

# Disability Access and Inclusion Plans

Contracts providing a service to the public

A presentation for contractors and contract Managers

# Legal Requirement

- It is a legal requirement under the Disability Services Act 1993 (amended 2004), that we develop and maintain a Disability Access and Inclusion Plan (DAIP).
- Other Legislation supporting access:
  - WA Equal Opportunity Act (WA) (amended 1998).
  - Commonwealth Disability Discrimination Act 1992.

# The facts

- Disability affects one-third of the Western Australian population. People with disabilities often experience difficulty accessing information, facilities and services.
- However, other members of the community may also face barriers to access and inclusion due to a range of factors such as:
  - English as a second language,
  - living in regional areas,
  - low literacy levels,
  - low socio-economic status, and
  - discrimination in relation to age, race and culture.

# Disability Access and Inclusion Plan (DAIP)

- Our DAIP has been developed to take a proactive approach towards meeting the needs of all of our customers.
- The aim of the plan is to make our business more accessible and inclusive for people with a disability.
- It provides a framework for the identification of access and inclusion barriers and for the implementation of strategies to overcome these barriers.
- We have adopted six desired outcomes that all employees, contractors and agents must work towards.

# Our six desired outcomes

- **Services and events** are accessible to the whole community.
- Access to **buildings and facilities** owned by the Water Corporation is improved, with the aim of providing universal access.
- **Information** is accessible to all of our customers.
- A high standard of **service** is provided to all of our customers.
- **Complaints** from any person are fully investigated and the outcome is conveyed in an accessible format.
- All people have the opportunity and are encouraged to participate in **public consultations**.

# DAIP Requirements and the Water Corporation

- The Legislation states that we must:
  - Take all practicable measures to implement the DAIP by its officers, employees, agents or contractors; and
  - Report to the Disability Services Commission each year on DAIP implementation progress by employees contractors and agents.

# Water Corporation reporting requirements in relation to Contractors

- Once a year we must report to the Disability Services Commission on:
  - How we informed our agents and contractors of our DAIP,
  - The total number of contracts providing a service to the public consistent with our DAIP,
  - The total number of contracts providing a service to the public.

# To facilitate this we will:

- Provide resources and assistance,
- Provide the necessary, documentation,
- Include a 'special condition' (contract clause) in all relevant contracts.





# The Special Condition

- We have developed a 'special condition' of contract which will be inserted into our contracts to clarify DAIP requirements.
- Through the 'special condition' contractors will:
  - implement our DAIP; and
  - provide the Contract Manager with a report each year on the extent to which they have progressed the DAIP's implementation.

# Example of the special condition for tender documents

## **SPECIAL CONDITION – DISABILITY ACCESS AND INCLUSION PLAN**

- [Note: This clause should only be used if the Customer is required to have a Disability Access and Inclusion Plan under the *Disability Services Act 1993*.]

### **DISABILITY ACCESS AND INCLUSION PLAN**

- If the Contract involves the supply of Services to the public, then the successful Respondent will:
  - (i) to the extent practicable, implement the Customer's "Disability Access and Inclusion Plan" prepared under the *Disability Services Act 1993*; and
  - (ii) provide a report to the Customer by [ ] in each year of the Contract Term reporting on the extent to which the successful Respondent has implemented the Customer's Disability Access And Inclusion Plan.

# Example of the special condition for tender documents

- Applies to:
  - Contracts for the provision of services to the public on our behalf,
  - New contracts and contract renewals.
- Does NOT apply to:
  - Contracts where we are the only recipient of the services e.g. cleaning services, rewiring of office telephones etc.



# Contractors' DAIP requirements

- Contractors do not have to develop a DAIP of their own, but they must conduct their business in a manner consistent with our DAIP.
- Contractors who provide a service to the public need to ensure that the activities are undertaken in an accessible manner.
- Contractors must report (using the progress template supplied) to their Contract Manager by 15 June each year.

# Contract Manager Responsibilities

- The Contract Manager must collate all Contractor reports.
- The Contract Manager must report (using the template supplied) to the DAIP Coordinator by 30 June each year.



# Stages of DAIP Reporting

**Contractor** – once a year, **by 15 June**, provides Water Corporation Contract Managers with a brief list of access activities undertaken to support our DAIP



**Contract Managers** – once a year, **by 30 June**, provides DAIP Coordinator with the number of contractors that are undertaking access activities for each DAIP outcome area



**DAIP Coordinator** – once a year, **by 31 July**, drafts the Corporations DAIP Progress Report for the Disability Services Commission, including contracting information



**Disability Services Commission** - aggregates the DAIP Progress Reports of all public authorities and relevant organisations and provides a Statewide report to the Minister for Disability Services. Minister then tables report in Parliament

# Resources and support available

- The DAIP Coordinator is here to help you and offer advice.
  - Email: [daip@watercorporation.com.au](mailto:daip@watercorporation.com.au)
  - Phone: 9423 7148
- The 'Hints and Tips for Contractors' presentation provides useful advice on how contractors can work towards our six desired outcomes. A copy is available on the webpage below:
- <http://www.watercorporation.com.au/about-us/our-commitments/disability-access-and-inclusion>