



**Policy Owner:** Director Community, Planning & Environment

**Category:** Strategic

**Direction:** 4. Our Social Vitality

## 1. STATEMENT OF INTENT

1.1 North Sydney Council is committed to maximising access to services for people with disability and to integrate and include people with disability within all aspects of Council's business.

1.2 Specifically, this Policy aims to:

- a) ensure that all people, regardless of their disability, have equitable access to all aspects of Council's business;
- b) ensure that all people, regardless of their disability, are aware of their rights and responsibilities in regard to Council, as members of the local community;
- c) encourage participation by all people, regardless of disability, in Council's activities;
- d) promote positive and inclusive images of people with disability within Council and the community;
- e) enhance the relationship between Council and people with disability in the area; and
- f) complement existing policies and instruments within Council which relate to discrimination i.e. Council's *Equal Employment Opportunity Policy*, the Access and Mobility section of the *Development Control Plan*, the *Disability Discrimination Act 1992* and Council's *Charter for Universal Access*.

1.3 Council has a legal obligation under the *Disability Discrimination Act 1992* (the Act) to comply with access standards as prescribed in this legislation.

## 2. ELIGIBILITY

2.1 This Policy applies to all Councillors and employees of Council and to all services and facilities provided by Council.

## 3. DEFINITIONS

3.1 North Sydney Community - this comprises all people who are residents, workers, students, property owners or visitors within the North Sydney local government area, regardless of their disability.

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3.2 Disability - the *Disability Discrimination Act 1992* defines 'disability' in relation to a person, as:

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

The Act includes disabilities that are physical, intellectual, sensory, neurological, a learning disability, a physical disfigurement, the presence in the body of a disease carrying organism.

The definition also includes a disability that presently exists, previously existed but no longer exists, may exist in the future, or is imputed to a person e.g. assumes a person has a disease.

This is a wide definition and includes all obvious categories of disability, such as physical disability and intellectual disability, and extends to other conditions such as people who are HIV positive or have AIDS-related conditions and people with attention deficit disorder.

3.3 Impairment - a handicap results from a disability which limits a person's ability to perform tasks of daily living. The limitation must be in relation to one or more of the tasks of self-care, mobility, verbal communication, schooling or employment.

3.4 Services and Facilities - this includes all services provided by Council, including those that are part funded but delivered by other organisations. Facilities refer to all physical facilities provided or managed by Council, including open space areas.

3.5 Consultation - is the act of seeking information, suggestions or advice from people who are members of the North Sydney community. Public consultation may also involve the provision of information to, or conferring with, members of the North Sydney community.

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- 3.6 Participation - refers to all forms of participation in Council activities/programs that are open to the North Sydney community. This may include, but is not limited to, written comment, community consultation, focus groups and membership of committees.

## 4. PROVISIONS

- 4.1 This Policy is underpinned by Council's quality customer service focus and core values:

- a) provision of services to the community through co-operation and understanding;
- b) responsive government based on open government and community participation;
- c) honesty and integrity in all that Council does;
- d) fairness and equity;
- e) innovation and excellence; and
- f) responsive and responsible regulation.

- 4.2 Guiding Principles

4.2.1 Disability Inclusion Action Plan (DIAP) - the Action Plan is designed to ensure effective achievement of the Policy goals. All roles will be assumed by existing staff.

4.2.2 Information - in providing information to the North Sydney community, Council will ensure that all public information provided by Council is, accessible by all residents, available in alternate formats and demonstrates that people with disability actively contribute to our community.

4.2.3 Participation - in planning and/or conducting any participatory forum, Council will make every effort to ensure that people with disability can participate, including representation on Council and Council advisory committees.

4.2.4 Child Safe - in actively anticipating diverse circumstances and responding effectively to those with additional vulnerabilities, Council will ensure equity for all children, including children with disability, is upheld, and diverse needs are taken in to account.

4.2.5 Community Relations and Image - images and themes used in promoting Council will at all times reflect and affirm the positive role of people with disability in the North Sydney community.

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- 4.2.6 Staff Training - staff involved in client contact or customer service will receive appropriate training in disability awareness, access issues and appropriate communication skills for a wide range of disabilities.
  - 4.2.7 Inclusiveness - Council's objectives will apply to other key policy areas that are "access action" objectives will be integrated and reflected in all Council plans and strategies such as the Area Character Study, Visitor Impact Study etc.
  - 4.2.8 Effectiveness - the Policy's objectives will be achieved with a focus on maximising the effectiveness of existing resources and achieving an equitable distribution of resources within Council's existing budget.
  - 4.3 Council will consider access issues as outlined in the Access and Mobility section of the *North Sydney Development Control Plan*, in the design and provision of all services and facilities.
  - 4.4 The DIAP will be funded through Council's annual operating budget and capital works program as required.
  - 4.5 The Policy and DIAP will be evaluated and reviewed as part of Council's planning and management review cycle. Policy objectives and performance indicators will be incorporated into Council's *Delivery Program*. This will involve the annual development of a list of priority access works.

## 5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 The Elected Council is responsible for:
  - a) ensuring that all Council decisions reflect the policy principles and priorities;
  - b) ensuring that there is an equitable allocation of resources; and
  - c) ensuring that people with disability in North Sydney are able to participate in the community.
- 5.2 The General Manager and Directors are responsible for:
  - a) ensuring that the policy and plan is implemented across all Council's activities and functions and that goals are achieved;
  - b) coordinating policy and plan implementation within their areas of responsibilities;
  - c) informing staff about the policy and plan and ensuring its provisions are reflected in the Division's general work;
  - d) nominating and releasing relevant staff, particularly client contact and service;

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- e) providers, to attend disability awareness and communication skills training programs;
  - f) ensuring that all policies reflect policy principles;
  - g) ensuring that people with disability are consulted effectively;
  - h) ensuring that any reviews of customer service or assessment of needs takes the requirements of people with disability into account; and
  - i) ensuring that budgets are allocated equitably on a needs-based planning basis.

5.3 Council's Access & Inclusion Coordinator is responsible for:

- a) managing the implementation of the policy and plan;
- b) ensuring awareness of this Policy by Council staff and key stakeholders;
- c) liaising with Directors to monitor progress in regard to implementation of this Policy and achievement of outcomes;
- d) facilitating the provision of information about the Policy to and between Councillors and Directors;
- e) coordinating the implementation of 'across Council' Policy strategies;
- f) coordinating the implementation and annual revision of the policy action plan, including notifying each division about the data required to evaluate the plan;
- g) conducting open forums annually to advise and inform external stakeholders about DIAP developments, and obtain their input;
- h) providing updates on progress to Council as required;
- i) providing an annual update on strategies and a forward strategic plan for each financial year, specifying priorities, outcomes to be achieved, strategies, time-frame and person responsible; and
- j) providing a three yearly report on the achievement of goals and the effectiveness of strategies.

## 6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Child Safe Policy
- Community Engagement Policy
- Community Engagement Protocol
- Development Control Plan
- Delivery Program
- Disability Inclusion Action Plan
- Equal Employment Opportunity Policy
- Procurement Manual
- Workplace Adjustment Policy

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The Policy should be read in conjunction with the following documents/legislation:

- Australia's Disability Strategy 2021-2031
- Disability Discrimination Act 1992
- Disability (access to Premises - buildings) Standards 2010
- National Disability Insurance Scheme
- NSW Ageing & Disability Commissioner Act 2019
- NSW Anti-Discrimination Act 1977
- NSW Disability Inclusion Act 2014
- NSW Disability Services Act 1993
- UN Convention on the Rights of Persons with Disability

<b>Version</b>	<b>Date Approved</b>	<b>Approved by</b>	<b>Resolution No.</b>	<b>Review Date</b>
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