Resource #5

# 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* (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 and co-designing with people with disability in the development of accessible and inclusive 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, their families and carers.
* Promoting and upholding the human rights of people with disability.
* Working with your management committee or board to gain commitment to disability 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 time (see Resource 3).
* Considering membership with employer organisations such as the Australian Network on Disability (AND) at [www.and.org.au](http://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.

# Understanding the legislative and strategic framework

The section below outlines 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.

International:
United Nations Convention on the Rights of Persons with Disabilities 
National: Australia’s Disability Strategy 2021–2031, National Disability Insurance Scheme, Disability Discrimination Act 1992, Queensland’s Disability Plan 2022–27: Together, a better Queensland
State: Human Rights Act 2019, Anti-Discrimination Act 1991, and Disability Services Act 2006
Organisations: Queensland Government departments’ disability service plans, and Non-government disability action plans

**Image caption:** International, national, and state context for Queensland's Disability Plan. The text below the image also outlines the content, identifying which conventions or legislations are relevant to which scope.

## International

### United Nations Convention on the Rights of Persons with Disabilities

Australia joined other countries in ratifying the [UNCRPD](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) as part of a global effort to promote the equal and active participation of all people with disability.

## National

### Australia’s Disability Strategy (ADS)

To implement the UNCRPD, Australia developed the ADS 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 *Queensland’s Disability Plan 2022-27: Together, a better 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). For more information visit <https://www.ndis.gov.au/>

### Legislation

* [**Disability Discrimination Act 1992**](http://www.legislation.gov.au/Details/C2018C00125)**:** 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

### State Disability Plan

* [***Queensland’s Disability Plan 2022-27: Together, a better Queensland:***](http://www.qld.gov.au/qld-disability-plan) provides an overarching, integrated approach across the Queensland Government and addresses Queensland’s commitments under the ADS and NDIS.

### Legislation

* [**Disability Services Act 2006 (DSA):**](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2006-012) 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.
* [**Anti-Discrimination Act 1991:**](https://www.legislation.qld.gov.au/view/html/inforce/current/act-1991-085) Ensures all Queenslanders are protected from unfair discrimination.
* [**Human Rights Act 2019:**](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005?query=((Repealed%3DN%20AND%20PrintType%3D%22act.reprint%22%20AND%20PitValid%3D%40pointInTime(20241218000000))%20OR%20(Repealed%3DN%20AND%20PrintType%3D%22reprint%22%20AND%20PitValid%3D%40pointInTime(20241218000000)))%20AND%20Content%3D(%22Human%22%20AND%20%22Rights%22%20AND%20%22Act%22%20AND%20%222019%3A%22)&q-collection%5B%5D=inforceActs&q-collection%5B%5D=inforceSLs&q-documentTitle=&q-prefixCcl=&q-searchfor=Human%20Rights%20Act%202019%3A%20&q-searchin=Content&q-searchusing=allwords&q-year=&q-no=&q-point-in-time=18%2F12%2F2024&q-searchform=basic)Protects the dignity and worth of all human beings regardless of background, what they think, believe, or any other characteristic.
* [**Carers (Recognition) Act 2008**](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2008-070) **(CRA):** Recognises the rights of carers and their vital role in our community.
* [**Guide, Hearing and Assistance Dogs Act 2009:**](https://www.legislation.qld.gov.au/view/whole/html/inforce/2024-08-28/act-2009-004) 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](http://www.dcssds.qld.gov.au/campaign/queenslands-disability-plan/implementing-plan/disability-service-plans) (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...

### What will your plan contain?

Some useful resources to assist with developing action plans include:

* Disability action plan guidelines at: [humanrights.gov.au/our-work/disability-rights/action-plans-and-action-plan-guides](https://humanrights.gov.au/our-work/disability-rights/action-plans-and-action-plan-guides)
* 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: [www.mav.asn.au/what-we-do/policy-advocacy/social-community/disability](http://www.mav.asn.au/what-we-do/policy-advocacy/social-community/disability)
* Examples of disability and accessibility action plans from a variety of organisations at: [humanrights.gov.au/our-work/disability-rights/register-disability-discrimination-act-action-plans](https://humanrights.gov.au/our-work/disability-rights/register-disability-discrimination-act-action-plans)
* Developing your Accessibility Action Plan? Australian Network on Disability: australiandisabilitynetwork.org.au/how-we-can-help-you/provide-an-accessible-and-inclusive-workplace/Department of Social Services. Australia’s Disability Strategy: <https://www.disabilitygateway.gov.au/ads>

Links

Disability Discrimination Act 1992. No. 135, 1992: [www.legislation.gov.au/Details/C2018C00125](http://www.legislation.gov.au/Details/C2018C00125)

Develop your Accessibility Action Plan? Australian Network on Disability: https://australiandisabilitynetwork.org.au/how-we-can-help-you/provide-an-accessible-and-inclusive-workplace/Queensland Human Rights Commission: <https://www.qhrc.qld.gov.au/>

Queensland’s Disability Plan: [www.qld.gov.au/qld-disability-plan](http://www.qld.gov.au/qld-disability-plan%20%20%20%20)

Queensland Government Disability Service Plans: www.dcssds.qld.gov.au/campaign/queenslands-disability-plan/implementing-plan/disability-service-plans

United Nations – Disability. Department of Economic and Social Affairs. Convention on the Rights of Persons with Disabilities (CPRD): <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

Queensland Legislation. Carers (Recognition) Act 2008: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2008-070>

Department of Social Services. Australia’s Disability Strategy: <https://www.disabilitygateway.gov.au/ads>

For further information

For more information and resources, visit: [www.qld.gov.au/qld-disability-plan](http://www.qld.gov.au/qld-disability-plan)

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