



Mr. Gerard Atkinson
ARTD Consultants for Transport for NSW
Via online submission

18 November 2022

Dear Gerard,

Request for Comment – Transport for NSW Disability Inclusion Action Plan 2023-2027

As the peak systemic advocacy organisation for an estimated 1,056,440 individuals with physical disability across the state¹, the Physical Disability Council of NSW (PDCN), appreciates the opportunity to provide input across the development of Transport for NSW's (TfNSW) Disability Inclusion Action Plan 2023-2027 (DIAP).

Public transport is vital public infrastructure, essential for facilitating full and active participation within society. For many members of the physical disability community, public transport may be their primary, if not exclusive, mode of transport and is key to ensuring that people with physical disability can realise their fundamental rights as citizens.

Disability Inclusion Action Plans are essential across government to ensure that rights of people with disability are embedded across public policy. As public facing documents, DIAPs are important to ensure that government departments are directly accountable to the disability community, in line with both domestic and international human rights commitments.

TfNSW has an established history in working with the disability community, representative organisations, and seeks to ensure that the rights of people with disability relating to the equitable access to public transport are realised, and we are highly appreciative of this.

Each iteration of TfNSW's DIAP provides an opportunity to expand on the department's commitment to reducing and eliminating the barriers that people with physical disability experience, not only as users of public transport, but also across other forms of connection with the department, such as employment.

We note that TfNSW has moved away from the five outcome areas set out in the 2018-2022 DIAP. We will address each of the new proposed outcome areas separately.

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Outcome 1: Transport is easily accessible, equitable and secure

PDCN supports the new outcome area 1, since it articulates a clear commitment to resolving the major challenges our members experience using public transport. We interpret this outcome as capturing the '*whole of journey experience*', inclusive of both the planning and practical process of using public transport.


It is also appropriate that this is the first outcome. When PDCN consulted with our membership for the purposes of this submission, it became clear that members of the physical disability community continue to experience challenges in realising successful point to point transport experiences.

These barriers are both practical and structural - for instance, as of July 2021 47% of train platforms lack compliance in terms of boarding assistance zones despite the target of 100% compliance by 2022.ⁱⁱ Our research indicates that current transport information systems can be difficult or confusing to read, may not meet the accessibility needs of our members and often lack the specific information that they require to confidently plan their journeys, for example, the provision of real-time and accurate timetabling and information to support multi-modal travel and resolving such issues is essential to realising the aim of Outcome 1- connecting '*our customers' whole lives*' through the public transport system.

We support the emphasis on personal choice for people with disability and a focus on providing a range of accessible public transport options. We know across regional areas people with disability can struggle to have even one accessible public transport option, so we welcome an express commitment to improving service options and connectivity across regions.

PDCN conditionally supports the strategic commissioning of public transport in instances where service gaps would otherwise exist, but we stress that we expect TfNSW to set very clear parameters around the privatisation of public transport services to ensure that providers are compliant with the Transport Standards and that the quality and frequency of public transport services are not in any way compromised. As an example, we note that last years' Legislative Inquiry into the privatisation of the metro bus fleet recommended against the ongoing privatisation process across metro bus services, due to evidence that privatisation to date had significantly compromised the quality of these services.

As customers of public transport, we expect any private contractor to provide the same standard of service (if not better) to that of those which are state owned and operated.

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Outcome 2: Successful places that foster equal participation and inclusion

We support the inclusion of this outcome area as our research indicates that there is still significant progress required to ensure that people with physical disability across NSW are given equitable access to public infrastructure within the jurisdiction of TfNSW.

As an example, in a recent survey of our membership, 33% of participants rated public transport bathrooms and waiting rooms in general as being of poor standard to meet their needs, with 25% stating that these facilities were generally of a very poor standard. This is compounded by the fact that of the train stations and ferry wharves where toilets are present, 31% continue to lack an accessible bathroomⁱⁱⁱ. The poor quality and limited availability of accessible facilities, in and around public transport, actively discourages people with disability to utilise public transport services.

While we appreciate that outcome 2 is intended to be read holistically, we are concerned that this is not explicit in its framing and prefer its equivalent framing in the 2018-22 DIAP's as 'Livable Communities'. 'Livable Communities' better captures the full scope of elements – both physical and non-physical- which impact on the capacity of people with disability to participate in their communities on an equal basis.


We appreciate that the creation of inclusive spaces often requires investment and collaboration across both State and Local Government. We would like to see a specific commitment by TfNSW towards working both across departments and cross government towards realising places that foster equal participation and inclusion of our membership.

Outcome 3: Increased economic opportunities through transport

Again, we support the inclusion of this outcome. To make the intention of the outcome clearer, we would recommend modifying it to read *increased economic opportunities for people with disability through transport*.

We read this outcome as having two components. The first is TfNSW's commitment to ensure that its own internal and procurement processes facilitate economic opportunities for people with disability, i.e., employment, and the second relates to recognising the crucial role of public transport in facilitating the employment of people with disability by providing inclusive public transport options which connect people with disability with their places of work.

As a government employer, we would expect TfNSW's 2023-2027 DIAP to contain substantial objectives and goals around its employment of people with disability across all employment levels.

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This should be combined with an ongoing commitment towards embedding disability awareness and inclusion within the workplace, based on a rights-based model of disability.

PDCN also supports leveraging TfNSW's procurement capacity to promote the employment of people with disabilities. We understand that employment targets which already factor into procurement are set at 1.5%. We would like to see TfNSW substantially increase those targets moving forwards, while ensuring that contractors not only hire people with disability but are also accountable for retaining these employees over the term of the project.

Similarly, we would advocate for TfNSW to stipulate during procurement processes that contractors must commit to recruiting people with disability across all levels of employment, including middle and upper management to reflect the diverse skills and experiences of people with disability as a workforce.

We appreciate that the department has identified some of the barriers that can exist for people with disability when using public transport as a means of travelling to work. We agree that it is essential that public transport is affordable, particularly those who rely on income support. PDCN supports the integration of accessibility into all emerging mobility choices and would advocate that as new modes and updates to transport in NSW are designed and implemented, universal design should always be the primary focus, since universal design creates an ease of use for everyone in a way that is responsive to the diversity observed across any community.

To support the economic aspirations of people with disability, it is important that the Department engages with people with lived experience, and the broader disability community to identify existing barriers people experience when using public transport as a means of getting to and from work and commits to work in co-design with the community to address these challenges.

The goal for any work commute should be a seamless service experience inclusive of both the trip planning and the physical journey from door to door.

Outcome 4: People, culture and capability delivering social and economic outcomes

We are somewhat unclear in terms of the difference between outcomes 4 and 3, as we understand outcome 3 to also relate to the role of TfNSW, both as a direct employer and in influencing the employment practices of companies it contracts to perform services. It would be useful to provide a clearer delineation between the two outcomes.

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Having said this, we greatly support TfNSW's efforts to be an employer of choice and support its commitment towards embedding a culture of equity and inclusivity across the department. There are several elements that should be considered in the first instance to realise this outcome:

1. Advertised positions should either be specifically targeted for people with lived experience (as can be seen in targeted roles for Aboriginal and Torres Strait Islander applicants). We would recommend that all positions advertised have a statement to say that TfNSW has a commitment to diversity across hiring. Targeted roles should extend across all levels of employment, including middle and senior management
2. Recruitment processes should be accessible, for instance, advertisements and associated materials for positions should be available in a readable format (.docx) if advertised online and adjustments should be available across the interview process
3. All TfNSW staff (esp. managers) should receive disability awareness and disability inclusion training
4. Flexible working practices should be offered as standard, including options for part-time work, varied hours of works and hybrid working arrangements extending to remote working where possible within the scope of the role. We would also recommend adjustments around leave arrangements, including options to negotiate additional personal and compassionate leave, being offered as a standard contract provision for people with lived experience of disability
5. A focus on retaining staff with disability should be promoted. Exit interviews should be undertaken for any staff identified as having a disability to determine possible areas of improvement in terms of workplace inclusion.

PDCN supports the ongoing work TfNSW has committed to consulting with disability organisations and its commitment towards embedding a culture of equity and inclusion.

Concluding comments

As we have stated, DIAPs embody the commitments of Government departments toward disability inclusion at state, federal and international level. The best DIAPs, in our experience, are those which are centred on a rights-based approach to disability, are developed in co-design with the disability community and provide for practical measures to meet the objectives and principles of the Disability Inclusion Act 2014 across their five-year life span.

Where specified goals are set across outcome areas, progress plans should be mapped out with clear progress measures, together with mechanisms for assessment and evaluation involving the

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disability community. Evaluation should be based on demonstrated improvements as experienced by those across the disability community.

At the same time, disability inclusion, as provided in the DIAP, should be embedded across all department operations. All internal and external policies should be read in conjunction with, and specifically reference the DIAP, to ensure that disability inclusion is embedded across all department systems and operations.

PDCN would welcome the opportunity to work closely with TfNSW across the continued development of its 2023-2027 DIAP.

Please direct all queries to Ms. Serena Ovens, Chief Executive Officer, serena.ovens@pdcnsw.org.au or 0411 327 877 or Ms. Hayley Stone, Policy Manager, hayley.stone@pdcnsw.org.au or 0422 855 681.

ⁱ Australian Bureau of Statistics (2019), *Disability, Ageing and Carers, Australia: Summary of Findings, 2018* <<https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/2018>>

ⁱⁱ Transport for NSW (2021), *Accessibility Audit Findings Report*, NSW Government <<https://www.transport.nsw.gov.au/news-and-events/reports-and-publications/accessibility-audit-findings-report-june-2021>>

ⁱⁱⁱ Ibid

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