

**11.1 ADVERTISING OF AMENDMENTS TO THE ACCESS AND EQUITY POLICY**

**Attachments:** 1. Draft Diversity Access and Equity Policy - Marked Up Version

**RECOMMENDATION**

**That Council:**

1. **APPROVES** the amendments to the Access and Equity Policy, at Attachment 1, for the purpose of advertising;
2. **AUTHORISES** the Chief Executive Officer to provide local public notice of the proposed amendments in Recommendation 1 above and invites public comments for a period of 21 days; and
3. **NOTES** that at the conclusion of the public notice period any submissions received would be presented to Council for consideration.

**PURPOSE OF REPORT:**

To seek Council's authorisation to obtain public feedback on amendments to the Access and Equity Policy (**Attachment 1**).

**BACKGROUND:**

In alignment with the City's Policy Document register and Review Plan, the [Access and Equity Policy](#) has been reviewed.

The requirement to consult Elected Members, as per clause 1.3 of the [Policy Development and Review Policy](#), were presented to Elected Members in the 2 July 2021 Policy Paper.

The Access and Equity Policy was adopted in June 2002, with further reviews conducted in October 2004 and February 2010. The Policy is now overdue for review.

**DETAILS:**

The review of this policy highlighted the need to update its structure, language, and style for consistency with current terminology. The intent of the document remains largely unchanged, although the scope has been more clearly defined with the inclusion of diversity in its terminology and references to the LGBTIQ+ community.

The proposed changes to the policy, as marked up at **Attachment 1**, are:

- Inclusion of an Acknowledgement of Country.
- The inclusion of the word Diversity in the policy name.
- The inclusion of Seniors and Young People in the Purpose.
- The addition and removal of certain words to improve the language.
- The addition/amendments to the definitions for culture, diversity, and equity.
- The amendment to disability to align with the definition for that term used in the City's DAIP 2017-2022; and
- The update of terms used in the definitions.

The City's current DAIP expires in June 2022. Administration has commenced planning for the next DAIP, which will involve consultation with key stakeholders and with the community in early 2022.

Administration is suggesting a minor review of the policy within the next few months to update terminology.

If upcoming consultation on the DAIP highlights additional points to be considered, a secondary review of the policy could coincide with the DAIP consultation early next year to ensure that both documents are consistent and aligned to the needs of our community.

#### **CONSULTATION/ADVERTISING:**

In accordance with the City's Community Consultation Policy ([Appendix 2](#)), public notice of all new and significantly amended policies must be provided for a period exceeding 21 days in the following ways:

- notice published on the City's website;
- notice posted to the City's social media;
- notice published in the local newspapers;
- notice exhibited on the notice board at the City's Administration and Library and Local History Centre; and
- letters distributed to relevant local businesses and community groups.

Public notice of this proposed new policy will be provided from October 2021.

#### **LEGAL/POLICY:**

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's [Policy Development and Review Policy](#) sets out the process for the development and review of the City's policy documents.

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to provide public notice of the proposed amended policy.

#### **STRATEGIC IMPLICATIONS:**

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

##### Connected Community

*Our many cultures are celebrated.*

##### Connected Community

*We recognise, engage and partner with the Whadjuk Noongar people and culture.*

##### Connected Community

*We are an inclusive, accessible and equitable City for all.*

##### Innovative and Accountable

*We are open and accountable to an engaged community.*

#### **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

#### **PUBLIC HEALTH IMPLICATIONS:**

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

*Reduced injuries and a safer community*

*Increased mental health and wellbeing*

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications because of the proposed changes to this policy.

**COMMENTS:**

It is recommended that Council review and approve for the policy to proceed to public notice, noting that the policy may need to be reviewed further during the development of the City's next DAIP early in 2022.

# Diversity, Access and Equity



Related policy procedures and supporting documentation	<ul style="list-style-type: none"> <li>• <a href="#">City of Vincent Disability Access and Inclusion Plan 2017-2022</a></li> <li>• <a href="#">City of Vincent Innovate Reconciliation Action Plan 2019-2021</a></li> <li>• <a href="#">City of Vincent Strategic Community Plan 2018-2028</a></li> <li>• <a href="#">Public Health Plan 2020-2025</a></li> </ul>
Legislation / local law requirements	<ul style="list-style-type: none"> <li>• Racial Discrimination Act (1975)</li> <li>• Racial Hatred Act (1995)</li> <li>• Human Rights and Equal Opportunity Commission Act (1986)</li> <li>• Commonwealth Disability Discrimination Act (1992)</li> <li>• Western Australian Disability Services Act (1993)</li> <li>• Equal Opportunity Act 1984 (amended 1988)</li> <li>• Age Discrimination Act (2004)</li> <li>• Sex Discrimination Act (1984)</li> <li>• Sex Discrimination Amendment Bill (2000)</li> <li>• Sex Discrimination Amendment Act (Sexual Orientation, Gender Identity and Intersex Status) (2013)</li> <li>• Disability Discrimination Act (1992)</li> <li>• Disability Services Act (1993)</li> <li>• Fair Work Act (2009)</li> <li>• Occupational Safety and Health Act (1984)</li> <li>• Workplace Gender Equality Act (2012)</li> <li>• The Local Government Act (1995) WA</li> </ul>

## ACKNOWLEDGEMENT OF COUNTRY

The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging.

We recognise the contribution the Whadjuk people have made and continue to make to our culture and in our community. We will continue to seek the input of the Traditional Owners.

The land on which we live, meet and thrive as a community always was and always will be Noongar land.

## PURPOSE

This Policy aims to raise awareness and promote inclusion of the diversity of people that make up our community. It demonstrates the City’s commitment to ensuring services and activities are inclusive of all members of the community, including Aboriginal and Torres Strait Islander (ATSI) people, Culturally and Linguistically Diverse (CaLD) people, People with Disability (PWD), **Seniors, Young People** and Lesbian, Gay, Bisexual, Transgender, Queer, Intersex (LGBTQI+) people.

## OBJECTIVE

This policy formalises and supports the City’s approach to diversity, access, equity and inclusion by ensuring these considerations are incorporated into all areas of City decision making, service delivery and general operational culture.

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## POLICY



The City of Vincent strives to improve the quality of life of all of its residents and is committed to identifying and addressing physical, social and economic barriers to participation. This Policy sets standards to ensure equity in service provision and to drive opportunity for full participation and inclusion. The following policy statements demonstrate the practices and processes the City will adopt to achieve the objectives of this Policy.

### SCOPE

#### 1. Community Inclusion and Participation

The City supports participation in community life for all people and is committed to meaningful, inclusive capacity building to enhance the strengths of individuals, redress disadvantage and foster a unified community. The City strives to secure access to services, activities and facilities that enable all people to live constructive fulfilling lives, feeling empowered to fully participate and ~~enjoy the freedom to~~ engage in all opportunities.

The City will:

- Encourage and enable all members of the community to participate in activities which will in turn lead to improvements in the wellbeing of people within the City.
- Encourage all people to participate in life in the general community, by minimising the physical, cultural, attitudinal, social, gender, economic and institutional barriers that prevent participation.
- Promote self-development of community members by creating and enhancing opportunities for independence, choice and self-determination aimed at maintaining and improving quality of life.
- Support ~~the need to and~~ promote harmonious community relations and work towards eliminating all forms of discrimination within the community which prevent harmony.
- Recognise and respect different cultural and religious commemorations and significant events.
- Recognise and respect ATSI peoples' ~~descent~~ being the traditional owners and custodians of the land.
- ~~Endeavour to~~ Offer services that are designed and delivered in ways which meet a range of needs and therefore enable all members of the community to participate, ~~as appropriate~~.

#### 2. Physical Inclusion

The City recognises that certain groups in the community have specific needs and ~~therefore, may where~~ ~~viable will~~ allocate resources according to need to reduce inequalities and enable improved access and participation.

The City will:

- Encourage and support local area needs-based planning reflecting local community ~~needs and~~ priorities.
- Advocate for the inclusion of diversity, access and inclusion principles in its strategic planning and development processes.
- Advocate and plan for the development and management of built environments, open spaces and streetscape that are accessible and maximise their potential use by diverse groups, and implements ~~strategies~~ to ensure access to buildings, services and facilities is available to all members of the community wherever possible.
- Ensure that planning for social, physical and economic infrastructure supports a design approach which reflects inclusion and community diversity.

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- Ensure that services and events are conducted in venues that are physically accessible to people with disability ~~with all staff~~, and that Administration, its agents and contractors are aware of the relevant requirements.
- Ensure Administration ~~and builders/contractors~~, its agents and contractors are aware of their respective responsibilities under the Commonwealth Disability Discrimination Act (1992), Western Australian Disability Services Act (1993), Building Code Australia 1996, as amended, and the relevant Australian Standards (Access and Mobility (AS 1428) suite).
- Approve plans and projects only when compliant with requirements outlined in the above Codes and Standards.
- Ensure all contracts and tender documents contain a clause advising contractors of their obligation to implement the City's Disability Access and Inclusion Plan wherever practicable and report annually on their compliance with the plan.

### 3. Information Dissemination, Communication and Engagement

The City is committed to ensuring it provides the same opportunity for consultation and engagement, and that information is accessible to all members of the community regardless of culture, language, gender, sexuality, age or ability.

#### 3.1. Information Dissemination and Communication

The City will:

- Ensure that information can be provided in alternative formats and languages other than English according to the following requirements:
  - ✓ Translations and interpreters are to be National Accreditation Authority for Translators and Interpreters (NAATI) accredited level 3, at a minimum.
  - ✓ Deaf Interpreters are to be NAATI accredited level 2 (level 3 for legal matters).
  - ✓ Braille translations are to be sought from the Association for the Blind.
- Integrate equitable access and inclusion principles into the City's communication practices and provide access to clear, accessible information in a variety of formats and media, including but not limited to:
  - ✓ Ensuring an audio loop is used at Council meetings (and formal meetings at external venues) to ensure that people with a hearing impairment are able to participate.
  - ✓ Publicising, on written material in languages other than English, the availability of information in different formats.
  - ✓ Including a standard phrase indicating documents are available in alternative formats on brochures, promotional material and letters where appropriate.
  - ✓ Ensuring the City's website is W3C Web Accessibility Guidelines compliant.
  - ✓ Providing closed captioning and audio description facilities in video presentations and televisions.

#### 3.2. Engagement and Consultation

The City will:

- Provide information in clear and concise language on how residents can participate in decision making processes, public consultations, and grievance mechanisms.
- Ensure varied and user-friendly engagement and consultation processes that encourage feedback from all members of the community with regards to the level of access and equitable provision of services.
- Ensure all grievance procedures are accessible and allow for a range of options for making complaints including: in person, by phone, letter, fax, email, SMS, National Relay Service, AUSLAN (Australian Sign Language) and via the City's website and social media.

### 4. Organisational Culture and Employment Practices

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The City promotes equal opportunity in recruitment, promotion, retention and training and will continue to operate and set examples as an organisation which promotes diversity and inclusion and rejects discrimination, unconscious bias and exclusion.

## 4.1. Employment and Retention

The City will:

- Ensure recruitment and selection policies and practices reflect the desire for a diverse workforce as one strategy to achieve and promote diversity, access and inclusion principles and provide equitable service delivery.
- Make appropriate workplace flexibility, modifications and adaptive technologies available to ensure diversity, access and inclusion principles are successfully embedded in the City's workforce to enable **a person staff** to do their jobs effectively.

## 4.2. Training and Development

The City will:

- Encourage and enable all Council representatives to be aware of community diversity and the subsequent implications for policy formation, programme design and service delivery.
- Continue to integrate the City's Diversity, Access and Equity Policy, Reconciliation Action Plan and Disability Access and Inclusion Plan into policy development and review processes, strategic planning processes and employee inductions.
- Provide relevant diversity awareness training, support and resources to staff to strengthen their knowledge and build understanding.
- Provide advice to Administration and contractors relating to the appropriate communication methods when liaising with ATSI, CaLD, PwD and LGBTQI+ communities.

## DEFINITIONS

~~The following definitions are based on definitions provided by State and Federal Government Departments and the Western Australian Municipal Association.~~

**Access** – implies fair and equitable access to services in areas essential to achieving and maintaining social, cultural and economic well-being. This includes access to services, programs, facilities, decision-making processes and entitlements.

**Community Relations** – refers to how people interact and relate to each other as individuals and as **a groups within the wider** community.

**Culture** – refers to the ideas, beliefs, values, knowledge, **customs** and experiences which influence the ~~way in which people behave and relate~~ behaviours of people from different groups and backgrounds.

**Disability** - ~~refers to any condition that restricts a person's mental, sensory or mobility functions. It may be caused by accident, trauma, genetics or disease. A disability may be temporary or permanent, total or partial, lifelong or acquired, visible or invisible.~~

A condition that:

- Is attributable to an intellectual, cognitive, neurological, sensory or physical impairment or combination of those impairments;
- Is permanent or likely to be permanent;
- May or may not be episodic in nature;
- And results in:

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- A substantially reduced capacity of the person for communication, social interaction, learning or mobility; and
- A need for continuing services.

**Diversity** – Diversity refers to the differences in individuals based on sex, gender, age, language, ethnicity, cultural background, disability, sexual orientation, intersex status, religious beliefs, educational level, professional skills, work experience, socio-economic background, carer obligations and/or other factors, that are represented in a community, organisation, team or other group.

**Equity** – ~~affirms is the~~ distribution of economic, social and political resources in ways that are not restricted by sex, gender, age, language, ethnicity, cultural background, disability, sexual orientation, intersex status, religious beliefs, educational level, professional skills, work experience, socio-economic background, carer obligations and/or other factors. It ensures fair and equal distribution of resources (according to need), opportunities, and access to decision-making processes.

**Inclusion** – refers to a culture where everyone feels valued and respected and is able to fully contribute. It ~~is about~~ includes removing barriers to make sure everyone can fully participate and has equal access to opportunities.

**LGBTQI+** – ~~refers to the acronym for Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex and any other diverse sexual orientations or gender identities.~~

**Participation** – is active involvement in aspects of society including community and social activities, employment, education and decision-making.

**Rights** – ~~relates to the entitlement to justice for all individuals and includes freedom of assembly, speech, beliefs, and information.~~

**Social Justice** – ~~refers to the right of all people to equality of treatment and opportunity and the removal of barriers preventing access equity. The four main principles underpin the concept of social justice are: Access, Equity, Participation and Rights.~~

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