

# REASONABLE ADJUSTMENT POLICY

## PREFACE

We aim to be an effective organisation. Having a reasonable adjustment policy to make sure that all our employees and potential employees have equitable access to employment opportunities is one way of achieving this.

## PURPOSE

The purpose of this policy is to outline the underlying principles of making reasonable adjustment in the workplace to meet the needs of current and potential staff with disabilities. The attached guideline provides more detailed information on the implementation of this policy.

## RESPONSIBILITY

The Director Corporate has overall responsibility for ensuring this policy is implemented and regularly reviewed.

The Personnel section, in consultation with division managers and immediate supervisors, has day to day responsibility for ensuring that all reasonable adjustment applications are considered and implemented where reasonable/possible in accordance with this policy, and that all employees and potential employees are made aware of this policy.

The Director Corporate has the authority to approve all expenses relating to the purchase of equipment and/or software, alteration to accommodation arrangements such as refitting of office space, and other reasonable adjustment related expenditures. The head of each branch has the authority to approve job redesign requests relating to reasonable adjustments under this policy.

## LEGISLATIVE/POLICY FRAMEWORK

*Disability Discrimination Act 1992 (Cth)*

*Anti-Discrimination Act 1977*

*Disability Services Act 1993*

Guidelines for disability action planning by NSW Government agencies

NSW State Plan

## DEFINITIONS

### Disability

This policy adopts the broad-ranging definition of “disability” set out in the Commonwealth *Disability Discrimination Act 1992* that covers physical, sensory, intellectual and psychological disabilities. The definition includes:

- total or partial loss of the person's bodily or mental functions
- total or partial loss of a part of the body
- the presence in the body of organisms causing or capable of causing disease or illness
- the malfunction, malformation or disfigurement of a part of the person's body
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- a disorder, illness or disease that affects a person's thought process, perception of reality, emotions or judgement or that results in disturbed behaviour.

The definition includes a disability that:

- presently exists, or
- previously existed but no longer exists, or
- may exist in the future, or
- is imputed to a person.

### Disability Action Plan

The NSW Ombudsman Disability Action Plan was developed using the Guidelines for Disability Action Planning by NSW Government Agencies. The plan outlines our commitment to achieving the outcomes for people with disabilities set out in the Guidelines, one of them being 'increasing employment participation of people with a disability in the NSW public sector'.

### Reasonable adjustment

Reasonable adjustment refers to the administrative, environmental or procedural alterations required to enable a person with disability to have equal opportunity to employment and to work effectively. Reasonable adjustment may include job redesign, changing the workplace or work area, purchasing or modifying equipment, or offering flexible working arrangements.

## **POLICY STATEMENT**

The Ombudsman is committed to ensuring that all employees and potential employees are afforded equitable access to employment opportunities based solely on the principle of merit. We will provide, wherever necessary, reasonable work related alterations to enable current and potential staff with disabilities to participate fully in all aspects of employment, including the selection process, job design, work environment, and staff training and development. We acknowledge that in some circumstances adjustments may not be possible; however, such a decision can only be made following extensive exploration of all alternatives.

This commitment is supported by the NSW Ombudsman Disability Action Plan which contains a number of strategies, including having a reasonable adjustment policy, to ensure that our current and potential staff with disabilities have equal access to employment opportunities with our office.

This policy is supplemented by the 'Reasonable Adjustment Guidelines' that provides detailed information and a guide to assist relevant staff to administer this policy. The Director Corporate has the authority to amend the Reasonable Adjustment Guidelines as required.

## **OMBUDSMAN APPROVAL**



Bruce Barbour  
**OMBUDSMAN**