



Administrative Review Tribunal

Commitment to Accessibility and Inclusion

Table of Contents

| | |
|--|----|
| Foreword from the Principal Registrar | 2 |
| Introduction | 3 |
| Our participants | 4 |
| What guides our commitment to accessibility and inclusion? | 5 |
| Accessibility in practice | 6 |
| Refining our practices | 8 |
| Pathway to an Accessibility and Inclusion Strategy | 9 |
| Your feedback is important | 10 |

Foreword from the Principal Registrar

The Administrative Review Tribunal (Tribunal) offers an opportunity for people to seek an independent, merit-based review of an administrative decision made by Australian Government agencies, departments, and ministers. The support we provide can make it easier for applicants to apply for review and participate in an accessible review process. Therefore, it is essential that we deliver accessible and user-focused services.

The Tribunal's *Commitment to Accessibility and Inclusion* is the first step in our Accessibility and Inclusion Framework. It aligns with the *Administrative Review Tribunal Act 2024* (ART Act) and the objectives of the Tribunal. Our commitments will guide the development of an *Accessibility & Inclusion Strategy* and a supporting program of work, which will be progressed shortly.

Having consulted with representatives from a broad range of stakeholder groups, we heard from stakeholders about key areas where the Tribunal can ensure we provide a review process that is accessible and responsive to an applicant's needs.

The Tribunal is committed to a program of continuous improvement and will ensure we respond to the complex and changing accessibility needs of our applicants and Tribunal participants. We look forward to engaging further with applicants, the community, and advocates to ensure we continue to provide accessible services. As we develop our strategy, we will continue to adapt our processes and learn what can be done more effectively.



Michael Hawkins AM

Principal Registrar

Introduction

The *Commitment to Accessibility* sets the foundations for how the Tribunal will support applicants to effectively engage in Tribunal proceedings. It is an important first stage of an Accessibility and Inclusion Framework.

Critical to achieving our objectives is engagement with applicants, stakeholders, user advocacy groups and participants to understand where we can improve.

Our commitments are informed by a program of engagement undertaken from May - July 2024 to better understand how parties and participants can effectively apply and participate in proceedings. The Tribunal consulted with representatives from a broad range of stakeholder groups, including people with disability, First Nations representatives, legal and advocacy groups, government agencies, and Tribunal staff and members.

Our participants

The Tribunal engages with a diverse range of participants each day, including people with disability, First Nations Australians, people from culturally and linguistically diverse backgrounds, including refugees and individuals who may have migrated to Australia where English is not a first language (or spoken at all), and LGBTIQ+ and gender-diverse people. Tribunal participants may also be experiencing domestic or family violence, be in immigration detention, or may have experienced torture or other forms of trauma. Tribunal participants may also reside in regional and remote locations. The Tribunal is committed to being accessible to all applicants, parties, and participants, including, but not limited to:

First Nations Australians

The Tribunal is committed to reconciliation with First Nations Australians and will launch its first Reconciliation Action Plan in 2025. The plan will be drafted in consultation with First Nations Australians, key advocacy and stakeholder groups, and staff that identify as Aboriginal and Torres Strait Islander. The Tribunal is also committed to a First Nations Liaison Officer Pilot Program to develop effective partnerships with First Nations communities, raise awareness and improve access to Tribunal services.

People with disability

The Tribunal commits to best practice on access and inclusion for applicants and parties with disability. Providing flexibility in Tribunal processes and procedures is necessary to deliver the greatest opportunity for people with disability to effectively participate in review proceedings. This can mean reasonable adjustments to the way the Tribunal engages, communicates, and conducts proceedings.

People from culturally and linguistically diverse backgrounds (CALD)

Providing support and accommodations for people from CALD backgrounds is an embedded and ongoing commitment for the Tribunal. The Tribunal has an established network of accredited interpreters.

People from regional and remote locations

The Tribunal is committed to supporting regional and remote participants by providing options for participation, including telephone and videoconferencing.

What guides our commitment to accessibility and inclusion?

The Tribunal's commitment to accessibility is guided by the needs of Tribunal users to be able to effectively apply for review and participate in the review process. The Tribunal's commitment to accessibility will be guided by an ongoing program of engagement with people with disability, and external support services and advocacy groups. This engagement will inform continual improvement and best practice user-focused service design and delivery.

The Tribunal's commitment to accessibility builds on the foundation principles set out in the ART Act. One of the core objectives of the Tribunal is that the independent mechanism of review is accessible and responsive to the diverse needs of parties to proceedings.

Accessibility is defined in the ART Act as “enabling persons to apply to the Tribunal and to participate in proceedings in the Tribunal.”

Examples of areas where appropriate adjustments can be made include:

- access to premises, facilities and services
- ease of locating and understanding information about the Tribunal and documents related to proceedings, and
- adjustments that can be reasonably made to accommodate a person's needs, such as an interpreter service.

Section 50(1) of the ART Act requires the Tribunal to act with as little formality and technicality as possible while still supporting the proper consideration of the matter being reviewed by the Tribunal. Further, section 51(1) requires, as far as practicable, that the Tribunal conducts proceedings in a way that is accessible to participants, considering the needs of the parties.

Accessibility in practice

The Tribunal is committed to accessibility and inclusion at every stage of the Tribunal process and has designed a review process that anticipates the needs of applicants to support effective participation in a review. The Tribunal will also make appropriate adjustments to make it easier for people to apply for review and participate effectively throughout the review process.

Review process

Lodging an application

Applicants can apply using a range of methods including online, an application form, email, post, visiting a Tribunal registry, or by telephone for the review of Centrelink, child support, and National Disability Insurance Scheme decisions. Applicants receive a response from the Tribunal to explain the next steps for their application. Where appropriate, the Tribunal can also facilitate referrals to legal assistance or other support services.

Case Management

The Tribunal aims to resolve applications in a timely manner, with as little formality and expense as necessary to reach the correct or preferable decision. This includes giving directions about the Tribunal's procedures and referring refer matters to dispute resolution to help parties to reach an agreement.

Case events, including dispute resolution and hearings

Tribunal staff will ensure accessibility needs are considered when planning and preparing case events so that parties can effectively participate in proceedings.

The Tribunal endeavours to keep case events to a minimum to reduce the impact and distress proceedings may have on a participant and to progress the case in a timely manner.

Participants can request to participate in a case event or hearing in a manner that meets their needs, including allowing for circumstances where virtual participation in proceedings is required. The Tribunal will apply an appropriate level of formality and manage proceedings to ensure that each party is given a reasonable opportunity to present their case.

The Tribunal accommodates accessibility needs for all case events by providing access to Auslan interpreters, hearing loop systems, captions, and interpreters for culturally and linguistically diverse participants. Consideration of the physical accessibility for events on premises is also considered where needs are identified.

The Tribunal has registries located in all states and territories, except the Northern Territory. The Tribunal makes necessary arrangements for individuals to access its premises. All our premises are wheelchair accessible and have accessible bathroom facilities.

Understanding the outcome

The Tribunal aims to make decisions and determinations easy to understand to help reduce the distress decisions can have on participants.

The Tribunal provides its decision and reasons in writing. The Tribunal supports members to use clear and succinct language in their decisions so that the parties can understand the reasons.

Support after the review

The Tribunal considers the impact its decisions will have on the welfare of participants and where appropriate may connect participants experiencing distress to support services.

Accessible communication

During the entirety of a review process, the Tribunal aims to communicate with parties in a manner they can understand. This may be through interaction with parties orally or in writing, and includes initial telephone inquiries, the lodgement of an application, a case event including dispute resolution, a hearing, and publication of a decision.

Braille facilities are available at our offices. Participants contacting the Tribunal are supported with immediate access to interpreting support through the Translation and Interpreting Service (TIS) and the National Relay Service.

Refining our practices

The Tribunal is undertaking a significant program of work to provide greater flexibility and accessibility in how people participate in Tribunal proceedings. Priority examples include:

Accessible premises

The Tribunal's commissioned a national audit of the Tribunal's facilities by a specialist access consultant to ensure they meet the highest accessibility standards and comply with the Disability Discrimination Act. As part of the *Accessibility & Inclusion Strategy*, the Tribunal will develop a Disability Plan as recommended by the audit.

Inclusive Technology

The Tribunal's redesigned website was developed to improve the accessibility of Tribunal information. It uses universal design and adheres to Web Content Accessibility Guidelines (WCAG) 2.1. Content can be accessed using assistive technologies such as screen readers, voice recognition technology, and translation of information to more than 28 languages. Over time, the Tribunal will continue to enhance its website in accordance with Accessibility Guidelines and feedback from users, including WCAG 2.2 requirements.

First Nations Liaison Pilot Program

As part of delivering accessible and user-focused services, the Tribunal will pilot a First Nations Liaison Officer Program. First Nations liaison officers will help to develop effective partnerships with First Nations communities and their representatives to raise awareness about Tribunal services. The program is designed to improve access for First Nations participants to navigate Tribunal proceedings, with liaison officers to have a deep understanding of community and culture. The Tribunal will also improve how information and data is collected for First Nations participants.

Training

The Tribunal is ensuring that staff and members of the Tribunal have the appropriate training and qualifications to ensure applicants can participate in the review process, including training and information sessions about disability awareness, inclusive communication, trauma informed practice, and lived experience workshops for members and staff.

Pathway to an Accessibility and Inclusion Strategy

The development of an *Accessibility & Inclusion Strategy* and a supporting program of work will guide the Tribunal in supporting people seeking review and further embed accessibility into our practices.

The Tribunal heard from stakeholders about key areas where the Tribunal can provide a review process that is accessible and responsive to the diverse needs of parties to an application. The Tribunal is committed to delivering an accountable roadmap for meeting the needs of applicants and addressing areas of focus raised during consultation. Focus areas identified by stakeholders include the need for:

- Information to be provided in more accessible formats and for a diverse audience.
- Tribunal forms to use simple language and capture accessibility needs.
- Case Management System to better capture accessibility needs.
- Consistent Tribunal processes, including consistency in procedures used to identify, and adjust accessibility needs.
- Informal case events and hearings, wherever possible, that are not overly technical.
- Ongoing training for staff and members, particularly in consistency of process, case event and hearing guidelines, areas of psychosocial distress and trauma, and of potential barriers for applicants to participate from regional, rural, and remote areas.
- Consistent processes for referrals to external support services, for example Legal Aid, including clear communication on service availability.
- Ongoing engagement forums about accessibility with external stakeholders.

Your feedback is important

The Commitment to Accessibility and Inclusion is the first step under our Accessibility & Inclusion Framework. We understand that there is more than can be done and welcome your feedback on what more we could do to improve the experience for participants engaging in Tribunal review process.

Your feedback, along with internal and external consultation, will be used to frame the Tribunal's future *Accessibility & Inclusion Strategy* which will be developed as part of the transition program to the Administrative Review Tribunal.

Please contact us by completing the Contact Form on our website at <https://www.art.gov.au/contact-us> or call 1800 228 333 to have your say on the ways we can continue to improve the ways we better support a more inclusive, user-friendly and informal process for participants.