



**Office of Transport
Safety Investigations**

OFFICE OF TRANSPORT SAFETY INVESTIGATIONS

DISABILITY ACTION PLAN

2009-2012

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DISABILITY ACTION PLAN

1.1 About the organisation

The Office of Transport Safety Investigations (OTSI) is an independent statutory body established to investigate safety occurrences involving bus, ferry and rail transportation. The purpose of these investigations is to identify why an occurrence took place and make recommendations to prevent recurrence.

OTSI is headed by a Chief Investigator and contains a number of professional transport safety investigators with expertise in rail, maritime and road transport industries. OTSI has a staff of nine investigators which includes the Chief Investigator and the Deputy Chief Investigator, supported by a small administrative team.

1.2 Policy Statement

The Office of Transport Safety Investigations (OTSI) is fully committed to meeting its obligations under State and Commonwealth anti-discrimination legislation. These laws require all organisations to eliminate discriminatory practices which prevent people with disabilities from having full and equal access to OTSI services. The Office of Transport Safety Investigations is committed to comply with this legislation through the development and implementation of a new Disability Action Plan.

The development of the new Disability Action Plan (DAP) reinforces this commitment to people with disabilities to ensuring OTSI services, programs and facilities are as accessible to people with disabilities as they are to the rest of the community.

The DAP identifies OTSI responsibilities, objectives, goals and policies in relation to people with disabilities. It also provides a program of actions and initiatives that will progressively address discriminatory circumstances and practices, and will facilitate the adoption of management and business procedures to create accessible facilities, flexible services and disability friendly workplaces for people with disabilities.

1.3 Consultation Process

The development of the new DAP has occurred over the period of one year in close consultation with Departmental staff at all levels, the Disability Advisory Council (DAC), clients and appropriate external organisations. The implementation process will continue the practice of consultation, involving people with disabilities, their representative organisations, and their families and carers participating in Departmental forums and decision-making processes.

To ensure OTSI takes an integrated approach to service planning and delivery, the DAP strategies will be incorporated into its Business Plan. This process will help us ensure that strategies and actions detailed in the DAP become a part of OTSI everyday business and a routine approach to service planning and delivery.

The DAP will be reviewed annually, with the results published in OTSI Annual Report.

1.4 The Disability Advisory Council

The Disability Advisory Council will be referred to for advice in the development, implementation and evaluation of the DAP.

The Council was established in April 1998, with representation from all disability groups, the NSW Anti-Discrimination Board and the Disability Council of NSW. The Council reflects a diversity of disability perspectives and will continue to comprise a majority of people with a disability.

The role of the Disability Advisory Council is to provide OTSI with advice, including recommendations for appropriate strategies and actions on a broad range of matters relating to the access by people with a disability to the services, programs, buildings and facilities.

1.5 The Disability Action Plan and legislation

OTSI obligations to address equity of access for people with disabilities are mandated by three pieces of legislation:

Disability Discrimination Act (C'th) 1992;

Anti-Discrimination Act (NSW) 1977; and

Disability Services Act (NSW) 1993 (including the NSW Government's Disability Policy Framework 1998).

The *Disability Discrimination Act (C'th) 1992* and the *Anti-Discrimination Act (NSW) 1977* make it unlawful to discriminate against people with disabilities in certain areas of public life (such as employment, premises and access to goods and services). This legislation requires, for example, an employer to reasonably accommodate a person's disability, unless the employer can demonstrate that the removal of the discriminatory practice or circumstance would cause an 'unjustifiable hardship'.

While the *Disability Discrimination Act (C'th) 1992* promotes the development of action plans to eliminate unlawful discrimination against people with disabilities, the *Disability Services Act (NSW) 1993* actually mandates the development of such a plan by NSW government departments and agencies. In 1998, the NSW Government endorsed the *Disability Policy Framework* which provides advice on how these plans should be developed.

The DAP is designed to meet OTSI obligations under both state and Commonwealth legislation. The DAP operates at a strategic level and includes a section 'Policies and Practices' after each set of strategies. The 'Policies and Practices' statements highlight OTSI policies and practices around disability issues and demonstrate its commitment to integrating them within its business practice.

2.0 The Disability Action Plan - objectives and goals

OTSI's vision:- OTSI's core business is to conduct transport safety investigations into rail, bus and ferry safety occurrences. It has a responsibility to provide OTSI services in a manner that promotes equitable participation by, and outcomes for, people with disabilities. OTSI will accomplish this through the provision of accessible services. It aims to meet this responsibility through the effective implementation of the DAP.

The objectives of the DAP reflect OTSI commitment to ensure:

- all members of the community have equal access to OTSI services and programs;
- there is no discrimination against people with disabilities in OTSI services or workplaces;
- disability principles are incorporated into OTSI policies and practices.

3.0 Implementing the Disability Action Plan

The role of the Chief Investigating Officer (CIO) is to drive the implementation of the DAP, support the Disability Advisory Council and resource the DAP's on-going evaluation.

The Chief Investigating Officer also maintains an eye on current industry standards and service provision innovations to advise OTSI on best practice initiatives and direction.

Several of the DAP's actions require responses from all staff and it is also expected that if local initiatives are conceived in the spirit of the DAP, the CIO will support and drive them.

The Business Manager serves as an initial focal point in the organisation for advice across OTSI on disability issues, as a point of contact for people with a disability and their representative organisations and as a resource for staff.

4.0 Evaluating the disability action plan

The need to evaluate

The staff at OTSI are committed to the implementation of the DAP. OTSI will monitor the DAP's implementation and respond to new challenges encountered.

The DAP's goals and performance indicators are outlined throughout the Plan and OTSI is working to ensure that the strategies adopted and the actions undertaken actually lead to their achievement.

This means OTSI must measure the outcomes of the DAP's actions, qualitatively and quantitatively, contrasting them with its key performance indicators and reviewing its strategies and actions frequently to modify them where necessary.

4.1 Evaluation process

OTSI will make use of the following evaluation procedures, appropriate to the particular strategies or actions being evaluated.

- client feedback
- staff information sessions to test service provision skills;
- staff reviews of the support, products and advice of Management

The Chief Investigating Officer will advise on relevant evaluation procedures and will be responsible for the overall evaluation of the DAP. Areas to be reviewed include facilities, client service provision and staff with disabilities.

Advice gathered through the evaluation processes will be analysed and business improvement processes will be developed to improve our services.

The evaluation process will be on an annual basis .

On an annual basis the Chief Investigating Officer will prepare a report the Disability Advisory Council evaluating the achievements and barriers to progress across OTSI.

Recommendations on further refinements of the DAP and its implementation will be included in this review.

4.2 Stakeholders involved in the evaluation of the strategy

People with a disability are the direct clients of the DAP, and hence they are the key stakeholders, and OTSI will continue to consult with them and engage them in the evaluation of the DAP.

The evaluation strategy engages OTSI stakeholders when assessing the DAP's performance and works positively with them to enhance efforts.

4.3 The major stakeholders

The major stakeholders are:

- people with a disability, their families and carers;
- disability organisations;
- the State Government;
- the State Parliament, to whom OTSI reports each year;
- other Government agencies with whom OTSI shares decisions and action; and
- staff and service providers

Each of these groups must have a voice in the implementation and the evaluation of the DAP to ensure it is pertinent, appropriate, achievable and resource efficient.

5.0 Reporting and accountability

An annual report on OTSI's implementation and progress toward the DAP's performance indicators as contained in the business plan will be provided by the Chief Investigating Officer.

This report of OTSI progress will be provided to the Department of Ageing, Disability and Home Care as mandated by section 9 of the Disability Services Act (NSW) 1993.

OTSI Strategies

1.1 1. SERVICES AND PROGRAMS

OBJECTIVE: To provide and adapt services to ensure people with disabilities do not experience discrimination as users of OTSI services, as service providers or as staff, and that their particular needs for services and support are acknowledged and met.

OUTCOME: Services are positively received by our clients and meet the requirements of the NSW Disability Services Act 1993 and the Commonwealth Disability Discrimination Act 1992.

PERFORMANCE INDICATORS:

Staffs involved in the delivery of services to the general public have an understanding of the service provision requirements of people with disabilities

Key aspects of the DAP are included in business centre plans and performance agreements and reported on annually.

1. SERVICES AND PROGRAMS STRATEGIES

1.1.1 STRATEGY	1.1.2 ACTIONS	RESPONSIBILITY	TARGET DATE
<p>1.1: Consultation</p> <p>OTSI will consult with the Disability Advisory Council to provide strategic advice and evaluation of our services and programs for people with disabilities.</p>	<p>1.1.1 In consultation with the Disability Advisory Council, OTSI will regularly explore and evaluate initiatives and service improvements.</p>	Business Services Manager	Annually
<p>1.2: Ongoing Review of Policies and Programs</p> <p>OTSI will review its services and programs to ensure they do not discriminate against people with disabilities.</p>	<p>1.2.1: The Business Services Manager will review and apply the DAP 'Policies and Practices' to OTSI's programs and services</p>	Business Services Manager	Annually

1.2

1.3 1. SERVICES AND PROGRAMS

1.4 POLICIES AND PRACTICES

1.5 Consultation

1.5.1 OTSI will consult with the Disability Advisory Council (DAC) to provide strategic advice and evaluation of our services and programs for people with disabilities.

The DAC will annually review the strategies and actions of this DAP and related implementation programs, along with the

submissions and information provided as part of the consultation on this DAP.

1.5.2 **A report on the PERFORMANCE INDICATORS of the DAP will be reported annually in the Annual Report.**

Ongoing Review of Policies and Programs

OTSI will review its services and programs to ensure they do not discriminate against people with disabilities.

The DAP will be circulated to Managers and staff as part of the information provided for input into the business plan.

The Business Services Manager in consultation with the DAC will identify, in the business plan, changes required to ensure the provision of accessible, non-discriminatory services and programs for people with disabilities.

2. ACCESS TO BUILDINGS AND FACILITIES

OBJECTIVE: To provide and adapt buildings, facilities and services to ensure people with disabilities do not experience discrimination as either users of OTSI services , as service providers or as staff, and have their particular needs for services and support acknowledged and met.

OUTCOME: Effective access by people with disabilities to our buildings and facilities is enabled.

PERFORMANCE

INDICATORS: New facilities comply with AS1428 part 2 and the Disability Discrimination Act.

Priorities for access improvements of existing buildings is identified and integrated into Asset Management

2. ACCESS TO BUILDINGS AND FACILITIES STRATEGIES

STRATEGY	ACTION	RESPONSIBILITY	TARGET DATE
2.1: Physical Access Provisions OTSI will ensure all Asset Management Services projects integrate best practice in access provision.	2.1.1. All existing facilities' access will be audited and priorities for access improvements will be identified and integrated into Access Improvement Program	Business Services Manager	December 2009

STRATEGY	ACTION	RESPONSIBILITY	TARGET DATE
<p>2.2: Emergency Procedures</p> <p>OTSI will review its emergency access/egress facilities and procedures to ensure the safe and successful evacuation of people with disabilities from all buildings or facilities.</p>	<p>2.2.1: Business Continuity Plans will include an evacuation program based on the Occupation Health and Safety standards to reviews and rectify any physical impediments or equipment deficiencies impeding safe and successful emergency evacuation of all people with disabilities.</p>	<p>Business Services Manager</p>	<p>December 2009</p>
<p>2.3: Information Technology</p> <p>All Information Technology protocols will ensure access for people with disabilities to applications and interfaces throughout OTSI</p>	<p>2.3.1: OTSI will reinforce with expert advice from information technology access experts protocols to ensure all business applications and user interfaces are selected and developed to ensure access for people with disabilities, as end users, potential developers and IT support staff. Such interfaces are:</p> <ul style="list-style-type: none"> • Learning Management Services • email software • e-commerce 	<p>MOT IT</p>	<p>Ongoing</p>
	<p>2.3.2. All computer applications and interfaces will be audited and priorities will be set to address the software interface access requirements of people with disabilities, both staff and clients.</p>	<p>MOT IT</p>	<p>December 2009</p>

2. ACCESS TO BUILDINGS AND FACILITIES POLICIES AND PRACTICES

Physical Access Provisions

OTSI will ensure all Asset Management Services projects integrate best practice in access provision.

OTSI will ensure all premises' designs and provisions comply with AS 1428 part 2 (Enhanced Standard) .

Asset Management Services will provide annual staff training in all areas of access provision within building works in the form of information sessions and workshops discussing access solutions.

OTSI will continue to work with Local Government Councils to provide better access from transport including:

- designated accessible parking bays;
- public transport drop off and pick up locations.

Where it is determined there are restrictions to the Department's capacity to provide access for people with disabilities, OTSI will provide services at accessible premises. In the case of leased buildings, it will negotiate changes with the building owners or consider relocation.

Emergency Procedures

OTSI will address its emergency facilities and procedures to ensure the safe and successful evacuation of people with disabilities from all buildings or facilities in the event of an emergency.

Current emergency evacuation procedures will be reviewed and, where necessary, modified to ensure they provide for effective emergency evacuation of people with disabilities. These will include:

- training for emergency personnel;
- discrete notification of procedures for staff identified with disabilities in the building;
- notification for visitors of the building via adequate signage;
- emergency drills involving people with disabilities;
- a drill and debrief will be held to review and amend emergency procedures.

3. COMMUNICATION

OBJECTIVE: To provide effective means of communicating information about all OTSI services and activities for people with disabilities, and to enable them to communicate effectively, using appropriate communications practice, media and technologies.

OUTCOME: People with disabilities are aware of and can effectively access our services .

PERFORMANCE

INDICATORS: Managers and staff are able to provide information in alternative formats and assistive hearing equipment as required.

3. COMMUNICATION STRATEGIES

STRATEGY	ACTION	RESPONSIBILITY	TARGET DATE
3.1: Communications Strategy OTSI will ensure services are promoted in both hard copy and electronic information channels and are accessible to people with disabilities.	3.1.1: OTSI will raise the profile of its DAP and accessible services to people with disabilities and the legal profession through a program of informative advertising, media liaison and community education	Business Services Manager	Annually

3. COMMUNICATION POLICIES AND PRACTICES

Communications Strategy

OTSI will ensure services and both hard copy and electronic information are accessible to people with disabilities.

Advice will be provided to assist staff with written, spoken and electronic communications to minimise communication barriers faced by people with disabilities.

It will include advice on:

- how to design inclusive documents which are accessible to as many people with disabilities and the general community
- the value of including people with cognitive disabilities when focus testing documents
- the way to speak with a person with a particular disability
- a standard statement for all public documents of their availability in alternative formats
- the need to use 'plain English' in all documents

4. EMPLOYMENT AND CAREERS

OBJECTIVE: To develop policies and practices which meet the Department's responsibilities as an EEO employer, comply with the requirements of the *Anti-Discrimination Act 1977 (NSW)*, and the *Disability Discrimination Act 1992 (C'th)* and actively encourage employment, career opportunities and career progression for people with disabilities.

OUTCOME: People with disabilities participate fully in our workplace.

PERFORMANCE

INDICATORS: Job requirements, employment conditions, and human resource policies and practices are free from discriminatory practices.

Percentage of staff with disabilities (as defined by the Office of the Director of Equal Opportunity in Public Employment guidelines) who use reasonable adjustment is increased to 7%.

There is an overall increase in job satisfaction and a sense of being respected and belonging in the workplace of staff with disabilities as measured by the Department's employee survey.

4. EMPLOYMENT AND CAREERS STRATEGIES

STRATEGY	ACTION	RESPONSIBILITY	TARGET DATE
<p>4.1: Consultation</p> <p>The Business Services Manager will consult with the Disability Advisory Council, managers and staff, and relevant NSW Government agencies to ensure thorough awareness of current expectations and best practice in the employment of people with a disability.</p>	<p>4.1.1 Foster and promote the Staff with Disabilities Network to:</p> <ul style="list-style-type: none"> • provide staff development opportunities; • raise awareness of disability issues in employment; and <p>provide peer support opportunities.</p>	<p>Business Services Manager</p>	<p>Ongoing</p>
	<p>4.1.2: Develop and maintain relationships with experts in areas of emerging disabilities to better support staff with disabilities in the workplace.</p>	<p>Business Services Manager</p>	<p>Ongoing</p>
<p>4.2: Review of Employment Practices</p> <p>OTSI will ensure its employment practices meet draft HREOC Disability Standards on employment and the Department's EEO policies and EEO Strategic Management Plan.</p>	<p>4.2.1: Ensure the job evaluation process reviews key criterion of each position to determine if they are inherent requirements of the job.</p>	<p>Business Services Manager</p>	<p>On going</p>
	<p>4.2.2: Contracted recruitment agencies will be required to demonstrate thorough disability awareness to ensure non-discriminatory practices, both direct and indirect, are employed.</p>	<p>Business Services Manager</p>	<p>On going</p>
	<p>4.2.3: Use Clause 10 of the Public Sector Management Act for appropriate appointments of staff with a disability.</p>	<p>Business Services Manager</p>	<p>On going</p>

STRATEGY	ACTION	RESPONSIBILITY	TARGET DATE
<p>4.3 Employment Statistics</p> <p>OTSI will report and aspire to increase it's percentage of staff with disabilities.</p>	<p>4.3.1: EEO Annual Report statistics for staff with disabilities will be provided to the Disabilities Advisory Council.</p>	<p>Business Services Manager</p>	<p>Annually</p>

4. EMPLOYMENT AND CAREERS POLICIES AND PRACTICES

Consultation

OTSI will consult with the Disability Advisory Council, Managers and staff, and relevant NSW Government agencies to ensure there is a sound awareness of current expectations and best practice in the employment of people with a disability.

The input and advice of the Disability Advisory Council will be obtained on any employment policies and practices developed and reviewed during the reporting period to determine whether they meet the employment needs and expectations of people with a disability.

The advice of the Anti-Discrimination Board and Employment Equity Division of PEO will be provided to management on the employment practices and experience of other organisations which are exemplary and against which OTSI can benchmark its performance as an employer of people with a disability.

OTSI will participate in ongoing whole-of-government arrangements to address workplace/work practice change within the NSW Government to eliminate discrimination against people with disabilities.

OTSI will make available information and advice to business centres on adaptive equipment for people with disabilities in the workforce and will make these services available as part of its recruitment processes.

Review of Employment Practices.

OTSI will ensure its employment practices meet draft HREOC Disability Standards on employment and the Department's EEO policies and EE Strategic Management Plan.

As employment policies and practices are reviewed within OTSI they will be examined for potential indirect discrimination against people with disabilities and adjusted to minimise discrimination or invoke reasonable adjustment provisions to ensure equal opportunities for people with disabilities.

Advertising positions in ways accessible to people with disabilities will continue to be investigated and implemented including:

- putting advertisements on the internet the same day as it is published in written form;
- by contacting disability organisations.

The procedures and circumstances leading to termination of employment or dismissal of employees will be reviewed to ensure they do not constitute the basis of discriminatory action against employees with a disability.

OTS will monitor the use and impact on people with disabilities of all its policies and practices in relation to flexible working arrangements to review if they have fostered the retention of employees with disabilities.

OTSI will ensure selection panels for positions have at least one panel member trained in disability awareness. If an applicant identifies they have a disability the convener will invite a staff person with a disability onto the panel when possible.

All induction programs and associated training materials for new employees will be reviewed annually to ensure:

- information on disability awareness is current within the context of the Department's progress in its DAP;
- they meet the needs of new employees with a disability when being oriented with and welcomed into their workplace.

5. STAFF TRAINING

OBJECTIVE: To ensure staff of OTSI are adequately trained to provide effective and non-discriminatory services and employment options for people with disabilities.

OUTCOME: Departmental staffs are confident and competent in providing services for and managing people with disabilities

PERFORMANCE

INDICATORS: A specific training course for managers and supervisors exploring the management of employees with disabilities is developed by December 2009.

Employees with disabilities have equitable and equal access to participate in generally offered courses.

5. STAFF TRAINING STRATEGIES

1.5.3	STRATEGY		1.5.4	ACTION		RESPONSIBIL ITY	TAR GET DATE
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1.5.3 STRATEGY	1.5.4 ACTION	RESPONSIBILITY	TARGET DATE
<p>5.1: Training Needs Evaluation</p> <p>OTSI will promote and introduce training programs to equip staff with the skills and awareness necessary to provide competent and effective services for people with disabilities, and to work effectively with other staff/service providers who may be people with disabilities.</p>	<p>5.1.1: As part of its budget planning process, OTSI will provide funds annually for the implementation of a program of disability service/awareness training to complement existing training activities. (\$5,000 annually)</p>	<p>Business Services</p>	<p>Annual Budget Cycle</p>
	<p>5.1.2. Determine the percent of current staff who have participated in Disability Awareness Training.</p>	<p>Business Services</p>	<p>December 2009</p>
<p>5.2: Training for People with Disabilities</p> <p>OTSI will ensure its training programs are accessible to staff with a disability and provide staff with equal opportunities for career development and advancement.</p>	<p>5.2.1: Consult staff with disabilities to determine their training requirements such as gaining career advice and identifying career pathways in addition to courses from the general course offerings.</p>	<p>Business Services</p>	<p>Ongoing</p>

**5. STAFF TRAINING
POLICIES AND PRACTICES**

1.5.13 Training Needs Evaluation

OTSI will promote and continue to introduce training programs to equip staff with the skills and awareness necessary to provide competent and effective services for people with disabilities, and to work effectively with other staff/service providers who may be people with disabilities.

OTSI will ensure its disability awareness training program:

- addresses the specific work related issues clients with disabilities encounter in our workplaces and services
- creates an awareness of people with disabilities' rights and responsibilities under the relevant legislation;
- ensures as a priority the attendance of staff in positions with most frequent contact with clients with disabilities ;
- is responsive to the needs of OTSI staff;

Staff will be encouraged to undertake OH&S training, client service, client friendly publications and other on-going training activities and make recommendations for action in each area.

In order to ensure quality services, disability awareness will progressively be made a requirement for positions across the Department.

OTSI will actively encourage supporting staff to access specialist disability related training courses, such as sign language.

1.5.14 Training for People with Disabilities

OTSI will ensure its training programs are accessible to staff with a disability and provide staff with equal opportunities for career development and advancement.

Staff with disabilities will be encouraged and supported, where appropriate, in their requests to attend training courses. Reasonable adjustments for their attendance will be provided.

Training procedures, techniques, media and information packages will be developed/adjusted where necessary to meet the training needs of staff with disabilities.

Priority will be given to ensuring the Department's training facilities and externally used training sites (eg rented conference rooms) are all accessible to people with disabilities or that alternative, accessible facilities are made available.

