Accessibility action plan 2018–2022

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About this plan

We are determined to make meaningful and collaborative improvement.

This is the first Accessibility Action Plan for the Victorian Civil and Administrative Tribunal (VCAT). It sets out how we will assist people with disability to gain better access to the tribunal, and provide a supportive and inclusive workplace.

Accessibility in this plan refers to the inclusion of people with disability.

Our customer surveys undertaken in 2016 and 2017 identified that approximately seven per cent of people accessing VCAT have some form of disability. Although the majority of this group were satisfied with VCAT's services, our Accessibility Action Plan aims to fully explore the ways we can improve.

In line with Victoria's Absolutely Everyone: State disability plan 2017–2020, our plan covers a range of actions for achieving greater inclusion, in partnership with the community. It shifts away from the former approach of reaching accessibility only through compliance with building legislation, which often lead to inconsistent outcomes for customers.

The Accessibility Action Plan firmly aligns with our new Strategic Plan 2018–2022: VCAT for the future that will focus on making it easier for all Victorians to participate and access justice by:

- meeting contemporary service expectations
- being inclusive and accessible, and
- strengthening relationships with the community we serve

The realisation of the Accessibility Action Plan will be strengthened by broadening our Strategic Plan initiatives such as improved customer service, improvements to technology in our hearing venues and digitisation of our processes over the next four years to address and resolve specific disability issues.

We are determined to make meaningful and collaborative improvements, and will refine this plan over its lifespan to keep pace with change and emerging priorities.

Message from VCAT's President

I am proud to introduce VCAT's first Accessibility Action Plan, a significant initiative as the tribunal enters its twentieth year.

VCAT's goal is to be an outstanding civil and administrative tribunal. Our vision is to serve the community by resolving disputes in a timely, cost effective and efficient way.

As part of our vision, we are committed to improving access, diversity and inclusion. We believe that we cannot fully serve the community unless our services are accessible to all, including people with disability.

VCAT has a long-standing commitment to accessibility, and has already introduced several measures to foster greater access and inclusion, and to ensure compliance with the provisions of the Commonwealth Disability Discrimination Act 1992.

Building on our existing initiatives, VCAT is committed to further improving accessibility through this Accessibility Action Plan. This plan will break down barriers and myths about disability by building greater awareness across the tribunal of disability and accessibility issues. It will ensure our services to the community are best practice and that our hearings are fully inclusive and accessible.

The plan also introduces new approaches to employment practices so that VCAT is viewed as an employer of choice for people with disability. We will evaluate and report on our progress in our annual report and through our obligations to report publicly as part of Victoria's Absolutely Everyone: State disability plan 2017–2020.

Accessibility is a core measure of excellence in both the International Framework for Courts Excellence and the Australian and New Zealand Tribunal Excellence Framework. VCAT relies heavily on these two frameworks to measure our performance. Implementing VCAT's Accessibility Action Plan 2018–2022 will undoubtedly improve our capacity to be an outstanding civil and administrative tribunal, inclusive of the needs of all Victorians.

Justice Greg Garde AO RFD

President

Message from Chair, VCAT Diversity Steering Committee

Almost one in five Australians live with disability. This includes more than one million Victorians.¹

Often, when we think about disability, we think about disabilities we can see. However, disability can be invisible, such as mental illness, learning disabilities, and colour blindness. Disability may be physical or mental, present from birth or acquired, permanent or temporary.

Each person with a disability lives a different experience. However, many people with disability share the experience of discrimination, negative attitudes, misunderstanding and not being able to go about their work and everyday life in the way they wish. This is due to barriers present in our society.

Barriers to access come in many forms. They can be present in the physical environment, but that is only one aspect. Significant barriers to overcome are also present in attitudes, sub-conscious biases, pre-conceptions, communication methods, technology and culture.

As well as taking a number of practical steps to be more inclusive, this plan also seeks to build a greater awareness of disability and accessibility issues among VCAT members and staff. We have committed to deliver disability awareness training to all members and staff, and as part of our Customer Services Improvement Program, more specialist training for our customer facing staff.

It is my vision that VCAT is viewed by the community, especially by those with disability, as an organisation that understands their needs and empathises with any challenges or barriers they may be experiencing in accessing the tribunal. It is my vision that VCAT, as an employer, welcomes people with disability to apply for employment opportunities. That we recognise their potential and remain open to ways to accommodate requirements they may have in order for them to have a fulfilling career as part of VCAT's diverse workforce.

It has been a pleasure working with VCAT's Diversity Steering Committee in the development of this plan. It is the first time VCAT has clearly articulated how it will give effect to increasing the inclusion of people with disability in everything we do. I would like to thank all of VCAT's stakeholders, members and staff who took the time to provide input.

¹ Australian Bureau of Statistics, Disability, Ageing and Carers, Australia: Summary of Findings (2015).

Your involvement is highly valued. I would also like to acknowledge the leadership and guidance provided by Mr Graeme Innes AM, former Disability Discrimination Commissioner, and Mr Maurice Corcoran AM and the support they have given to VCAT throughout this process.

Implementing this plan will bring so many benefits to everyone. It is an exciting time for the tribunal and I will look forward to providing updates on our progress.

Genevieve Nihill, AM

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Deputy President

Background and principles

Access to Justice

Access to a fair and impartial justice system is a fundamental tenet of the rule of law.

The Victorian Government's recent Access to Justice Review (2016) examined ways to improve access to justice for Victorians with an everyday legal problem or dispute, ensuring the most disadvantaged and vulnerable in our community receive the support they need when engaging with the law and the justice system. The review recognised that people with disability are at risk of legal problems and highlighted issues including the physical accessibility of buildings, workforce expertise, clarity of legal information and the availability of legal assistance.

The review's terms of reference were broad but ensured a specific focus on civil jurisdiction, the practices and procedures of civil claims at VCAT, support for self-represented litigants and access to legal help.

The review made a number of recommendations that are directly relevant to the development of our Accessibility Action Plan. It recommended that VCAT:

- modernise user services and better utilise online technology to provide more accessible, user focused and responsive administration services
- simplify service requirements, improving transparency about complaints at VCAT, and strengthen quality assurance though member peer review
- improve access to interpreters and provide greater support for self-represented litigants.

VCAT has accepted the recommendations of the Access to Justice Review. With support from the Victorian Government, we have developed an extensive program of work over the next four years to modernise and improve our services to the community. This includes enhancing our customer facing services, improving digital access, expanding Alternative Dispute Resolution (ADR), and establishing a self-help service. This program of work will enhance and complement the activities identified in our Accessibility Action Plan.

Absolutely Everyone: State disability plan 2017-2020

Victoria's third state disability plan, Absolutely Everyone – State disability plan 2017–2020, sets out how government agencies will work towards people with disability having full equality, inclusion and participation in society. It was launched in January 2017.

Victoria's vision is to uphold the right of Victorians with a disability to live and participate in Victorian society on the same basis as everyone else – to be supported in their aspirations for an everyday life where they are judged by their efforts and achievements.

There are five principles that underpin the state plan:

- autonomy
- opportunity
- human rights
- diversity
- accountability.

Absolutely Everyone directly references the justice system, noting how important it is to ensure the justice system meets the needs of clients with a disability. VCAT, alongside Victoria Police and Corrections, has a specific action in the state plan.

Action 20: VCAT Accessibility

VCAT is implementing a fouryear Accessibility Action Plan with actions to reduce barriers to accessible justice for people with diverse needs. This will raise awareness, build competences and provide the foundation for driving cultural change. This will include designing and implementing an awareness program.

Universal design

The principles of universal design are used to guide efforts and initiatives aimed at increasing accessibility. Universal design was originally conceived as "the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design".

An example of universal design is a lowered curb, to allow wheelchair access, or text captions accompanying a video – something routinely used by and useful for everyone, not just people with disability.

Universal design informs not only the physical environment and products, but the development of services, online technology and education programs. We aim to use this principle to guide all our efforts to make VCAT as accessible for people with disability as possible, and to improve our services for everyone.

Human rights and the legislative context

The Victorian Government, along with all other states and territories, has signed up to the National Disability Strategy 2010–2020, which sets out key responsibilities in meeting our obligations under the United Nations Convention on the Rights of Persons with Disabilities 2006, an extension of the international human rights framework.

In Victoria, this obligation is further strengthened by our own legislation, including the Charter of Human Rights and Responsibilities Act 2006 and the Disability Act 2006. VCAT, alongside the Victorian Equal Opportunity and Human Rights Commission, has a key role to play in the administration of the Charter. Also, as a public authority, VCAT must properly consider human rights when deciding how to implement our Strategic Plan, and must act compatibly with human rights. Rights set out in the Charter include the right to recognition and equality before the law, the right to a fair hearing, and many others.

World Wide Web Consortium (W3C) accessibility standards

Disabilities can affect the way people interact online and create significant barriers to accessing digital services. Web accessibility takes into account all the alternative technologies that have been developed to support people with disability.

This includes keyboard input and screen readers, but also other specialised software, different web browsers, audio plugins and specialty hardware like switches.

Web accessibility also takes into consideration those people who may use conventional technology to go online, but then face potential barriers once they are there – such as poor colour contrast, fonts that are hard to read if they can't be enlarged, or video files that don't have captions.

To comply with the Disability Discrimination Act and the Victorian Government standards, all online services including websites, online forms, electronic documents and online tools need to conform to Level AA of the Web Content Accessibility Guidelines (WCAG 2.0). These guidelines provide a globally accepted and adopted set of guidelines for accessibility

Consultation and development

In preparing this plan, we consulted internal and external stakeholders to identify existing and potential gaps and areas for improvement.

Consultations with internal stakeholders included a survey of VCAT staff and members, with 161 respondents.

VCAT also conducted internal workshops attended by 96 staff and members, and external workshops with approximately 30 community organisations that represent and support VCAT users with a disability.

In addition, we commissioned a desktop audit to identify examples of best-practice Disability and Accessibility Action Plans, at the state, national and international levels.

The internal staff and member survey identified the following priorities for improving accessibility and inclusion at VCAT:

- train staff and members in inclusion as service providers, employers and employees
- ensure that information including documents (used for Tribunal hearings and for employment) and the VCAT website are accessible

"It should never be forgotten that tribunals exist for users and not the other way round. No matter how good tribunals may be, they do not fulfil their function unless they are accessible by the people who want to use them, and unless the users receive the help they need to prepare and present their cases."

Sir Andrew Leggitt (2001) Tribunals for Users, One System, One Service cited in the Australia and New Zealand Tribunal Excellence Framework – 2nd edition 2017

- improve physical access to VCAT premises including improving hearing loops, acoustics and design
- provide supports so that VCAT employees with disabilities have equal opportunities to other staff and members
- be an employer of choice for people with disability.

Our external stakeholders also provided us with valuable feedback. It was unsurprising to discover that many of the concerns of VCAT members and staff were also reflected in our discussions with our external stakeholders. These concerns ranged from the need to simplify VCAT processes (notably the application process so that it is easier to understand and less legalistic) to improving the hearing room experience.

People with disability, particularly people with hearing impediments, find it difficult to fully participate in a hearing if adequate support is not provided and if the VCAT member hearing the matter is unable, for a range of reasons, to accommodate the needs of everyone in the room to ensure full participation.

VCAT encourages people to tell us about any required adjustments they may need in order for them to participate in a hearing, but through our consultation we discovered that the process for requesting help and assistance is not as clear and as simple as it should be. Our consultations provided invaluable feedback and directly informed the actions in our plan, creating practical and sometimes simple ways to improve our services.

Any changes we make to improve the accessibility of people with disability will improve accessibility for the broader community. Many of the issues raised through our consultations with bodies representing people with disability have been raised in other consultative forums, such as the Government's recent Access to Justice Review and through VCAT's own Customer Service Improvement Program and satisfaction surveys.

Alignment with other VCAT initiatives

Our Accessibility Action Plan will be incorporated into our Customer Service Improvement Program. This program has been funded by the Victorian Government for four years through the 2016 state budget and is supported by the Access to Justice Review. It will deliver a range of outcomes to improve customer service, including:

- increased accessibility and the user friendliness of VCAT's services
- reduced customer effort
- customer queries are resolved quicker and more effectively.

A number of processes and tools will be considered as part of this program to ensure customer service improvements are consistently available to all VCAT's customers. The plan's requirements and actions are also considered as a principle within VCAT's Digital Strategy – a new initiative that will allow easier access to our services.

Our new Strategic Plan 2018–2022 supports access and diversity and reflects VCAT's values of collaboration and inclusion. Review and expansion of support services to cater for all Victorians is one of key priorities and will include the implementation of the Accessibility Action Plan.

The new Strategic Plan will include initiatives aimed at improving access to services for all. Our Accessibility Action Plan specifically focuses on improving VCAT services for people with disability. These two plans will be carefully monitored and coordinated to ensure that specific needs and opportunities for improvement in accessing VCAT services are addressed and implemented.

Our accessibility priorities

PRIORITY • 1 Culture

Comprehensive disability awareness program

Raising awareness of disability and accessibility is central to building a culture that fosters accessibility and inclusion for all.

People who have experience and understanding of people with disability are more likely to notice people with disability, understand their needs, and make adjustments to ensure full participation.

We will roll out a comprehensive disability awareness program for all VCAT members and staff.

We will appoint Disability Liaison Officers as key contacts for people coming to the tribunal with accessibility concerns. The Disability Liaison Officers would help to alleviate any barriers,

ensure facilities are booked and necessary supports are available. They will support VCAT staff and members with advice and resources.

VCAT will work with our key stakeholders to establish a Disability Reference Group. This will enable feedback and direct input into to service enhancements, for example the usability of new online application forms.

"Someone asked a woman with Down Syndrome to wait. She just collapsed and said: "I'm not going to wait". I know this just from working in the industry. Family member of people who have Down syndrome, autism etc. generally they have what's called a behavioural support plan. So, if somebody's going to be coming to a hearing or meeting, you might be a little bit prepared around different types of behaviours and how to deal with them."

Services and community

This priority is about ensuring that VCAT complies with best practice and proactively addresses barriers to access.

We want to make sure that hearings are fully inclusive and accessible for people with disability.

To achieve this, we will conduct an access audit of all VCAT-managed hearing venues and work with Court Services Victoria (CSV) to audit all sites where VCAT is co-located with other courts. Our consultation process suggested exploring the best ways to provide VCAT users with information on how to access our facilities for people with accessibility concerns, so that they can plan their journey to a hearing well in advance.

"A consistent problem we have with our clients is they're unable to hear what's going on and we regularly request our members to speak up and they do for a few sentences, and then they put their head down and look at papers."

Internal stakeholder consultations

Accessible services are not just about the

built environment. All of our services, such as our website, application forms, phone services and correspondence, need to be inclusive and usable for people with disability. Our digital services, in particular

the content and design of our website and online forms, as well as future digital innovations, will be reviewed and tested to ensure they are compliant with WCAG Level AA accessibility guidelines.

Our Strategic Plan has a number of initiatives that aim to make access to VCAT easier for everyone. For example, as part of our Strategic Plan we introduced a customer service improvement program. Our Accessibility Action Plan outlines specific actions we will take to support the Strategic Plan and broaden our approach to addressing specific disability issues. Our actions will include awareness training to VCAT staff and members to ensure that we all fully understand the needs of people with disability.

"It can be a big problem for people with disability around the use of words. I sit there and get confused sometimes because I don't come from a legal background. I went to a VCAT hearing just recently with a very high functioning person with an intellectual disability and he was confused about what had just happened in the hearing. Understanding what is going on is just as important as getting into the building."

Employment opportunities

It is important that our workforce is representative of the community we serve and reflects the prevalence of disability in the population.

Employing people with disability directly leads to a more inclusive culture. It breaks down barriers and myths as work colleagues become considerate toward people with different abilities.

VCAT aspires to be an employer of choice for people with disability. As a government agency, we are compliant with equal opportunity and anti-discrimination employment policies, but recognise that we can do more to create employment opportunities at VCAT for people with disability.

Our hiring managers first must have disability awareness training and adopt an inherent willingness to adapt and make workplace adjustments, including adjustments to job design. This will help to ensure people with disability can work at VCAT without disadvantage and undertake productive and meaningful work.

We will embed disability employment targets and strategies into VCAT's workforce plan, and redevelop the 'Careers at VCAT' page on our website to promote VCAT as an Equal Opportunity Employer of choice, and improve job application and interview processes.

"A workforce with a lived experience of disability is really important. At my place of work there are people with a range of lived experiences and it makes me feel proud to work at an organisation like that. It also increases my exposure to different people with a different way of life and makes it a better place to work."

Reporting and review

We will regularly monitor, evaluate and review this plan.

We need to know that our initiatives and specific actions are making a difference.

To this end, we will develop a performance reporting framework that captures measurable targets identified against each of the initiatives.

VCAT's Diversity Steering Committee will be responsible for monitoring progress against these specific targets and will provide six-monthly reports to VCAT's President's Advisory Committee. We will also seek input on our progress from our external stakeholders, through the Disability Reference Group.

VCAT will report publically on progress in our annual report, and in the whole of government report against Victoria's Absolutely Everyone – State disability plan 2017–2020.

"Cultural change and sustained leadership will only come from awareness. If you have an amazing plan don't bury it. Be proud. Put it in the annual report and report on it regularly."

Our action plan

PRIORITY • 1

Culture

- build greater awareness of disability and accessibility within VCAT
- build a culture that fosters accessibility for all VCAT users, the public and our workforce

Action	Measurable target	Responsibility	Commencement date
Disability awareness and confidence training for VCAT personnel which will: In form a core component of VCAT's annual training budgets for both staff and members In be delivered face-to-face by people with lived experience of disability In explore the development of policies and opportunities for staff and members' participation in disability volunteering programs In the incorporated in VCAT's staff and member induction program and in the customer service training program In the embedded in the staff Performance and Development Plans and Member Professional Development events.	Disability awareness and confidence training will form a core component of VCAT's induction program and the annual training program Deliver the disability training to all customer service staff All members and staff will have undertaken disability awareness training	Director, People Management	March 2018

Services and community

- hearings are fully inclusive and accessible for people with disability
- other tribunal and information services are fully inclusive, accessible and welcoming for people with disability
- useful, relevant and accessible information is available to all tribunal users
- promote the inclusion and participation at VCAT of people with disability

Action	Measurable target	Responsibility	Commencement date
Ensure that all staff and, where appropriate, members are trained on how to use disability aid equipment in hearing rooms including regional venues	Liaise with a bench clerk coordinator to identify training gaps Bench clerk coordinator to arrange training sessions for members when required Review the availability of instructions and manuals Organise training when required	Manager, Operations	In progress since December 2017 Ongoing
Scope and conduct an Access Audit and develop a response plan to address gaps and issues	Conduct an audit for VCAT-managed hearing venues Liaise with CSV about conducting accessibility audits at co-located sites	Director, Corporate Services	July 2018

accessibility standards

Director, IT

Operations

Ongoing

are developed are reviewed, tested

and modified to meet accessibility

standards

Employment opportunities

- VCAT employment opportunities are equally accessible to people with disability
- work environment has the necessary adjustments available for people with disability to support them in their jobs

Action	Measurable target	Responsibility	Commencement date
Embed disability and employment targets and strategies into VCAT's workforce plan	VCAT's workforce plan includes disability employment targets and strategies	Director, People Management	June 2018
Assess and rebuild the 'Careers at VCAT' page on VCAT's website to create a welcoming vision and promote VCAT as an Equal Opportunity Employer of choice by: • promoting VCAT's employment commitment to diversity and inclusion and our targets • promoting VCAT's workplace adjustment policy • profiling in V-Chat newsletter and other communication channels diversity at VCAT with stories of staff and members with disability working at VCAT	The 'Careers at VCAT' page is reviewed annually and redeveloped as required At least two stories are published per year in relation to staff and members with a disability working at VCAT (or staff and members working with colleagues or VCAT users with a disability)	Director, People Management Manager, Strategic Communications	January 2018

Reporting and review

- regularly review the plan and track progress
- ensure VCAT members, staff and broader community are aware of new initiatives

Action	Measurable target	Responsibility	Commencement date
VCAT's Diversity Steering Committee will report to the President's Advisory Committee on progress	There will be two progress reports per annum to PAC	Chair, Diversity Steering Committee	The first report will be in December 2017 and then ongoing
VCAT will report on progress of this plan in its annual report	An Accessibility Action Plan report is included in VCAT's annual report and in the bi- annual Strategic Plan progress report Priority 2: Inclusive and Accessible	CEO	Ongoing
VCAT will review regularly this plan in consultation with VCAT Disability Reference Group and other key stakeholders	An annual review of the Accessibility Action Plan is conducted by VCAT's Diversity Steering Committee	Chair, Diversity Steering Committee	The first review will be in July 2018 and annually thereafter
VCAT's customer survey will provide data and information on the level of satisfaction with the accessibility at VCAT	The customer survey is to capture relevant information	Project Director, Customer Service Improvement Program	In progress since July 2017