EmployAbility

A strategy for the employment of people with disability in the Northern Territory Public Sector

2013 – 2017
Acknowledgements

The Office of the Commissioner for Public Employment acknowledges and thanks the many people who contributed to the development of this guide. In particular, OCPE would like to thank the Corporate Leadership Council and the Victorian Public Sector for their original work in establishing standards for Human Capital Measures.

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Further information

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Message from the Minister

I am pleased to present *EmployAbility – A strategy for the employment of people with disability in the Northern Territory Public Sector 2013-2017.*

Over 50 per cent of people with disability in Australia actively participate in the labour force and are valuable contributors to the community and the economy.

The Northern Territory, although a growing population, is on the brink of a skills shortage, brought about by the effects of an ageing population. Part of the solution is in being open minded and forward thinking in our recruitment practices. The employment of people with disability is a key component of creating a diverse and inclusive Northern Territory Public Sector. This Strategy incorporates lessons learned from the past, and builds on previous work to promote the public sector as an employer of choice.

Included in the Strategy are key focus areas which will support the development of an inclusive and diverse workplace which harnesses the often untapped potential of people with disability. The promotion of an inclusive and diverse workforce supports the recruitment and retention of people with a broad range of skills and knowledge, and builds respect between employees and their clients.

*EmployAbility* aims to build our confidence in employing people with disability and change the way we think about disability, because it’s the ability that counts!

The Hon John Elferink MLA
Minister for Public Employment
Commissioner for Public Employment Statement of Commitment

The Northern Territory Public Sector (NTPS) has a long standing commitment to the employment of people with disability, with the first structured programs being delivered in the early 1990s.

The Northern Territory Government recognises the advantages of having a workforce that reflects and draws on the full diversity of the community it serves. With this in mind there is a strong commitment to increasing employment opportunities for people with disability across the sector.

This Strategy focuses on four key focus areas, to position the NTPS as a disability confident employer. These are:

- nurturing an inclusive workplace culture
- supporting attraction and retention practices
- supporting skills acquisition and career development
- promoting accessibility.

These focus areas, along with specific action areas, are included in the Strategy to encourage activities that facilitate building a more inclusive and diverse workforce.

Through EmployAbility, our aim is to heighten agencies’ focus on an individual’s ability, rather than disability. I commend this strategy to you as a demonstration of our commitment to providing a safe and inclusive work environment so that careers of all public servants can develop and prosper.

Ken Simpson
Commissioner for Public Employment
Contents

Message from the Minister ........................................................................................................ 3
Commissioner for Public Employment Statement of Commitment .................................... 4
Overview ..................................................................................................................................... 6
Highlights of the Willing and Able Strategy 2009 – 2012 ..................................................... 7
What is Disability? .................................................................................................................... 8
Disability in Australia and the Northern Territory ............................................................... 10
Where do we want to be? ....................................................................................................... 11
Why is it important? ............................................................................................................... 12
Setting the Direction ............................................................................................................ 13
  Nurturing an inclusive workplace culture .......................................................................... 14
  Supporting attraction and retention practices .................................................................... 14
  Supporting skills acquisition and career development ....................................................... 15
  Accessibility ......................................................................................................................... 15
Guiding Principles .................................................................................................................. 16
Sector-Wide General Support ............................................................................................... 19
Measuring Performance ......................................................................................................... 20
Reporting and Evaluation ...................................................................................................... 21
Legislation ............................................................................................................................... 22
Bibliography ............................................................................................................................ 25
Useful Links ............................................................................................................................. 26
Disability Confidence Checklist ........................................................................................... 27
Overview

It is well known that approximately one in five Australians have a disability, but what is not so well known is that this is set to rise. Over one in four of today's 20 year-olds will have a disability before they retire.

It is also well known that people with disability are under-represented in the workforce. One of the most telling and challenging statistics is that Australia ranks 21st out of 29 OECD countries in employment participation rates for those with disability. In addition, around 45 per cent of those with disability in Australia are living either near or below the poverty line. The OECD relative poverty risk rating ranks Australia 27th out of 27 OECD countries. These facts alone show us that we need to change.

The majority of people with disability can and do want to work and be as financially independent as possible, but employment of people with disability is one critical area where Australia is lagging behind other countries. Work is essential to an individual’s economic security and is important in promoting social inclusion. Employment contributes to physical and mental health, personal wellbeing and a sense of identity. Work is the pathway used by most Australians to long-term economic security and wellbeing.

Recognising their ability, increasing employment opportunities for people with disability should be part of agencies’ strategic and business plans to assist in creating a work environment in which access and inclusion for people with disability is routinely taken into account.

The principles of employment for people with disability are the same as those for people without disability. The main focus should be on a person’s ability, not their disability.
Highlights of the Willing and Able Strategy 2009 – 2012

- All agencies contributed annually to a levy for the Project Employment Scheme. These funds were used to reimburse the direct wage costs to agencies that employed people who have high support needs and are unable to compete for a job on merit alone.
- There were over 30 participants of the Project Employment Scheme over the life of the Strategy.
- An additional category, *Improving Opportunities for People with Disability*, was included in the 2009 Chief Minister's Awards for Excellence in the Public Sector to recognise outstanding leadership and achievements that promote an inclusive and supportive work environment for people with disability. Four nominations were received and the winner was Food Services at the Royal Darwin Hospital, Department of Health and Families with its initiative ‘Nurturing People with Disability in the Workplace – A Team Approach!’
- Presentations on the Willing and Able Strategy have been provided to the Northern Territory Government’s Disability Advisory Council, the Human Resources Forum, and Timor-Leste Interns and Civil Service Commissioner of the Democratic Republic of Timor-Leste.
- Several agencies conducted an Equal Employment Opportunity (EEO) Census Day and have reviewed their EEO Plans.
- A list of resources was developed to guide managers and employees detailing specialised employment services to address workplace modification or adjustment matters.
- The Office of the Commissioner for Public Employment (OCPE) website has been redeveloped and the information regarding equity and diversity and employment of people with disability has also been refreshed and improved.
- An accessibility matrix of the main training venues and conference facilities in Darwin was developed and made available to HR Directors to ensure training and development opportunities are hosted in accessible venues for disabled participants.
• Amendments to the *Public Sector Employment and Management Act*. Under the amended Act, a Chief Executive can implement special measures (e.g. program, plan or arrangement) with the approval of the Commissioner for Public Employment (CPE) provided they comply with the *Anti-Discrimination Act*. Special measures allow an agency to implement programs, plans or arrangements which could be used to specifically employ people with disabilities.

• A guide on flexible work practices was developed and is available on the OCPE website. This guide can be used to consider better ways to support the needs of people with disability.

*Ben Griffin, Alice Springs Desert Park, Parks and Wildlife Commission*
What is Disability?

There is no single agreed definition of disability. For the purposes of this Strategy in line with the National Disability Strategy 2010-2020, the term ‘people with disability’ refers to people with all kinds of impairment from birth or acquired through illness, accident or the ageing process. It includes cognitive impairment as well as physical, sensory and psycho-social disability. There is a more detailed definition of disability in the Disability Discrimination Act 1992 (Cwlth)⁵.

The Australian Bureau of Statistics (ABS) defines a person as having a disability if they have one or more impairments that impact on their daily life and that last for six months or longer. The key aspect is not the impairment, but its effect. It can be anything from migraines to arthritis, from dyslexia to back pain⁶.

In a survey⁷ conducted by the ABS on disability, ageing and carers, four million people in Australia (18.5 per cent) reported having a disability.

Since no two people are alike, we recognise the diversity of people with disability. As individuals we all have specific needs, priorities and perspectives. The type and level of support required is based on personal circumstances. This may vary further depending on education levels, gender, age, sexuality, and ethnic or cultural background. Some experience multiple disadvantages, such as gender, race and age, which can significantly impact on a person’s life.

Like everyone else, people with disability have the same fundamental rights to equal opportunity and access to employment. The NTPS has a strong equity and diversity framework to ensure everyone is treated equally in the workplace and differences are respected and valued.
Disability in Australia and the Northern Territory

Approximately four million people (18.5 per cent) identify as having a disability in Australia. Around 2.2 million people are of working age (15-64 years) and projections over the next 20 years indicate that in Australia people with disability aged below 65 years will increase by 34 per cent. However, in 2009, 54.3 per cent of working age people with disability participated in the labour force and this compares with 83 per cent of working age people without disability.

In 2012, about 19,300 people with disability lived in the Northern Territory (aged 15-64), of whom 4,600 had a severe or profound disability.

The Indigenous population of the Northern Territory experiences significantly higher levels of chronic diseases than other Australians and disability as a result of chronic health condition affects 36 per cent of Indigenous people over 15 years of age.

In terms of the participation of disabled people in the Northern Territory workforce, in 2009 the Northern Territory had higher labour force participation rates for working age people with disability (65 per cent) compared to the national rate of 54 per cent.

Based on this information, it can be concluded that the Australian and in particular the Northern Territory disabled working age population presents a workforce segment of huge employment potential.
Where do we want to be?

As the largest employer in the Northern Territory, the public sector has an opportunity and a responsibility to improve employment outcomes for Territorians with disability. To do this the public sector needs to consider the needs and requirements of people with disability in both designing products and services as well as in our workplace and employment practices. When creating employment opportunities, we need to ensure we are disability confident.

**Disability confidence is defined as:**

- Developing a better understanding of how people with disability relate to the organisation as potential and existing employees, as customers, suppliers and stakeholders;
- Creating a culture of inclusion and removing barriers for people with disability;
- Knowing how to make changes to recruitment practices to allow skilled and talented job seekers with disability to compete on a level playing field;
- Employees being confident in their workplace’s ability to employ someone with disability and being able to meet their needs;
- Adjusting processes and/or services to enable individuals to contribute as employees, and to access goods and services; and
- Knowing how to make adjustments to the workplace to retain employees who acquire disability\(^{14}\).

An agency can assess disability confidence by analysing its workplace culture, the degree to which barriers have been removed relating to employment, general workplace attitudes and understanding of what constitutes disability, and measuring the number of staff who self-identify as having disability.

To gauge how well we measure up to disability confidence, Chief Executives and senior managers can use the checklist at Attachment A.
Why is it important?

Disability confidence is defined as:

- Developing a better understanding of how people with disability relate to the organisation as potential and existing employees, as customers, suppliers and stakeholders;
- Creating a culture of inclusion and removing barriers for people with disability;
- Knowing how to make changes to recruitment practices to allow skilled and talented job seekers with disability to compete on a level playing field;
- Employees being confident in their workplace’s ability to employ someone with disability and being able to meet their needs;
- Adjusting processes and/or services to enable individuals to contribute as employees, and to access goods and services; and
- Knowing how to make adjustments to the workplace to retain employees who acquire disability.

People with disabilities are often socially excluded and suffer from discrimination. They are also more likely to experience poor health, have lower levels of participation in education and training and have difficulty accessing goods, services and facilities. As a result people with disabilities are given fewer employment opportunities. As a significant Territory employer, the NTPS is ideally positioned to provide opportunities for employment to people based on their abilities, including those who reside in remote areas. Being employed enables people to transform and enrich their lives, by enjoying economic participation, social inclusion and equality.

As a member of the Council of Australian Governments (COAG), the Territory has a vital role to play in supporting both the National Disability Strategy 2010-2020 and the National Mental Health and Disability Employment Strategy. Key objectives under these Strategies are to increase the employment of people with disability, promote social inclusion and improve national economic productivity. The Territory can pursue these objectives through employment in the NTPS.
Setting the Direction

Experience shows that in workplaces where self-identification of disability is higher, there is a positive correlation to a culture of inclusion where each individual’s unique contributions are valued and respected and where employees feel supported. These workplaces also tend to be adaptable, for example, cater to special needs through process improvement, workplace modification and flexible work options.

EmployAbility contains a range of objectives to be realised over the next five years to increase the employment and career opportunities for people with disability in the public sector and assist the public sector in becoming disability confident. This will be achieved through four key focus areas as shown in the figure below.
Nurturing an inclusive workplace culture

Raising awareness through education and promoting the benefits of employing people with disability assists co-workers to work effectively and confidently with people with disability, enhances morale and establishes a positive workplace environment in which access and inclusion for people with disability are routinely taken into account.

Celebrating successes and achievements in the employment of people with disability helps to inspire and motivate others. Sharing stories, building on each other’s successes and learning from one another assists in creating a positive and inclusive work environment, and promotes the benefits of employing people with disability.

Open communication and discussion is an important element in dispelling misconceptions about the capabilities of people with disability in the workplace. It encourages agencies and employees at every level to focus on ability, not disability, and to explore opportunities to value and build a workforce that reflects the diversity of our society.

Supporting attraction and retention practices

There are many reasons why recruiting and retaining people with disability in the public sector makes good business sense. These include:

- People with disability are our customers, and therefore major stakeholders.
- Workforce diversity facilitates greater understanding of the needs of our customers with disability and therefore can improve service design and delivery.
- People with disability contribute positively to the workplace.
- People with disability strengthen workplace morale and productivity.
- The public sector is an attractive employer that is inclusive of community values.
- The public sector complies with legislative requirements and meets international standards.
Agencies benefit significantly by retaining employees. The return on agency investment is reduced turnover and the retention of employees’ skills, expertise and knowledge. Increased employment levels contribute to improved social and economic outcomes for people with disability and the broader community.

There is no perfect formula to increase attraction and retention of people with disabilities into the public sector. We do know, however, that disability confident workplaces and strong leadership from senior leaders lay the foundation for positive outcomes. Support at this level will lead the way to increase employment opportunities for people with disability and tap into this underutilised labour market.

**Supporting skills acquisition and career development**

Learning and skills development are an important component in improving employment and career prospects of people with disability. Supporting people with disability to undertake training and development will contribute to building confidence in their ability to fulfil job requirements and to progress a career within the public sector. Further, including people with disability in program design, decision making processes and other areas can ensure their knowledge and experiences are represented which can assist agencies to meet service objectives more effectively.

**Accessibility**

It is important to ensure people with disability have the same opportunities as others to access workplaces, websites, documents, meetings and training venues. For some people with disability, the disability creates a difference in the way they work. Providing adjustments to a workplace or a job can allow people with disability to use their skills effectively. Making adjustments to the workplace, when needed, is an aspect of good employment practice.
Guiding Principles

Further to the significant work of the Convention on the Rights of Persons with Disabilities to change attitudes and approaches to people with disabilities towards initiatives that highlight their abilities and rights, the following principles will guide the implementation of the EmployAbility Strategy:

- a. Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons.
- c. Full and effective participation and inclusion in society.
- d. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity.
- e. Equality of opportunity.
- f. Accessibility.
- g. Equality between men and women.
- h. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

The laundry team at the Royal Darwin Hospital, Department of Health
## Sector-Wide Implementation Plan 2013-2017

### 1. Nurturing an inclusive workplace culture

<table>
<thead>
<tr>
<th>Actions</th>
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<tbody>
<tr>
<td>Co-ordination initiatives including:</td>
<td>All Agencies</td>
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<tr>
<td>• Providing information, advice and guidance to managers, supervisors</td>
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<tr>
<td>and selection panels on assistance available when considering</td>
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<td>employing people with disability</td>
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<tr>
<td>• Promote educational and information resources including web pages,</td>
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<td>other collateral material and workshops/seminars across the sector</td>
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<tr>
<td>• Promoting the NTPS and providing advice to current and potential</td>
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<td>employees about applying for and working in the NTPS</td>
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<tr>
<td>Join the Australian Network on Disability to increase the disability</td>
<td>OCPE/All Agencies</td>
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<tr>
<td>confidence of the NTPS and prepare to welcome people with disability</td>
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<td>into the NTPS workforce</td>
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<td>Include diversity material into generic NTPS recruitment and selection</td>
<td>OCPE</td>
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<td>training</td>
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<td>Include the disability recruitment checklist in recruitment and</td>
<td>OCPE/DCIS</td>
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<tr>
<td>selection processes</td>
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<td>On behalf of government develop and maintain relationships with key</td>
<td>OCPE/DECS</td>
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<td>stakeholders: Student Services (Department of Education and Children</td>
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<tr>
<td>Services) and specialist disability employment services to advise and</td>
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<td>provide knowledge on educational and employment pathways for the</td>
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<td>NTPS disabled workforce</td>
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<td>Actively promote and recognise:</td>
<td>All Agencies</td>
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<tr>
<td>• Mental health awareness month</td>
<td></td>
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<tr>
<td>• International Day of People with Disabilities</td>
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<tr>
<td>Investigate training initiatives including:</td>
<td>All Agencies</td>
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<tr>
<td>• Delivery of disability awareness training across the NTPS</td>
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<tr>
<td>• Delivery of supervisor/manager disability awareness and refresher</td>
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<tr>
<td>training</td>
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<tr>
<td>• Delivery of mental health awareness training</td>
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<tr>
<td>• Developing and incorporating appropriate disability awareness</td>
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<tr>
<td>content of NTPS induction package</td>
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<tr>
<td>• Requiring prospective tenderers for provision of learning and</td>
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<td>development programs to provide programs in accessible formats, and</td>
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<td>have the capacity to tailor these as necessary</td>
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<td>Source and publish stories that recognise the achievements and</td>
<td>OCPE</td>
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<tr>
<td>contributions of people with disability in the public sector</td>
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## 2. Supporting attraction and retention practices

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<th>Actions</th>
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<tr>
<td>Agencies to report annually on activities undertaken to build disability confidence (State of the Service Report)</td>
<td>All Agencies</td>
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<tr>
<td>Advertise jobs in both mainstream and disability specialist employment services</td>
<td>All Agencies</td>
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<tr>
<td>Promote and encourage the use of flexible work arrangements as an option to support the needs of people with disability</td>
<td>OCPE/All Agencies</td>
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<tr>
<td>Develop entry pathways for people with disability including:</td>
<td>OCPE/DCIS</td>
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<tr>
<td>• Traineeships</td>
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<td>• Graduate Entry</td>
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<td>• Work Experience</td>
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<tr>
<td>• School Based Apprenticeships.</td>
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<tr>
<td>Promote the NTPS as an ‘employer of choice’ for people with disability (disability forums, career expos)</td>
<td>OCPE/All Agencies</td>
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<tr>
<td>Trial a scheme where candidates with disability who meet the minimum criteria for a job are guaranteed for further consideration through relevant referee checks regarding workplace performance.</td>
<td>OCPE/All Agencies</td>
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<tr>
<td>Establish a SharePoint site for employees with disability and people with an interest in disability issues to share experiences and advice</td>
<td>OCPE/All Agencies</td>
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<tr>
<td>Collect equal employment opportunity data on participation in learning and development programs</td>
<td>OCPE</td>
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## 3. Supporting skills acquisition and career development

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<td>Through the Project Disability Employment Levy, continue two-year wage support of individuals with disability who are otherwise unable to apply for a position on merit</td>
<td>OCPE</td>
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<tr>
<td>Establish a network of mentors available to employees with disability</td>
<td>OCPE/All Agencies</td>
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<tr>
<td>Sponsor participants with disability on the annual OCPE Leadership and Management programs</td>
<td>OCPE</td>
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## 4. Accessibility

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<tr>
<td>Agencies to audit their premises (including workplaces and workstations) to assess where accessibility needs to be improved</td>
<td>All Agencies</td>
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<tr>
<td>Review and update websites to ensure accessibility for people with disability</td>
<td>All Agencies</td>
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Sector-Wide General Support

Other support available to aid in recruiting and retaining people with disability include:

Support Programs
- Mentoring and buddy programs
- Employee Assistance Program services for staff
- Performance management and career planning and development practices
- Agencies’ induction/orientation programs and identification of contact person for diversity matters

Recognition
- Recognition through the annual Chief Minister’s Awards for Public Sector Excellence

Reporting Information
- Conduct exit interviews and analyse data to inform recruitment and retention initiatives
- Equal Employment Opportunity census days each year
- Reporting of people who identify as having disability upon commencement of employment

Legislative framework
- Employment Instruction 10 (Equality of Employment Opportunity)
Measuring performance

Measuring the performance of this Strategy includes qualitative and quantitative information against key areas.

Quantitative Measures
- An increase in representation of people with disability working in the NTPS.
- An increase in the number of employees with disabilities accessing leadership and career development programs.
- An increase in the number of employees with disabilities in management and leadership roles.
- A reduction in turnover of staff with disabilities in the NTPS.
- An increase in nominations for Chief Minister’s Awards for Public Service Excellence.

Qualitative Measures
- The NTNS Staff Survey to report on improvements in recruitment and retention of employees with disabilities and the increased disability confidence in agencies.
Reporting and Evaluation

A report on progress against this strategy will be published in the State of Service Report by the central agency, Office of the Commissioner for Public Employment.

Other information that will be reported includes agencies’ progress on the recruitment and retention of people with disability and analysis of public sector employment statistics including the representation of equal employment opportunity groups.

In addition, the Public Sector Employment and Management Act requires that Chief Executive Officers report annually on their equal opportunity management program and other initiatives to ensure that employees have equal employment opportunities. This is undertaken in Annual Reports.

Agencies are also required to include Equal Employment Opportunity information in their corporate documents, in accordance with Employment Instruction 10 – Equality of Employment Opportunity Programs.

The collection of diversity data relies on the willingness of individuals to self identify and this generally results in inaccurate workforce statistics. This, coupled with information collated through staff surveys, indicates the actual number of people in equal employment opportunity groups is higher than the data suggests. However, OCPE will continue to monitor employment trends throughout the life of this strategy and endeavour to strengthen this data.
Legislation

This strategy is supported by the following legislative requirements:

Public Sector Employment and Management Act

Ensures that all employees have equal employment opportunities [refer Section 28(2)(f)]. This commitment is expanded further in Employment Instruction 10 – Equality of Employment Opportunity Programs (EEOP), which provides the minimum requirements for developing EEOPs.

Under the amended Public Sector Employment and Management Act (PSEMA) a Chief Executive can implement special measures (e.g. program, plan or arrangement) with the approval of the Commissioner for Public Employment (CPE) provided they comply with the Anti-Discrimination Act. Special measures allow an agency to implement programs, plans or arrangements which could be used to specifically employ people with disabilities.

Anti-Discrimination Act

The Northern Territory Anti-Discrimination Act plays a crucial role in this human rights framework. The Act promotes equality of opportunity for all people in the Territory, and provides remedies for people who have suffered unlawful discrimination on the grounds outlined in the Act. The Act also prohibits direct discrimination, in the area of work, on the basis of impairment.

Section 24 deals with the accommodation of special needs, while section 58 outlines the conditions in which it may be unreasonable to accommodate a special need. This means that reasonable adjustments must be made to the workplace to meet the needs of people with disability unless the employer can demonstrate that it is likely to cause unjustifiable hardship to the employer.
Section 57 makes provision for special measures to promote equality of opportunity for groups of people who are disadvantaged or who have special needs.

**Disability Discrimination Act 1992**

The Commonwealth *Disability Discrimination Act* provides a very broad definition of disability. The Act makes disability discrimination unlawful and aims to promote equal opportunity and access for people with disability, including in relation to employment.

**Disability Services Act 1986**

The Commonwealth *Disability Services Act* aims to provide a co-ordinated approach to assisting people with disability to gain and maintain employment. The Act also provides a set of guiding standards for the delivery of quality services, known as Disability Service Standards.

**National Disability Agreement**

The National Disability Agreement was signed by all jurisdictions in January 2009. A revised National Disability Agreement was signed in July 2012. It provides a strong commitment from the Australian Government, States and Territories to provide more opportunities for people with disability to participate and enjoy Australia’s economic and social life.
Endnotes

11. Survey of Disability, Ageing and Carers (SDAC) 2009 – Caution to be used as remote areas were not surveyed, relative error 25%.
Bibliography


Australian Public Service Commission, ‘As One - APS Disability Employment Strategy.’


Useful Links

Are People with Disability at Risk at Work
www.safeworkaustralia.gov.au

As One: Australian Public Service Disability Employment Strategy

Australian Chamber of Commerce and Industry: Employ Outside the Box
www.acci.asn.au/Research-and-Publications/Publications/Employ-Outside-the-Box

Australian Human Rights Commission

Australian Network on Disability
www.and.org.au

Disability Employment Services
http://www.deewr.gov.au/Employment/Programs/DES/Pages/default.aspx

Job Access
www.jobaccess.gov.au

National Disability Coordination Officer Program

National Disability Recruitment Coordinator
http://www.deewr.gov.au/Employment/Programs/DES/Employer_Support/Pages/NDRC.aspx

National Disability Services
http://www.nds.org.au

Sane Australia
http://www.sane.org/
Disability Confidence Checklist

How does your agency rate?

☐ People with disability regularly apply for NTPS vacancies

☐ There is support from senior management for the employment of persons with disabilities in our organisation

☐ We have reviewed our recruitment process to ensure there are no barriers to employment for persons with disability

☐ We have policies and processes in place, that enable reasonable adjustments to be made for employees with disabilities, that are available to all

☐ We have a good understanding of the accessibility features and barriers in our workplace and are able to make arrangements to overcome these

☐ Our human resources team understand and know how to make adjustments for interview candidates and/or employees with disabilities

☐ We have policies that enable and support flexible work conditions

☐ Employees with disabilities are represented in our workforce

☐ We have a good understanding of the importance for including persons with disabilities in our workforce

☐ We have implemented a Disability Action Plan