



information
and privacy
commission
new south wales

Disability Action Plan 2013 – 2016



Introduction

About the IPC

The Information and Privacy Commission (IPC) is an independent statutory authority that administers New South Wales' legislation dealing with privacy and access to government information. The IPC was established on 1 January 2011 to support the Information Commissioner and the Privacy Commissioner in fulfilling their legislative responsibilities and functions and to ensure individuals and agencies can access consistent information, guidance and coordinated training about information access and privacy matters.

The IPC administers the following NSW legislation:

- *Government Information (Public Access) Act 2009* (GIPA Act)
- *Government Information (Information Commissioner) Act 2009* (GIIC Act)
- *Privacy and Personal Information Protection Act 1998* (PPIP Act)
- *Health Records and Information Privacy Act 2002* (HRIP Act)

The IPC promotes and protects privacy and information access rights in NSW and provides information, advice, assistance and training for agencies and individuals on privacy and access matters. The IPC reviews the performance and decisions of agencies and investigates and conciliates complaints relating to government agencies, health service providers (both public and private) and some large organisations that deal with health information. The IPC also provides feedback about the legislation and relevant developments in the law and technology.

The Information and Privacy Commissioners report to the Parliamentary Joint Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission, which oversees their functions.

About the IPC's Disability Action Plan

The IPC is committed to promoting inclusion for people with disability and advocating and enforcing their information access and privacy rights. The IPC Disability Action Plan outlines the priorities and strategies of the IPC in meeting this commitment and in fulfilling its obligations under state and Commonwealth laws and initiatives to eliminate discriminatory practices that prevent people with disabilities from exercising their rights as equal and valued members of the community.

The IPC's Disability Action Plan is informed by Commonwealth and state legislation including:

- the *Anti-Discrimination Act 1977* (NSW) and the *Disability Discrimination Act 1992* (Commonwealth) which recognise the rights of people with disability to be treated equally before the law and make it unlawful to discriminate on the grounds of a person's disability;
- the *Disability Services Act 1993* (NSW) which requires all NSW government departments to develop a Disability Action Plan (DAP);

- the *Carers Recognition Act 2010 (NSW)* which includes a Carers Charter to recognise the role and contribution of carers to our community and to the people they care for.

The IPC's Disability Action Plan is also informed by the principles and commitments of the United Nations Convention on the Rights of Persons with Disabilities which are reflected in the six outcome areas of the National Disability Strategy 2010 – 2020 (NDS), endorsed by the Council of Australian Governments (COAG) in February 2011 and incorporated in the National Disability Scheme NSW Implementation Plan 2012 – 2014.

The IPC Disability Action Plan reflects the outcome areas, priorities and actions in the National Disability Scheme NSW Implementation Plan 2012 – 2014 (the NSW Plan), launched by the NSW Government in December 2012. The NSW Plan outlines how the Government will implement the United Nations Conventions on the Rights of Persons with Disabilities and the NDS commitments.

The IPC's Disability Action Plan identifies the strategies and actions we will implement over the next two years to ensure that our services, facilities and workplace are inclusive and accessible for people with disability. The plan also identifies the IPC's contribution to policy development that supports the implementation of the six outcome areas of the NDS and the NSW Plan.

1. Inclusive and accessible communities – The physical environment including public transport; parks; building and housing; digital information and communications technologies; civic life – including social, sporting, recreational and cultural life.
2. Rights protection, justice and legislation – Statutory protections such as anti-discrimination measures, complaints mechanisms, advocacy, the electoral and justice systems.
3. Economic security – Jobs, business opportunities, financial independence, adequate income support for those not able to work, and housing.
4. Personal and community support – Inclusion and participation in the community, person centred care and support provided by specialist disability services and mainstream services; informal care and support.
5. Learning and skills – Early childhood education and care, schools, further education, vocational education; transition from education to employment; life-long learning.
6. Health and wellbeing – Health services, health promotions and the interactions between health and disability systems; wellbeing and enjoyment of life.

The IPC's Disability Action Plan relates to all of our stakeholders, including: people with disability, their family and carers; other members of the public who use our services, or who may do so in the future; visitors to our office; government agencies; non-government organisations providing services and support to people with disability, their family and carers; all who come under our jurisdiction; and our staff. The IPC will build on the relationship already established with the National Disability Services peak body and our Disability Action Plan will provide a strong foundation for the development and implementation of future initiatives to enhance services and support for people with disabilities, their families and carers.

About the plan's development

The plan has been developed taking into account national and state legislation and initiatives, our legislative functions and size, our commitment to implement actions that will improve access for people with disability, their families and carers to our facilities and services, and assist and support the implementation of the NSW Plan.

Disability action plans of the Department of Justice and plans of other government agencies of similar size to us that provide similar services, such as handling complaints and promoting citizen's rights, informed the development of the plan.

Consultation with our staff and organisations which represent consumer groups, such as Disability Advocacy NSW, the NSW Council of Social Services (NCOSS) and the NSW Disability Network Forum, also informed the development of the plan.

About implementation of the plan

The IPC Disability Action Plan sets out clear actions, timeframes and responsibilities. IPC managers will be assigned responsibility for the implementation of specific actions within the plan. The Information and Privacy Commissioners and the Executive Director will oversee and coordinate implementation of the plan and provide leadership and guidance to managers and staff.

The plan will be communicated to all IPC staff and supported by disability awareness training.

About monitoring and reporting on our implementation of the plan

We will include a consolidated report on the implementation of the Disability Action Plan in our Annual Report in accordance with section 9 of the *Disability Services Act 1993* (NSW) and the *Annual Report (Statutory Bodies) Regulation 1995*. We will provide our annual progress report to Ageing, Disability and Home Care, Department of Human Services NSW, in accordance with section 9 of the *Disability Services Act 1993* (NSW) and to the Australian Human Rights Commission under section 61 of the *Disability Discrimination Act 1992* (Commonwealth).

Contacting the Information and Privacy Commission

People can contact us by phone, email, fax, through our website or in person. We are a free service and will cover any necessary costs if people need to use the Telephone Interpreter Service, TTY, National Relay Service (NRS) or an Auslan interpreter.

Our business hours are 9am to 5pm Monday to Friday (excluding public holidays)

Street address:	Level 17, 201 Elizabeth St, Sydney
Post:	GPO Box 7011, Sydney NSW 2001
Phone:	1800 IPC NSW (1800 472 679)
Email:	ipcinfo@ipc.nsw.gov.au
Fax:	(02) 8114 3756
Website:	www.ipc.nsw.gov.au

If you are deaf or have a hearing or speech impairment, you can call us using TTY or through the National Relay Service (NRS) on 133 677.

If you need interpreter assistance, you can call through the Translating and Interpreter Service on 131 450.

If you need an Auslan interpreter, please contact us and we will arrange one for you.

IPC Disability Action Plan – Strategies, actions, timeframes, responsibilities

NDS Outcome 1 – Inclusive and accessible communities

People with disability live in accessible and well-designed communities with opportunities for full inclusion in social, economic, sporting and cultural life. This is consistent with Articles 9, 19, 20, 23 and 30 of the United Nations Convention on the Rights of Persons with Disabilities.

IPC Disability Action Plan outcome:

All IPC workplace facilities, services and events and activities are accessible for people with disability, their families and carers

Strategies	Actions	Measures	Timeframe	Key responsibility
Ensure the IPC office is accessible to people with disability (staff and the public)	Audit the current IPC office facilities against Australian Standard AS1428 and the Commonwealth Disability (Access to Premises – Buildings) Standards 2012 for access and mobility and develop an improvement plan, if required	Physical barriers to access the building and office, and mobility in the office are identified, and an improvement plan developed, if required	March 2014	Executive Officer
	Provide clear and accessible information about the locations of accessible toilets at the IPC's premises	Information about the availability and location of accessible toilets at the IPC workplace is available on the website and at the premises	March 2014	Executive Officer
Ensure IPC events and activities are accessible to people with disability	Develop policy and procedures for external events and activities that include accessibility criteria and identify special needs of participants	External venues are accessible and match the needs of participants, wherever possible	Ongoing	Manager, Communications and Corporate Affairs

Strategies	Actions	Measures	Timeframe	Key responsibility
Make the IPC website accessible for people with disability –	Continue to work with the Department of Justice to ensure website meets Web Content Accessibility Guidelines 2.0 and Level AA	The IPC website is WCAG2.0 & Level AA compliant	31 December 2014	Manager, Communications and Corporate Affairs

Strategies	Actions	Measures	Timeframe	Key responsibility
consistent with industry standards	Annually review website usability with key stakeholders and respond to user comments concerning accessibility as they arise	Website reviewed and updated yearly Website modified in response to user comments	Annually	Manager, Communications and Corporate Affairs
Ensure IPC information is accessible and relevant to people with disabilities, their families and carers	Provide the capacity for people with disability, their families and carers to identify information access and privacy issues and provide feedback on the IPC's services and resources via the IPC's website and front door service	Identified issues recorded and actioned, as appropriate IPC resources are accessible and relevant to people with disability, their families and carers	Commencing July 2013 and ongoing	Manager, Communications and Corporate Affairs
	Provide IPC information in accessible formats whenever possible	Record of information requested and provided in accessible formats	Ongoing	Manager, Communications and Corporate Affairs
Eliminate barriers to IPC's services for people with disability, their families and carers	Review IPC enquiry, complaint, review, investigation and consultation procedures to identify any issues in service provision for people with disabilities at any step of the process, including areas for improvement	Identified issues documented and actioned as appropriate	November 2013	All managers

Strategies	Actions	Measures	Timeframe	Key responsibility
Increase awareness of IPC managers and staff to the information access and privacy needs and rights of people with disability	Include disability awareness in induction training for new staff and targeted training for IPC managers and staff	Induction program includes disability awareness. All IPC can access relevant training	Ongoing	Executive Officer
	Provide access for IPC staff to online training videos on service delivery to people with disability	Access available and utilised	June 2014	Executive Officer

Strategies	Actions	Measures	Timeframe	Key responsibility
Monitor and review the implementation of the IPC Disability Action Plan	Integrate processes for monitoring and reviewing the IPC Disability Action in the IPC's business planning and Annual Reporting framework	Monitoring and reporting on the IPC's Disability Action Plan is part of our business planning and annual reporting framework	October 2013	Executive Director
Report on the implementation of the IPC Disability Action Plan	Provide reports on the implementation of the IPC Disability Action Plan in accessible formats on the IPC website	The IPC Disability Action Plan and progress reports are included in accessible formats on the IPC website	November 2014	Manager, Communications and Corporate Affairs
	Provide reports as required under legislation and include a statement in the IPC's Annual Report	Reports are provided	October 2013	Manager, Communications and Corporate Affairs

NDS Outcome 2 – Rights, protection, justice and legislation

People with disability have their rights promoted, upheld and protected. This is consistent with Articles 5, 11–17, 22 and 29 of the United Nations Convention on the Rights of Persons with Disabilities, as well as Article 23 of the United Nations Convention on the Rights of the Child.

IPC Disability Action Plan outcome

The privacy and information access rights of people with disability, their families and carers are promoted and protected

Strategies	Actions	Measures	Timeframe	Key responsibility
Provide information access and privacy rights to people with disability, their families and carers	Provide information about the public's information access and privacy rights to channels / organisations that support people with disability, their families and carers	Channels and organisations identified, best form of assistance from IPC established, and information provided	Ongoing	Manager, Communications and Corporate Affairs
Provide access to disability awareness training for IPC staff	Arrange for IPC staff to attend/receive disability awareness training provided by the Department of Justice.	Satisfaction with training	Ongoing	Executive Director

NDS Outcome 3 – Economic security

People with disability, their families and carers have economic security, enabling them to plan for the future and exercise choice and control over their lives. This is consistent with Articles 19, 27, 28, 29 and 30 of the United Nations Convention on the Rights of Persons with Disabilities.

IPC Disability Action Plan outcome

The IPC provides a respectful and inclusive workplace for staff with disabilities and opportunities for people with disabilities to develop skills to assist them in gaining employment.

Strategies	Actions	Measures	Timeframe	Key responsibility
Implement the NSW Public Sector EmployABILITY strategy aimed at enhancing the employment, development and retention of employees with disability	Identify opportunities to increase the employment of people with disability at the IPC Use the expertise of disability employment providers in sourcing and recruiting people with a disability as appropriate	Review effectiveness of strategy	Ongoing	Chief Executive Officer
Provide a respectful, inclusive workplace for staff with disabilities	Identify, review and improve strategies, to provide a respectful, inclusive workplace for staff with disabilities; seek the assistance of our shared service provider regarding appropriate training, as required	Strategies identified, promoted, reviewed and improved	Ongoing	Chief Executive Officer and senior managers

NDS Outcome 4 – Personal and community support

People with disability, their families and carers have access to a range of supports to assist them to live independently and actively engage in their communities. This is consistent with Articles 9, 19, 20, 23, 26, 28 and 30 of the United Nations Convention on the Rights of Persons with Disabilities.

The IPC Disability Action Plan outcome

The information access and privacy rights of people with disability, their families and carers, in relation to self-directed supports and individualised funding arrangements, are promoted and protected.

Strategies	Actions	Measures	Timeframe	Key responsibility
Promote and protect the information access and privacy rights of people with disability, their families and carers in relation to self-directed supports and individualised funding	Provide policy and operational advice on the information access and privacy rights of people with disability, their families and carers in relation to self-directed support and individualises funding arrangements.	Advice is targeted correctly and appropriately	Ongoing	Manager, Communications and Corporate Affairs

NDS Outcome 5 – Learning and skills development

People with disability achieve their full potential through participation in an inclusive high quality education and training system that is responsive to their circumstances. They also have opportunities to continue learning throughout their lives. This is consistent with Articles 21 and 24 of the United Nations Convention on the Rights of Persons with Disabilities.

The IPC Disability Action Plan outcome

In relation to participation in education and training, the information access and privacy rights of people with disability need to be promoted and protected. This can be achieved by providing helpful information to the relevant people / groups / organisations in a timely manner.

Strategies	Actions	Measures	Timeframe	Key responsibility
Provide independent policy advice and guidance to agencies and organisations in relation to the information access and privacy rights of children and adults with disability, their families and carers regarding their participation in education and training programs, and other related activities	Establish working relationships with agencies to identify and respond to need, as required	Working relationships established and advice provided, as requested	Ongoing	Manager, Communications and Corporate Affairs