

## BLITS E-Newsletter June 2011



### Message from the Chair

Welcome to another edition of BLITS E-News.

In this special issue we offer two in depth interviews on current disability topics.

From an interview with Graeme Innes AM, Disability Discrimination Commissioner and Race Discrimination Commissioner, we explore his views on a wide range of issues and challenges for people with disabilities, including a quick update on the progress of processes surrounding the National Disability Insurance Scheme.

In an exclusive interview with Ms Cathy Hudson, Deputy Director-General/Commissioner for Public Administration, Chief Minister and Cabinet Directorate, we learn about the strategies and determination behind the recently announced ACTPS Employment Strategy for People with a Disability.

### Chief Minister's ACT Inclusion Awards

With July just around the corner, it's time to start thinking about the 2011 Chief Minister's Inclusion Awards. The date for your diary for the Awards Presentation Dinner is Thursday 10 November.

This year we have a special treat, the Awards Presentation Dinner will be held at the National Gallery of Australia and as I have indicated, we will be changing to a sit down dinner format. Numbers will be limited in this format so when the ticket registration opens, please do not delay in making your booking!

In a few weeks we will be formally calling for Award Nominations for 2011. Do you know of any business, organisation or individual who is deserving of a nomination? Making a nomination is easy and we would love to hear about yours.

I hope you enjoy this issue and I look forward to bringing you more BLITS news soon!

**Lois Ford**

**Chair**

**BLITS ACT**

Please note:

The views expressed in articles and interviews published in BLITS E-news do not necessarily reflect those of BLITS, the BLITS advisory board or the ACT Government.

---

#### In this newsletter:

- A Powerful Profile - An interview with Graeme Innes AM, Disability Discrimination Commissioner and Race Discrimination Commissioner

- An Interview with Cathy Hudson; Deputy Director-General/Commissioner for Public Administration, Chief Minister and Cabinet Directorate on:

The ACTPS Employment Strategy for People with a Disability

---



## **Powerful Profile - An interview with Mr Graeme Innes AM - Disability Discrimination Commissioner and Race Discrimination Commissioner**

Graeme Innes was appointed Australia's Disability Discrimination Commissioner and Race Discrimination Commissioner in July 2009. In December 2005 he was appointed as Human Rights Commissioner and Disability Discrimination Commissioner. In these roles he led or contributed to initiatives including the Same-Sex: Same Entitlements Inquiry, achieving removal of discrimination across federal law; drafting of the United Nations Convention on the Rights of Persons with Disabilities, and ratification by Australia; three inspections of Australia's Immigration Detention facilities; and development of a National Disability Strategy.

Graeme is a Lawyer, Mediator and Company Director. He has been a Human Rights Practitioner for almost 30 years in NSW, Western Australia and nationally.

Recently Mr Graeme Innes granted BLITS and interview on a wide range of subject matter pertinent to discrimination towards people with disability.

Mr Innes granted BLITS an interview:

**BLITS:** Mr Innes thank you for your time today,

**Question:**

Mr Innes, you've been involved in the broad spectrum of human rights issues for many years. What do you think is the major difference of challenge when dealing specifically with disability issues?

**Mr Innes:**

The main difference is the attitude towards people with disabilities. One of the biggest challenges for anyone with a disability is the challenge of dealing with the soft bigotry of low expectations - I see examples of this all through the community. For example, examine media coverage when it focuses on a people with a disability - usually these people are profiled as huge heroes, often sports heroes or people in an absolute state of tragedy, hopelessness. In truth we need to be seen in general terms as neither of these, we need to be seen as agents of our own destinies. This is the singular difference people with disabilities face from a human rights perspective. One of my favourite quotes from the first anti discrimination commission Elizabeth Hastings sums it up all too well, 'People with Disabilities swim in a sea of discrimination'.

**BLITS:**

Can you give me some examples?

**Mr Innes:**

Certainly, on a personal basis, not a day goes by where I am not treated with some form of discrimination or patronisation, soft or otherwise - and let's face it, there are many far worse off than me. Here is one reoccurring example: I frequently need to book accommodation for myself and my family. As part of my travelling profile, it is noted that I travel with a guide dog. So when

booking accommodation, I am immediately offered only ground floor apartments. My legs work fine, as do those of my dog! Now this is a minor example compared with more serious challenges faced by many, but it is all part of the mix and at whatever level, it is relentless.

**BLITS:**

Regarding the proposed plans for a National Disability Insurance Scheme, what do you think the outcome will be?

**Mr Innes:**

The Productivity Commission draft report in February this year included an extensive list of preparatory recommendations necessary to prepare for any kind of implementation of this scheme, this work is in progress. I know these recommendations to date have had support across the political spectrum - so I expect we will see significant progress in the next report, due in July. It should be an interesting report too, as the first review report stated, the current disability system is both broken and broke - it needs realignment and reorganising. The way to do this is the way the commission suggests - create one national commission for the delivery of services across all states and territories with all states and territories providing the funding.

**BLITS:**

BLITS has determined to promote initiatives that value and engage people with disabilities as customers, suppliers, employees and employers in business the arts and sport; across Australia generally have there been any noticeable or exceptional advances for people with disabilities in these areas in recent times?

**Mr Innes:**

Taking these sectors one at a time:

In Business:

I have not seen what I would call exceptional advances. The Business Council of Australia recently made some comments about the need for the spend on the disability support pension to be reduced. This is a suggestion I find alarming as the only way this will happen is if the business sector engages more thoroughly to establish programs that support the employment of people with disabilities in the workplace.

In Sports:

I have not seen exceptional progress, but there has been some progress in terms of engagement levels and access.

In the Arts:

I know Accessible Arts are working hard to create opportunities for people with disabilities, but this seems to be the exception rather than the rule and with 20% of Australians having a disability - accessible arts has made a good start. But it has to be said that we will not make a real difference until dealing with people with disability is at a Universal standard in all service areas. Just to give a real time example, my mother has a need of physical access to attend entertainment programs or visit the Theatre. On the weekend we rang one of the two main ticketing offices to discover that there is a separate ticketing phone number to purchase 'physical access tickets' and this is only available on weekdays - so by the time Monday rolls around the tickets are limited. This might seem a trivial example, but until mainstream arts providers address issues of physical access as a matter of course, there cannot be equality there.

**BLITS:**

Mr Innes, is it possible the rights of people with disability have actually slipped backwards in some areas?

**Mr Innes:**

Unfortunately, this is possible, and one of the worst examples would be air travel services. Access to airlines has certainly not improved and potentially slipped backwards with the introduction of budget airlines. Let me be clear, I have no issue with improving affordability of air travel, but these airlines are constantly looking to how they can cut down on the services they are required to maintain as part of the low cost service strategy. As a result, two of our low cost airlines, Virgin and Jetstar both state that they will not allow more than two passengers with wheelchairs on any flight.

**BLITS:**

Which Australian state or territory is making the most progress?

**Mr Innes:**

Victoria has been a stand out state, working hard on a range of strategies to improve the situation for people with disability. Western Australia has also made significant progress.

**BLITS:**

From an international standpoint, which country or countries are setting the bench mark today?

**Mr Innes:**

Many countries are working hard in this area, but more importantly, while Australia, relative to the rest of the world, is doing ok, we need to set our sights not on being ranked 6th or 7th place, but rather a medal winner. Right now we are somewhere in middle of the top 10 or 12 and that is simply not acceptable is it?

**BLITS:**

Mr Innes, when thinking about the balance of social vs legislative change to progress the rights of people with disability, how important is social or cultural change?

**Mr Innes:**

One of my favourite quotes about human rights, and I don't apologise for using it again for anyone who has heard it before, is from the great French jurist Rene Cassin, who said during the drafting of the Universal Declaration: ... 'it would be deceiving the peoples of the world to let them think that a legal provision was all that was required ... when in fact an entire social structure had to be transformed.'

**BLITS:**

What could Australia uniquely do to progress a change in our social structure that will result in real engagement between business and people with disabilities?

**Mr Innes:**

Change attitudes! We all need to recognise that disability is a big chunk of our population and we need to mainstream everything that relates to disability. To use another example, organisations, public or private, need to provide all of their products and services in an accessible format. More importantly they need to recognise that if they do not do this they are in effect telling a large section of the community that they are not welcome customers.

Taking a positive example, look at buses in Australia, we have reached the tipping point - there are now more accessible buses in operation than busses that are not accessible. So what is happening in this marketplace, is the default purchase for a bus company today it to purchase an accessible bus - we need to get to this situation happening across the board - we are a long way from that place at present, but this is where we need to be.

An example of a public service that could be vastly improved next would be ATM's. The default AMT needs to have an audio output and be placed in a situation where people who use a wheelchair can assess the service.

We also have to think carefully about new technology, for example we have a new touch and go pay system advertised now - where one can simply touch a credit card to a terminal and transfer payment data, I would be fairly certain that the debited amount will show up on a screen, a screen without an audio outlet. Once the new technology is in place, it is an uphill battle to change and correct the equipment, it is much easier at the design stage. This is just one more example of the importance of changing thinking patterns in the everyday situation.

**BLITS:**

Mr Innes, thank you for your time today.

---



## **An Interview with Cathy Hudson Deputy Director-General/Commissioner for Public Administration, Chief Minister and Cabinet Directorate**

### **ACT Public Service Employment Strategy for People with a Disability**

In April 2011 the former ACT Chief Minister, Jon Stanhope, announced the ACT Government's plan to increase the number of people with disabilities employed in the ACT public service. BLITS talks to Cathy Hudson, Commissioner for Public Administration to find out more.

#### **BLITS:**

Ms Hudson thank you for joining us today. In terms of the employment strategy for people disability, can you give me an idea of how this came about and about the processes that lead to the final outcome? Also, in relation to the employment target of over 600 jobs for people with disabilities, how and why was this number determined as the target?

#### **Ms Hudson:**

Certainly, the employment strategy for people with disability directly links in with the respect, equity and diversity framework that the former Chief Minister Jon Stanhope launched late last year.

One of the directions in that frame work relates to the work force challenges for the ACT to embrace diversity - this means having a work force that accurately reflects the community which must of course include people with disability.

With regard to the identification of the commitment levels or targets for jobs for people with disabilities, we examined our workforce profile statistics ; these showed our workforce representation in terms of people self-identifying as a person with a disability or as an Aboriginal and Torres Strait Islander to be low in comparison to representation in the community.

The analysis of statistics and data indicated that we needed two specific employment strategies; one for people with disability and one for Aboriginal and Torres Strait Islanders. In terms of the employment target for people with disabilities, we need to get closer to what is shown in ABS data as a proportion of the community who have disability, which is why the Government has committed to more than doubling our number by 2015.

#### **BLITS:**

Ms Hudson, just to stop you there, why do you think there are more people with disability than the ACT Public Service (ACTPS) figures indicate?

#### **Ms Hudson:**

We think we may have an under identification of people with disabilities as there is some evidence to suggest that, for a variety of reasons, which could include fear of community attitudes or even discrimination, not everyone with a disability, discloses that they have a disability. As data we work with is based on self identification it is possible the statistics are short of the reality.

What is more important is we get to a position where people feel safe and comfortable to reveal any disability they might have. Additionally we must have a work place that is flexible and responsive to accommodate our differences. If we do this, then people can and will disclose disabilities without fear.

**BLITS:**

Thank you, now you were explaining some of the remaining rationale behind the targeted number of new jobs?

**Ms Hudson:**

We had to look at the current level of employed people with disabilities, which were only 327 in 2010. Also impacting this employment target it was necessary to factor in overall growth, growth since the time of the reviewed statistical data and likely growth looking forward. So taking these facts into consideration and as I mentioned before, a feasible target that will get us closer to proportional representation, is to more than double our numbers - so the final figure of 655 was decided.

**BLITS:**

Ms Hudson, how achievable is this commitment?

**Ms Hudson:**

This government believes the target is both ambitious and achievable. One thing that has already happened and will make it easier to reach this target is the amendments to the Public Sector Management Act passed by the Legislative Assembly in February this year. These amendments affect the section of the Act dealing with the definition of an identified position. These changes will allow us to implement in some areas significant job redesign, something we want to do a lot more of and get better at so that we can create jobs to more closely match particular skill sets and individual circumstances.

**BLITS:**

When you say this target is both ambitious and achievable, what do you see as the primary reason it is an ambitious target?

**Ms Hudson:**

It is a combination of factors; identifying the required skill sets and combination of skill sets in a positive and flexible manner, ensuring accessibility, locating the individuals and all other aspects of effective job matching. To achieve effective job matching our people must have the resource to understand all the options and we are working hard on this. By way of an example we completed an employment pilot recently involving people with intellectual disabilities. This pilot included all the HR directors across the service. The feedback from the HR directors was overwhelmingly positive; positive about the pilot program but also about the level of training and support provided both to the people being employed but also for the supervisors in the work place. Doing this well will deliver a multiplier effect, the more we do this, and do it well, the better we will get at it and the faster the potential take up will be providing the best chance of long term success.

**BLITS:**

Just to clarify, how will the job matching work? Will a significant and pre-determined level of accreditation or previous training be required for applicants to qualify or will this be provided as part of the process?

**Ms Hudson:**

Job matching can be achieved in all sorts of ways, but the bottom line is director generals have been provided the targets that they need to achieve. They, in turn, will be getting advice from their HR areas about the range and type of methods they might employ at all different levels. This is a whole of government approach and one that is extremely flexible. We have developed both a system wide approach and have given individual directorates the flexibility they will need to find options to suit their

departments particularly situation, all with the objective of achieving the targets.

**BLITS:**

How did you identify the range of actions and approaches that will be provided on a system wide basis?

**Ms Hudson:**

These options, actions and methodologies are based on best practice as identified across Australian particularly, but also on knowledge gained from working closely with agencies and key stakeholders. Much of this strategy was informed by a report undertaken by PWD with Making Diversity Work, this report and subsequent consultation with PWD identified a number of key areas that should be progressed, all providing important direction for incorporation in the action plan. Some actions are mandatory across all directorates and others are suggested ones that might suit some directorates more than others.

**BLITS:**

Are there any other aligned strategies or activities that are expected to add value or support this employment program?

**Ms Hudson:**

We have recently piloted targeted places for people with disabilities as part of our ACTPS wide learning and development programs; these operate at the first time manager level, the future leader's level and the executive level. We really want to see how this might work to help retain our existing employees with disabilities and help attract more people with disabilities to the ACTPS. This will ensure the viability and vitality of the employment commitments, making sure both the targets and the objectives are met.

**BLITS:**

I am assuming that some directorate workplaces will face challenges relating to accessibility. Does the program include funding for workplace modifications and assistive technology to suit recruited employees?

**Ms Hudson:**

Accessibility modification requirements are currently assessed on a worker specific basis - but more broadly there is a whole of government access strategy that is being coordinated through the Community Services Directorate under Disability ACT. Both of these will come into play, I hope that this employment strategy will drive an increased level of awareness about matters of accessibility generally across all directorates and section managers. Remembering part of this discussion earlier, I hope that, as the strategy starts to gain momentum, prospective employees will feel more confident about saying what they need to be the most effective worker as well. At the end of the day it will be everyone's responsibility to make this work and if we adjust the workplace culture effectively and provide the right tools, this will happen.

**BLITS:**

In terms of rolling out this strategy, how has this started?

**Ms Hudson:**

Aside from initial directions and regular managerial communications, we have over 3,000 disability employment strategy documents for our managers across all directorates. This has been designed to fit within the current respect, equity and diversity directives and guidelines which all managers already have. The employment strategy material is designed to form part of that larger resource, providing clear guidance and easy reference for manager's ongoing reference.

**BLITS:**

Has this employment strategy been based on other models or has it been specifically designed for the ACT?

**Ms Hudson:**

While we did look at other jurisdictions and what they are doing, this is ACT specific and we are quite proud of that. We are proud of the comprehensive approach we are applying here, when I mentioned we have an action plan with mandatory compliance commitments, we have employed a similar approach across a range of strategies and this allows our people to get used to this management approach and requirement methods and measurements. In fact Luke McAlary, Director, Public Sector Management Group presented on this to other state and territory public service commissioners recently and they were impressed.

**BLITS:**

We are hearing a lot about large skill shortages in the ACT especially in the IT sector. Do you think this strategy will assist the government to mitigate the skill shortage issue?

**Ms Hudson:**

I was recently at a skills conference that the ACT Government held and there was some time spent discussing the need for a greater focus on employing people with disabilities as a way of countering skill shortages. It was also suggested that this was a strategy the private sector might find equally useful.

**BLITS:**

What is the definition of a job in relation to this employment strategy? When we speak of 655 jobs, does this refer to full time and part time jobs or is this target the equivalent of 655 full time jobs, which would most likely mean more than 655 employed individuals?

**Ms Hudson:**

The target of 655 means a headcount of 655 people across the ACTPS. There will be full-time and part-time jobs, there may be more part time options for employment as we give more regular consideration to job design and as we move towards greater flexibility.

**BLITS:**

How and when will the outcomes of this strategy be next measured and reported?

**Ms Hudson:**

Each director general will provide a progress report to the Chief Minister in October this year. This result will be put into annual reports that are transmitted to the Assembly by the end of September. This is followed by a whole of government report, prepared by the Chief Minister and Cabinet Directorate for the Chief Minister which will give us a clear idea of how we are progressing, as part of the respect, equity and diversity legislative requirements.

**BLITS:**

Ms Hudson, thank you for your time today.

For a copy of the ACT Public Service 'Employment Strategy for People with a Disability' go to:

[www.cmd.act.gov.au/\\_data/assets/pdf\\_file/0015/203127/pwdstrategy.pdf](http://www.cmd.act.gov.au/_data/assets/pdf_file/0015/203127/pwdstrategy.pdf)

Ms Cathy Hudson - Biography



Cathy Hudson has a long career in the public sector having worked for two Federal Ministers from 1984 to 1990, the Queensland Public Service from 1991 to 2002, and the ACT Public Service since 2003. She has extensive experience in the provision of strategic advice on public policy issues across many portfolio areas.

In early 2003, she joined the ACT Public Service as Director Social Policy, in the Chief Minister's Department and led the development of the Canberra Social Plan which was launched in early 2004.

In July 2006, she took up her current dual role of Deputy Chief Executive, Governance Division and Commissioner for Public Administration within the Chief Minister's Department. This position encompasses responsibility for the Office of Industrial Relations and Public Sector Management Group. From November 2008 to April 2009 she was asked to establish and lead the creation of the Department of Environment, Climate Change, Energy and Water as Acting Chief Executive and facilitate the recruitment of the permanent Chief Executive.

From 1996 to 2004 she was a trustee on the Mick Young Scholarship Trust which provides scholarships for financially disadvantaged students across Australia including at TAFE Colleges.

In June 2010, she took up a 6 month temporary role as Deputy Director-General in the newly established Economic Development Directorate within the ACTPS