

Nepean Blue Mountains LHD's commitment to people with a disability and their carers

We provide public healthcare services to communities in the Nepean, Hawkesbury, Lithgow and Blue Mountains local government areas and have legal obligations to deliver these services in ways that ensure the rights of people with a disability and their carers.

Our organisation has a three year disability action plan which runs to December 2016.



This plan is our commitment to improving our services, and accessibility, for people with a disability.

We value your feedback

If you are not happy with the quality of the service you receive, accessibility to the services we provide, or you have reasonable grounds to believe you have been discriminated against by one of our services, it is your right to request that we respond to and address your concerns.



You can do this by contacting the Patient Representative Office on:

phone: 4734 3174

between 9:00am – 5:00pm
Monday to Friday

For more information click the
< [Health Consumer Information](#) >
tab on our website

< www.nbmlhd.health.nsw.gov.au >

Disability your rights and health

If you are a person with one or more disabilities, you have a range of rights that are protected by Australian laws at both state and national levels. These are your human rights, included in international treaties and principles, such as the *Universal Declaration of Human Rights*.

As either an employee or user of healthcare services, the most relevant laws for you are the NSW *Anti-Discrimination Act, 1977*, and Commonwealth *Disability Discrimination Act, 1992*.



Disability and discrimination

Disability discrimination occurs when a person with a disability is treated less favourably than a person without a disability who experiences the same, or similar, circumstances.

Disability: what is it?

Disability refers to the total or partial loss of a person's physical, intellectual, learning, sensory, psychiatric and neurological functions. This loss may include physical disfigurement and the presence of disease-causing organisms in the body, such as HIV or AIDS.

Australian law covers disabilities that people have now, have had in the past, and may have in the future.

Discrimination

If you have a disability you are protected against discrimination in:

Employment ~ applying, promotion, training, terms and conditions of a job

Education ~ studying at public or private schools, colleges or universities

Accommodation ~ renting or buying a house or unit

access to services ~ such as banks, shops, restaurants, government departments, entertainment venues, transport or telecommunication services, and

access to public places ~ such as parks, offices, restaurants and shopping malls.

You are also protected if you are **harassed** because of your disability in employment, education, or when using services.

Direct or indirect... it's still discrimination

People with a disability can experience discrimination either indirectly or directly.

For example, direct discrimination may occur if a person is excluded from doing something due to disability – such as entering a club with a guide dog – on the grounds that animals are not allowed at the venue. In other words, *because* of their disability, a person is *directly* prevented from achieving their goal.

Alternatively, denying access to a building to a person in a wheelchair because entry is only available up a flight of stairs, or rejecting a sight-impaired applicant for a position as a telephonist, are examples of indirect discrimination.

In the first example, access may not be purposefully denied, but is nevertheless prevented because the means of entry are beyond the capabilities of people with restricted mobility.

In the second example, by requiring employment conditions that are not essential to perform the primary function of a job, an employer may be indirectly discriminating against applicants with some forms of disability.

Carers of people with a disability

The disability discrimination legislation also covers the carers of a person with a disability.

Similarly, carers may experience direct and indirect discrimination, most typically due to their caring responsibilities. For example, it is against the law for an employer to discriminate against a person because of their responsibilities to care for a family member.

What this means – for people with a disability and those who care for them – is their rights to access, equality and non-discrimination are guaranteed in law at every level of government.

