

Appendix B: NSW Government 2024/25 Implementation Plan

31 July 2024

The NSW Government response to the Disability Royal Commission (DRC) includes a number of commitments and actions to address violence, abuse, neglect and exploitation of people with disability, increase the available of supports and improve the inclusivity of mainstream service systems.

The purpose of this document is to present the key actions the NSW Government will take over the next year to further consider and act on the recommendations.

Action	NSW Agency with Lead Responsibility	Timeframe
The need for change		
<p>1. Work with other governments on a review of Australia’s Disability Strategy (ADS) and creating new Targeted Action Plans (TAP).</p> <p>The NSW Government will work with all jurisdictions to undertake a review of the ADS in 2024 and develop three new targeted actions plans (TAP) in the areas of; Inclusive Homes and Communities; Safety, Rights and Justice; and Community Attitudes.</p> <p>Each TAP will be commissioned and endorsed by disability ministers and include a series of targeted and coordinated actions from governments. Actions will be based on available evidence and people with disability will be involved in the design, implementation, and evaluation of the actions.</p> <p>NSW will incorporate these actions in the State Disability Inclusion Plan and the Disability Inclusion Action Plans of respective agencies when they are updated.</p>	Department of Communities and Justice	End of 2024
<p>2. Deliver the next Disability Inclusion Plan (DIP) for NSW.</p> <p>The Department of Communities and Justice is leading work to develop the next NSW Disability Inclusion Plan in collaboration with all government agencies, people with disability and local councils. The next Disability Inclusion Plan will be released before the end of 2024.</p>	Department of Communities and Justice	December 2024

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<p>3. Develop a new approach to Disability Inclusion Action Planning (DIAP) for NSW.</p> <p>Ensure Disability Inclusion Action Planning (DIAP) for NSW public authorities (government departments, local councils and entities specified in the Disability Regulation) under the <i>NSW Disability Inclusion Act 2014</i> are informed by the refreshed DIP and ADS.</p> <p>Working with people with disability, disability peaks, public authorities and the NSW Disability Council, the Department of Communities and Justice will develop a new DIAP reporting framework to increase oversight and accountability of plans.</p>	Department of Communities and Justice	2024 - 2025
<p>4. Hold a series of stakeholder forums with a particular focus on progressing the recommendations that require further consideration</p> <p>Targeted stakeholder forums will follow on from the consultation to date outlined in Appendix D. The next stakeholder forum will be held in September 2024 to coincide with the one-year anniversary of the release of the final report of the DRC.</p>	Department of Communities and Justice	2024 - 2025
<p>5. Report every six months on progress against DRC recommendations</p> <p>All Australian Governments have committed to publicly reporting on progress to implement the agreed positions on joint recommendations through the Disability Reform Ministerial Council.</p>	Department of Communities and Justice	May 2025 and every six months thereafter
Recognising the rights and autonomy of people with disability		
<p>6. Consider the recommendations arising from the NSW Law Reform Commission review of the <i>Anti-Discrimination Act 1977</i></p> <p>The NSW Law Reform Commission is currently looking at whether the <i>Anti-Discrimination Act 1977</i> (NSW) could be modernised and simplified to better promote the equal enjoyment of rights and reflect contemporary community standards. This review includes an examination of the adequacy of protections against vilification, whether the Act should include positive obligations such as making reasonable adjustments, and the adequacy and accessibility of complaints procedures and remedies.</p>	Department of Communities and Justice	Following the tabling of the final report of the review in Parliament

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<p>7. Investigate a legislative framework for restrictive practices authorisation</p> <p>The NSW Government is carefully considering the best method and legislative framework for the authorisation of restrictive practices in disability settings. People with disability and other stakeholders will be consulted should the NSW Government decide to pursue a legislative framework.</p>	Department of Communities and Justice	2024
<p>8. Consider the advice of the NSW Guardianship Working Group about the recommendations on reforming guardianship and administration laws to embed supported decision-making</p> <p>A Guardianship Working Group, made up of both government and non-government stakeholders has been engaged to advise the NSW Government on guardianship reform. The Government is also undertaking a detailed assessment of the operational and resourcing impacts of reforms.</p>	Department of Communities and Justice	2024
Better outcomes for First Nations people with disability		
<p>9. With other governments and First Nations people with disability, establish a First Nations Disability Forum that builds on Closing the Gap partnerships and mechanisms</p> <p>All governments will work in partnership with First Nations people with disability, their families, carers and representatives, the Joint Council on Closing the Gap, peak bodies, and other key stakeholders through 2024 to develop options for the establishment of a First Nations Disability Forum or other appropriate shared decision-making mechanism for the cross-cutting outcome of disability under Closing the Gap.</p>	Department of Communities and Justice NSW Aboriginal Affairs NSW	Develop options in 2024
<p>10. Continue working in partnership with the NSW Coalition of Aboriginal Peak Organisations to implement the NSW Closing the Gap Implementation Plan 2022-2024 and future Implementation Plans</p> <p>The NSW implementation plan acknowledges intersectionality and the need to bring an Aboriginal lens to key disability reforms, such as Australia's Disability Strategy. There are several initiatives that consider the unique needs of Aboriginal people with disability. NSW is working with the NSW Coalition of Aboriginal Peak Organisations, including the First Peoples Disability Network, to further these implementation goals.</p>	Aboriginal Affairs NSW	Ongoing

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<p>11. Work with other governments and First Peoples Disability Network to strengthen implementation of the Disability Sector Strengthening Plan</p> <p>All governments have committed to work with First Peoples Disability Network through 2024 to strengthen implementation of the current Disability Sector Strengthening Plan to enable improved outcomes against the existing actions.</p>	Aboriginal Affairs NSW	Ongoing
<p>12. Continue to implement the accepted recommendations of Family is Culture Review</p> <p>The Family is Culture Review Report made 126 recommendations for structural reform to the NSW child protection system. To see information of how we are responding to the Family is Culture Review Report recommendations, see our progress reports at https://dcj.nsw.gov.au/children-and-families/family-is-culture/nsw-government-response/our-progress.html.</p>	Department of Communities and Justice	The latest progress report was published in February 2024. The next progress report is in planning, date to be advised.
<p>13. Work with the Ministerial Aboriginal Partnership Group (MAP Group) to help design significant structural reform of the child protection system and consider disability in this process</p> <p>The MAP Group was established in February 2024 with the Minister for Families and Communities, Aboriginal stakeholders and communities. The MAP Group is overseeing reforms to the child protection system aimed at reducing the unacceptably high number of Aboriginal children entering out-of-home care (OOHC) by supporting families and partnering with Aboriginal organisations to keep more kids safe. AbSec is providing secretariat for this group.</p>	Department of Communities and Justice NSW Child, Family and Community Peak Aboriginal Corporation (AbSec)	2024
Addressing barriers to promote inclusion and access		
<p>14. Support advocacy in NSW through the Disability Advocacy Futures Program (DAFP) and implement an outcomes and reporting framework</p> <p>In March 2024 the NSW Government announced \$28 million in funding for the DAFP, to extend the program for a further two years to ensure approximately 1.4 million people with disability can access NSW Government funded services.</p>	Department of Communities and Justice NSW Department of Education	December 2024

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The government will continue to work with DAFP providers to develop an outcomes framework to better understand the level on unmet need for disability advocacy services in NSW and report on outcomes.		
<p>15. Work with other governments to build on the National Disability Advocacy Framework 2023-2025, prioritising work to increase culturally appropriate and accessible advocacy services for people with disability from diverse communities</p> <p>On 21 April 2023, Disability Ministers endorsed the National Disability Advocacy Framework 2023-2025 (NDAF) and associated Disability Advocacy Work Plan. We will work together with other governments to prioritise work on increasing culturally appropriate and accessible advocacy services for First Nations people with disability, people with disability from culturally and linguistically diverse backgrounds, including the Auslan-using and Deaf communities, and LGBTIQ+ people with disability.</p>	Department of Communities and Justice	End of 2025
<p>16. Work with other governments, people with disability and their representative organisations to develop a new national plan to improve the accessibility of information</p> <p>NSW will work with other governments to develop an Associated Plan to Australia's Disability Strategy 2021-31 to improve the accessibility of information and communications for people with disability. The Associated Plan will be developed with people with disability, including diverse people with disability who may face additional and particular barriers to accessing information and communications. Scoping and development will commence in 2024.</p>	Department of Communities and Justice	From September 2024
<p>17. Continue work to have all NSW Government information relevant to people with intellectual disability in Easy Read by 2025 and developing an Easy Read Style Guide</p> <p>The Department of Customer Service has prepared the first draft of the Style Guide in collaboration with a range of disability advocacies, including the Council for Intellectual Disability.</p>	<p>Department of Customer Service</p> <p>Department of Communities and Justice</p>	2025
<p>18. Develop a principle-based workplace adjustment policy for the NSW Public Service</p> <p>The Office of the Public Service Commissioner is developing a principle-based workplace adjustment policy that will be issued as part of a Direction to all agencies. Agencies will be</p>	Office of the Public Service Commissioner	Agency implementation of workplace adjustment

Action	NSW Agency with Lead Responsibility	Timeframe
required to implement a workplace adjustment policy that meets certain minimum standards within 12 months		policy required by end of 2025
<p>19. Continue work at agency level to increase the number of employees with disability.</p> <p>The Office of the Public Service Commissioner will review the implications and supports required to achieve specific disability employment targets for the NSW public sector.</p> <p>The Public Sector Disability Employment and Inclusion Steering Committee will provide oversight and support into the program of work across the NSW Government sector to improve the recruitment and retention of employees with disability.</p>	Office of the Public Service Commissioner	2025
<p>20. Continue work to integrate accessible procurement practices.</p> <p>The NSW Government has developed government guidance and has started a procurement working group on strategies for integrating accessible procurement practices.</p>	Department of Customer Service NSW Treasury	Ongoing
Building a strong ecosystem of disability support		
<p>21. Work with other governments and the disability community to design and implement foundational supports.</p> <p>All jurisdictions are working towards the release of a Foundational Supports strategy in the third quarter of 2024 with the phased implementation of services expected from July 2025.</p>	The Cabinet Office Department of Communities and Justice	July 2025
<p>22. Implement the National Disability Data Asset (NDDA)</p> <p>NSW has committed to participating in the NDDA and has signed a Memorandum of Understanding committing NSW to a 10 year agreement for long term support of the NDDA. This includes participation in the NDDA Council to input into the development and evaluation of the NDDA.</p>	Department of Customer Service Department of Communities and Justice	Report on progress due to DRMC in Q3 2024.
Services that are safe and inclusive		
<p>23. Revise home modification and alteration policies in consultation with the disability sector and peak bodies, with new policies expected to begin in late 2024</p>	Department of Communities and Justice (Homes NSW)	End of 2024

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Homes NSW is working to improve its social housing policy and processes to make them more accessible and inclusive for people with disability and anticipates they will be implemented in late 2024. All Housing Services and Housing Portfolio policies, processes and procedures related to social housing tenants' applications for homes modifications, assessment and completion of these works, pathways for alternative solutions (e.g. where a property may not be suitable for modification), and the appeals process form part of the review scope.		
<p>24. Consider specific elements of the recommendations relating to Assisted Boarding Houses as part of the development of future legislation</p> <p>A statutory review of the <i>Boarding Houses Act 2012</i> has been completed. The NSW Government will work with key stakeholders to ensure the recommendations, as they relate to assisted boarding houses, are fully considered as part of the development of new legislation.</p>	Department of Communities and Justice (Homes NSW)	June 2025
<p>25. Work with other governments to make sure the healthcare needs of people with disability are considered in national health policies and develop a national health navigation framework</p> <p>The Australian Government, through the Australian Commission on Safety and Quality in Health Care will provide a plan and timeline to update key policy instruments to ensure they articulate the requirements for safe and equitable access to health services for people with disability. NSW will work with the Australian Government on this plan.</p> <p>Scoping of disability health navigation will be required to identify what is currently available, what is working well, what gaps or missing elements in the support system need to be addressed.</p>	NSW Health	2025
<p>26. Evaluate our Intellectual Disability Health Service</p> <p>An independent evaluation of the NSW Intellectual Disability Health Service has been commissioned, with a final report expected by June 2025.</p>	NSW Health	End of 2025
<p>27. Work with other governments to develop a 'National Roadmap to Inclusive Education' for students with disability</p>	NSW Department of Education	End of 2024

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<p>The roadmap will serve as a comprehensive guide outlining outcome measures, targets, actions, and milestones necessary for delivering on the Royal Commission's recommendations for inclusive education. This commitment to transparency and accountability is essential in fostering an inclusive education system that prioritises the needs of all students.</p>		
<p>28. Continue to embed inclusive education principles in all NSW public schools guided by the Inclusive Education Statement for Students with Disability and with support from the Inclusive Education Unit</p> <p>The NSW Department of Education is committed to growing inclusive practice, sharing knowledge across the system, and building the capacity of our NSW public schools to meet the needs of their local students in an inclusive school culture and community.</p> <p>The department's established Inclusive Education unit functions to: provide advice on policy and funding priorities; provide implementation advice to schools and teachers; and develop evidence-based inclusive practice resources.</p> <p>Schools Infrastructure NSW's Design and Infrastructure Standards team aims to ensure that educational facilities are designed and maintained to support inclusive practices. This includes adhering to the principles of inclusive practice for students with disability, improving the accessibility of physical school environments, and providing necessary resources and support structures.</p>	NSW Department of Education	Ongoing
<p>29. Consider the capital investment needs for educational infrastructure arising from the Royal Commission's recommendations.</p> <p>This includes undertaking a process of funding prioritisation for infrastructure decisions, such as the co-location or relocation of non-mainstream schools within NSW. This process will carefully evaluate factors like land availability due to the complexity involved. Any plans for co-location must ensure meaningful integration and seamless operation.</p>	NSW Department of Education	2025
<p>30. Review the NSW Department of Education's enrolment policy, including the obligations of schools relating to applications to attend a local school as well as enrolment review processes</p>	NSW Department of Education	2025

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<p>The <i>Education Act 1990</i> (NSW) includes the legal entitlement for students with disability to enrol in their local mainstream schools.</p> <p>The NSW Department of Education is also committed to providing and disseminating, clear and accessible material for students with disability and their families on their rights.</p>		
<p>31. Consider amendments to school registration requirements and regulatory oversights to improve the safety, inclusivity and quality of education for students with disability</p> <p>The NSW Government supports in principle, any amendments to the school registration requirements and regulatory oversight which aims to improve the safety, inclusivity and quality of education for students with disability.</p> <p>The NSW <i>Education Act 1990</i> and NSW school registration requirements currently require all schools to provide a safe and supportive environment for students.</p>	NSW Education Standards Authority	2025
<p>32. Consult with partners and stakeholders, including students, parents and carers, teachers and community members about actions to continue delivering resources and advice to schools and teachers about implementing inclusive education</p> <p>This consultation will include close consideration of the procedures and practices of applying reasonable adjustments in the classroom. It will also gather insights current state of social inclusion and activities undertaken between mainstream and non-mainstream schools.</p> <p>The consultation will take into account the current NSW Auditor-General’s Review of ‘Supporting students with a disability in NSW Public schools’, and the NSW Parliamentary Inquiry examining ‘Children and young people with disability in NSW educational settings’. Both are due to report in the second half of 2024.</p>	NSW Department of Education	2024 - 2025
<p>33. Work with other governments to refine Nationally Consistent Collection of Data on School Students with Disability (NCCD) levels of adjustments and associated funding for students with disability</p> <p>The Department is committed to continuing to collaborate with the Commonwealth and other jurisdictions to ensure funding frameworks effectively support the diverse needs of students with disability and consider school contexts. Further consideration by governments</p>	NSW Department of Education	2025

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is required in areas such as reporting, workload impacts on schools, and data management systems.		
<p>34. Build workforce capability to foster inclusive learning environments</p> <p>Professional learning for teachers is crucial in providing the skills and knowledge needed to effectively support students with disability and promote inclusive education. Building workforce capability and expertise ensures teachers can create accessible learning environments and implement strategies that accommodate diverse learning needs, fostering an equitable educational experience for all students.</p>	NSW Department of Education	Ongoing
<p>35. Evaluate the Justice Advocacy Service diversion service, with an independent outcomes evaluation and cost-benefit analysis planned for 2024.</p> <p>Initiate the procurement process for engaging an independent evaluation (by Q2 of FY2024/25) to undertake the quantitative and qualitative outcomes evaluation and economic analysis of the Justice Advocacy Service diversion service.</p>	Department of Communities and Justice	Evaluation planned between FY 2024-25 and FY25-26
<p>36. Work with other States and Territories to develop a consistent national approach for screening for disability in custody.</p> <p>NSW Government is supportive of considering national principles, which must be developed in partnership with people with lived experience including Aboriginal communities and Aboriginal led organisations.</p> <p>Screening processes need to also concurrently account for a person's right to privacy, remain dynamic and adaptable to the different legislative domains across health and justice systems and allow for the unique differences between young people and adults.</p> <p>The NSW Government welcomes further collaboration and partnership under this recommendation as part of considering the implementation strategy</p>	Department of Communities and Justice	2025