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Australian Federation of
Disability Organisations

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Committee Secretary
Joint Committee of Public Accounts and Audit
PO Box 6021
Parliament House Canberra ACT 2600
Lodged online via: jcpaa@aph.gov.au

To the Committee Secretary

Re: Inquiry into procurement at Services Australia and the National Disability Insurance Agency

The Australian Federation of Disability Organisations (AFDO) has been the recognised national peak organisation representing people with lived experience of disability since 2003. Our mission is to champion the rights of people with disability in Australia and support them to participate fully in all aspects of Australian life.

We are writing in response to the *Inquiry into procurement at Services Australia and the National Disability Insurance Agency*. The procurement of inaccessible information and communications technology continues to have a detrimental impact on the employment and retention of people with disability within the NDIA and Services Australia. This situation also affects the general useability of ICT products and services that are available to the Australian public. We note that Standards Australia formally adopted *AS EN 301 549:2020 – Accessibility requirements for ICT products and services* back in 2020. Without a whole of Government strategy outlining how this Standard is to be operationalised, however, it has had very little tangible impact since its inception.

We remind the Committee that the Australian Government has signed and ratified the Convention on the Rights of Persons with Disabilities (CRPD) and in doing so, has made a legal commitment to uphold the rights set out therein. Notably, Article 4 sets out the general obligations for countries that have ratified the CRPD, including:

- A) Adopting all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention;

- b) Taking all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities.
- c) Taking into account the protection and promotion of the human rights of persons with disabilities in all policies and programmes;
- d) Refraining from engaging in any act or practice that is inconsistent with the present Convention and ensuring that public authorities and institutions act in conformity with the present Convention;
- e) Taking all appropriate measures to eliminate discrimination on the basis of disability by any person, organization or private enterprise;
- f) To undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines.

Mandating accessible procurement practices will help ensure Australia is meeting its general obligations under Article 4 of the CRPD, as well as its obligations under Articles 9 (Accessibility) and 27 (Work and Employment). That is why we are joining our colleagues at the Australian Communications Consumer Action Network (ACCAN), and many other organisations across the disability advocacy sector in calling for a robust, co-designed policy on accessible and inclusive approach to public procurement. This will ensure:

- All public service workplaces procure accessible ICT providing significant employment benefits for current and future employees with disability
- All public sector electronic information is accessible to people with disability
- All public sector services delivered electronically are accessible for people with disability
- That greater choice of accessible products and services will be available in the Australian ICT marketplace
- Australia will be protected from becoming a dumping-ground for the inaccessible products which are unsellable in those overseas markets where public procurement policies for accessible ICT are in place

We have attached a copy of ACCAN's Community Position Statement on the procurement of accessible information and communications technology (ICT) to this letter for ease of reference, noting that we fully endorse the views and recommendations contained therein.

We also wish to draw the Committee's attention to the fact that accessible procurement practices are not referenced anywhere under the following five targeted action plans that sit underneath Australia's Disability Strategy 2021-31:

- Targeted Action plan on Employment
- Targeted Action Plan on Community Attitudes
- Targeted Action Plan on Early Childhood
- Targeted Action Plan on Safety
- Targeted Action Plan on Emergency Management.

The accessibility of information and communications technology that is used within these spheres can have an enormous impact on life outcomes for people with disability. It is therefore critical that an inclusive and accessible approach to procurement is prioritised under all future targeted action plans that sit underneath the Strategy.

Finally, we refer to the Disability Data Asset that is currently being developed by the Department of Social Services (DSS). We note that the new Data Asset is intended to improve linkages between data and improve the usefulness of data for people with disability, their families and carers; disability representative organisations; Government; and Academics. Accessible procurement practices are a key determinant of accessible workplaces and communities. It is therefore imperative that the DATA Asset seeks to capture information from Government Departments and Statutory Authorities relating to accessible and inclusive procurement policies.

In closing, we put forward the following recommendations to inform this review:

1. The Australian Government take steps to fully mandate and operationalise *AS EN 301 549:2020 – Accessibility requirements for ICT products and services* within Services Australia and the National Disability Insurance Agency, with a view towards implementing a robust, co-designed, whole of government policy on accessible and inclusive public procurement.
2. All future targeted action plans that are developed underneath Australia's Disability Strategy 2021-31 must refer to the need for accessible procurement policies.
3. Services Australia and the National Disability Insurance Agency be required to publish open and transparent information about the accessibility of their procurement policies.
4. The Department of Social Services be required to ensure the new National Disability Data Asset adequately captures information pertaining to accessible procurement policies from all Government Departments and Statutory Authorities.

Thank you for taking the time to review our short submission to this Inquiry. Should you require any additional information in relation to any of the matters raised in this letter, please do not hesitate to get in touch.

Yours Sincerely

Insert signature

Ross Joyce
Chief Executive Officer