

### 3.3 Structure

The NSW Government's consultations to inform the development of the next edition of the NSW DIP will be done through a number of channels, including in person consultations and written consultations carried out through remote methods.

Date	Stakeholder
4 November 2020	Disability Inclusion Plan Implementation Committee (DIPIC)

#### Community consultation

Members of the public, particularly people with disability, will be given the opportunity to comment and provide input on the next edition of the NSW DIP. Due to the constraints of the COVID-19 pandemic, consultations will be limited to being conducted remotely through an online and email format. This broad community consultation will allow members of the community to comment on the changes expected to be made to the NSW DIP and provide

general comments on what matters to them in relation to the inclusion of people with disability in terms of access to government services and participation in their communities.

Date/s	Format	Stakeholder
4 November to 4 December 2020	'Have your say' online survey	Broader community including people with disability, carers and families of people with disability and the general community.

We will be targeting the following:

- Peak disability bodies
- Individuals who provided submissions in relation to the review of the Disability Inclusion Act
- Individuals and organisations who have attended the Disability Inclusion Act forums held throughout February 2020
- Disability Council
- Carers Council

We will promote the survey through Department of Communities and Justice social media channels.

## 4. Consultation questions

A review was conducted by the Sax Institute in 2018 on behalf of the Minister for Disability Services who consulted people with disability and the sector on the NSW Disability Inclusion Plan. The review found that the original four key priority areas of the NSW Disability Inclusion Plan (NSW DIP) are still relevant.

These are:

- developing positive community attitudes and behaviours
  - creating liveable communities
  - supporting access to meaningful employment
  - improving access to mainstream services through better systems and process
1. Do you agree that the recommended four key priority areas will further drive change to achieve an inclusive society for all in NSW?  
**Yes/No [will be check box]**
  2. Do you think including guiding principles as action items under each key priority area would be beneficial?  
**Yes/No [will be check box]**

The Sax review identified a number of considerations for the next NSW DIP

3. The findings from the Sax review stated that the NSW DIP could do better in providing for the specific needs of the diversity groups with disability mentioned in the *Disability Inclusion Act*:
  - Aboriginal and Torres Strait Islander People
  - people from culturally and linguistically diverse (CALD) communities
  - children
  - women
  - LGBTQI

How do you believe these diversity groups could be better represented in the NSW DIP?

**[Comment/text box]**

4. There is a need to strengthen and improve reporting standards and processes for monitoring implementation of DIAPs.

Do you agree updating the Disability Inclusion Action Plan Guidelines and introducing a dashboard will provide a more consistent approach to reporting and will improve reporting across agencies and local councils?

**Yes/No [will be check box]**

5. The Sax review found that some disability action plans were under ambitious and sporadic with their level of engagement and that the progress and achievements should be communicated more widely and strategically to maintain momentum for action and to facilitate learning.

## Developing positive community attitudes and behaviours

- a) Do you believe community attitudes and behaviours have improved since the inception of the DIP?

**Yes/No [will be check box]**

- b) Should we engage business and community leaders to speak up about inclusive attitudes and behaviours within the disability community?

**Yes/No [will be check box]**

- c) If opportunities were available for you to participate in forums or surveys on the NSW DIP would you be interested?

**Yes/No [will be check box]**

## Creating liveable communities

- d) **Universal design** involves making built environments, facilities, information, policies, products, programs and services accessible for all people and abilities from the beginning. Doing as much as possible at the start lessens the need for expensive adaptations. Universal design helps everyone.

What do you think about including universal design as guiding approaches under **Creating liveable communities** in the new plan?

**[Comment/text box]**

- e) Do you agree we still need to increase the availability and accessibility of public and private transport for people with disability, especially for those living in regional and rural areas?

**Yes/No [will be check box]**

- f) Would increasing the availability, accessibility, relevance and distribution of information about mainstream services, public spaces, local events and activities, help you participate in the community more?

**Yes/No [will be check box]**

## Supporting access to meaningful employment

- g) A NSW Premier's Priority is to increase the representation of people with disability in the public sector to 5.6% by 2025. Do you believe employment targets achieve meaningful and sustainable employment for people with disability?

**Yes/No [will be check box]**

- h) Do you agree including the following guiding principles under the meaningful employment focus area to be beneficial?
- Promoting a culture of inclusion within organisations and businesses, including highlighting NSW employers that demonstrate best practice employment practices
  - Promoting diversity and accessibility in vocational training
  - Improving transition supports for students with disability leaving school

**Yes/No [will be check box]**

## Improving access to mainstream services through better systems and process

- i) Should all NSW government agencies and local councils commit to moving to procuring and developing any new systems and processes that have been tested and proven to being universally accessible, meeting the minimum worldwide access standards?

**Yes/No [will be check box]**

- j) How can NSW government agencies and local councils highlight, celebrate and encourage the adoption of leading best practices for accessible and inclusive service delivery across NSW?
- Their website
  - Social media
  - Newsletter
  - Local media releases
  - Council meetings
  - Email
  - Printed material
  - Other - please specify **[text box]**

**[will be check box]**

6. The objective of the NSW DIP is to ensure full participation for people with disability in all facets of the NSW community.

- a) Would celebrating and promoting examples of non-government agencies and businesses that have adopted their individual DIAP help to improve the access and inclusion of people with disability in NSW?

**Yes/No [will be check box]**

- b) How could community awareness of the NSW DIP and the DIAPs of NSW Government agencies and local councils be increased to encourage businesses and non-government organisations to implement a DIAP?

***[Comment/text box]***

7. How could we measure the success of the Disability Inclusion Plan?

***[Comment/text box]***

8. Any other comments.  
Is there anything else you would like to tell us about the Disability Inclusion Plan?

***[Comment/text box]***