Part 1: Use this factsheet to improve disability data collection in your agency

All government agencies collect employee data, including disability, for the APS Employment Database (APSED).

Research shows numerous barriers (attitudinal, organisational and structural) often prevent Australian Public Service (APS) employees from sharing their information in Human Resources (HR) systems.

HR professionals can use this guide to improve their agency's data collection practices.

This is not a policy document. Every agency treats data differently. It explores the barriers that prevent people from sharing their information and provides recommendations for how to better communicate to employees about disability data collection.

This factsheet is about the explanatory text that goes alongside disability data collection.

In this document, 'explanatory text' refers to the information/text that goes alongside questions about disability, and other diversity data characteristics.

Explanatory text provides context and clarification about disability data collection and how it will be used.

The **2023 APS Employee Census** asked respondents who self-reported as having an ongoing disability, **'Is your ongoing disability recorded in your agency's HR system?'.**

Less than half said **'Yes' (45%).**[1]

This factsheet has 2 supporting resources.

Maturity Self-Assessment to help HR professionals understand and assess their agency's maturity when requesting, collecting and using APS disability information.

Example Wording of explanatory text and an email reminder to help generate ideas to use in your agency.

Address concerns first

If you have concerns about your agency's culture, privacy or discrimination processes, prioritise addressing these concerns before encouraging staff to share their disability in HR systems.

See Supporting psychologically safe workplaces.

This factsheet covers four steps to give people clarity about disability data collection

Often when agencies ask employees about disability, they do not explain why this information is sought. This can make questions difficult to answer and make an employee feel uncomfortable.

Explanatory text provides clarity to employees about the purpose and value of sharing their disability information in HR systems.

Step 1	**Make explanatory text easy to read**	It is important that the content meets readers' needs, and uses clear and concise language. Clear language will help readers understand the intent of the request.	**See Page 3**
Step 2	**Communicate protections in place**	People may have concerns or fears about providing their disability information. Providing practical information about the privacy and confidentiality of people's HR information can help reduce fears and perceived risks of sharing information and build trust in the agency.	**See Page 4**
Step 3	**Make it obvious what the information is used for**	People want to know why they are being asked for their disability information. Clarifying the purpose for this data collection, and providing a definition of disability, will inform and empower people to decide whether to share their disability information.	**See Page 5**
Step 4	**Showcase the benefits**	Given the risks in sharing personal information, such as privacy breaches, people want to know the benefits of sharing their disability information in HR systems.	**See Page 6**

Improving disability data collection is important

Explaining the purpose of sharing disability information, the protections in place, and benefits **can improve the on-boarding experience for employees by alleviating concerns and highlighting positive consequences**.

The Australian Public Service Commission (APSC) and agencies use the information shared in HR systems to help build an APS that reflects the community it serves.

Information shared in agencies' HR systems support the government to track its commitments. For example, the APS Disability Employment Strategy 2020 - 25 outlines the Australian Government's commitment to increase the employment of people with disability across the APS to 7% by 2025.[2]

Make explanatory text easy to read

Readers often dismiss information perceived to be complex or legalistic.

Explanatory text needs to attract employees' attention to 'cut through the noise' of the many communications that employees receive.

Writing clearly and in plain language will help readers understand information and the intent of the request.

Make it clear

Simplify by replacing jargon and legal terms with easy-to-understand alternatives, and only include essential information. Move technical information to an appendix or intranet link.

Use visuals for clarity. This includes using colour, bolding and images to emphasise important details. Break up text into 'chunks' with sub-headings and bullet points.

Use **active voice** rather than passive voice, and **first-person pronouns** to capture attention.

> **Example**
>
> Active voice: *Our Agency has implemented a strategy.*
>
> Passive voice: *A strategy has been implemented at the Agency.*

Check your work

Run your explanatory text through an **accessibility checker** to review your document for issues that may make it difficult for assistive technology.

Seek feedback to **ensure it is inclusive** and to **check that content is easy and enjoyable to read**. Depending on your agency size, you can check your explanatory text with your agency's Inclusion and Diversity team and/or relevant employee networks.

Make it inclusive

The choices people make about language have an impact on the way people with disability feel and are perceived in society. **Words often used to describe people with disability can reinforce negative stereotypes**.

People with disability **are people first.** Many people with disability are proud of being disabled, and want that identity respected.[3]

Language is always evolving. Use person-first language for Australian Government content, unless user research says otherwise. User research can uncover whether an individual or community prefers person or identify-first language.

> **Example**
>
> Person-first language: *people with disability*
>
> Identity-first language: *disabled person*

Make it accessible

Check the Australian Government Style Manual to ensure explanatory text is accessible.

Make sure a screen reader can read the content, and provide descriptions (or alt text) for all non-text content such as infographics or diagrams.

Consider alternative mediums such as video or graphics to present information. If using videos, make sure captions are accurate.

> Refer to [Example Wording](#) for complete examples of explanatory text.
>
> Find information and examples for how to use inclusive language in the [People with Disability Australia Language Guide](#) and in the [Australian Government Style Manual.](#)

Step 2

Communicate protections in place

A key reason APS employees do not share disability information is that they are concerned about facing discrimination or limiting their future career opportunities.

Relevant and practical information about the privacy and confidentiality of HR data can help reduce concerns.

Disability information should never be shared with an employee's manager or colleagues without the employee's consent.

HR data is protected by the *Privacy Act 1988*. Because disability information is about individuals, the Privacy Act gives employees greater control over the way that personal information is handled.

When using this data for reporting purposes, it should only be presented in aggregate and combined so that individuals are not identifiable.

Explanatory text should outline how data is protected to prevent it being accessed by managers or colleagues.

The privacy statement should outline that information will be treated as confidential and protected. Make sure you do not only refer to policies or Acts. People may not read these. Instead, ensure information is practical and specific - who in the agency will be able to see their information and why.

> A key reason APS employees do not share disability information is that they are concerned about facing discrimination or limiting their future career opportunities.[4]
>
> The APS aims to be a positive and inclusive workplace, but there is room to improve.
>
> People with disability in the APS have reported being subject to **bullying and/or harassment, at almost double the rate of people without disability**.[1]
>
> Over a quarter of APS employees with disability reported **negative consequences for sharing their disability** at work, like having their disability questioned by management or judgements and assumptions made about their abilities to perform their role.[5]
>
> Given these risks, **it is understandable that people are hesitant to share their disability information in HR systems**.

*"I have found that informing [people about my disability] results in **inappropriate treatment and I am considered less capable than others**." - APS employee who has not identified in HR.*[4]

> **The Privacy Act** allows a person to know why their personal information is being collected, how it will be used and who it will be disclosed to.
>
> The Australian Government Agencies Privacy Code sets outs the requirement to implement practices, procedures and systems to ensure compliance with the Australian Privacy Principles. Under this code, every agency must have a designated **Privacy Officer** who is the main point of contact for advice on privacy matters in an agency.[6]
>
> **Contact your Privacy Officer with your questions and concerns**.

> **Supporting diversity and workplace safety**
>
> HR professionals have responsibilities, outside of data collection, to implement policies supporting diversity and workplace safety. This includes preventing and addressing discrimination and bullying, and creating respectful and psychologically safe workplaces.

Step 3

Make it obvious how the data will be used

Often when APS employees are asked if they have disability, there is little information about why this information is collected, or the explanation provided is legalistic or ambiguous.

Reduce uncertainty by giving the reason for data collection and definition of disability.

People may assume data is collected for different reasons.

For example, to be shared with managers to arrange workplace adjustments. People with disability who do not want this will select 'no'. **The data captured in HR systems for the APS Employment Database (APSED) is not related to and does not trigger workplace adjustments**.

The information shared in agency's HR systems is used to formulate better policies, strategies and action plans for people with disability. It helps with setting recruitment targets, improving retention and identifying ways in which people with disability can be best supported.

> The number one reason why APS employees with disability do not share with HR is that they do not require adjustments to perform their role.[1]

Providing a definition of disability provides clarity about what is, and is not relevant for this particular data collection purpose.

Disability information should capture people with disability regardless of adjustments, whether disability is visible or invisible, and whether or not it affects how someone performs their role. To clarify, provide a definition of disability and provide the reason why data is being collected.

Using a consistent definition across agencies and over time allows us to understand how people with disability are represented in the workforce.

> Employees should always see explanatory text when they are asked to provide diversity data on the same page and web screen.

The APS uses the Australian Bureau of Statistics (ABS) definition of disability for HR data collection.

Using a consistent definition across agencies allows us to better understand how people with disability are represented in the workforce.

APS HR professionals should be aware that the definition used in the Disability Discrimination Act 1992 is broader than that used for data collection.

The ABS definition of disability:
Persons are considered to have a disability if they have a limitation, restriction or impairment, which has lasted, or is likely to last, for at least six months and restricts everyday activities. This includes episodic conditions if they are likely to recur.[7]

For a list of examples, see Definition of disability.

Considerations for definitions

The ABS definition aligns with a **medical model of disability**. In this approach, disability is a health condition for health professionals to treat, fix or cure.

However, many people with disability prefer another approach: the social model of disability.

In this model, the focus is on the person, not on the disability. It is a way to understand how people with disability interact with their environment and others in society.

The social model is about shifting the problem from individual impairments to the social environment that people operate within.[2]

Step 4

Showcase the benefits of sharing

Some APS employees choose not to share information about disability, because they do not see any reason for, or benefit in, sharing this information with their agency.

Without any perceived benefit, sharing disability information may not be worth the perceived risk.

HR professionals have a role in using data shared in HR systems as a tool to create benefits for employees.

Sharing information can be beneficial for the individual, their colleagues, or their agency.

Individual: Does sharing information in HR systems trigger a workflow or streamline processes for the employee? For example – with the employee's consent, connecting employees with reasonable adjustments, flexible working arrangements, their employee network, a support person and/or a Disability Contact Officer (DCO).

Colleagues: Does sharing information in HR systems help people feel connected by making diversity visible? For example – the agency communicates to employees the staffing profile (how many people with disability are present in the workplace) so others in the workplace can see they are represented.

Agency: Does sharing information in HR systems initiate workforce analysis? For example – the agency uses this data to make informed decisions on resources to meet the needs of their staffing profile.

Communicate the benefit

It is important that the benefits are regularly communicated to both new and ongoing employees. For example, are you reporting to staff about changes in workforce demographics and support initiatives?

Make sure the benefits are communicated clearly and in a way that is **personally relevant** to the person asked to share their information.

Refer to the Maturity Self-Assessment to understand your agency's maturity in policies and practices beyond explanatory text that influence employees' comfort sharing disability information in HR systems.

STOP

Before using information shared in HR systems in a new way, speak to your agency's **Privacy Officer**. You may need to conduct a Privacy Impact Assessment.

This is an assessment of a project that identifies the impact that the project might have on the privacy of individuals, and sets out recommendations for managing, minimising or eliminating that impact.

Put your words into action

Employees are sceptical of organisations that talk about diversity and inclusion without materially demonstrating policies, practices and cultures that support staff with disability.

Making examples of policies in action visible can be powerful evidence for employees. For example, leaders can talk openly about how they are using or encouraging the use of practices in place to support employees.

Agencies collect other diversity information

APS agencies ask their employees to provide other information, such as their gender or if they identify as First Nations. Many of the barriers and solutions in this factsheet are relevant for all diversity groups, and the barriers may be compounded should an employee identify with more than one group (such as a woman with disability).

Information is primarily collected during onboarding

Diversity data collection practices are disparate across the APS. Agencies generally collect diversity information when a candidate applies for an APS job vacancy, and again at onboarding. In general, the data is captured in the APS Employment Database at onboarding.

Whilst data is generally collected at onboarding, the steps in this factsheet are also applicable to other points of data collection, like recruitment, ad hoc reminders, and days of significance.

Keeping HR data up to date

In the 2016 APS Employee Census, 31% of people who identified as having disability stated they had acquired their disability while working in their current job.[4] This means that people's HR data will not identify their disability unless updated during their employment. Employees can manually update their disability information, but it is uncommon for them to do this unprompted. Email campaigns to remind people to update their disability information in HR systems may be useful in keeping HR data up to date and reflective of your workforce.

What about neurodivergence?

People with neurological differences, like Autism or dyslexia, may or may not identify as having disability. Whether individuals identify as having disability may depend on a range of personal and environmental factors.

> **A new starter may have already been asked for disability information many times.**
>
> It is important to engage employees through explanatory text and clarify the specific purpose of this data collection.
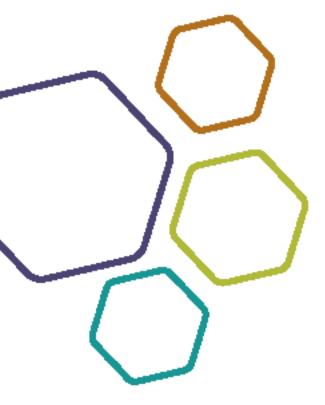>
> People may have already answered disability questions if they were employed at another APS agency or at the beginning of the recruitment process. People may assume these processes are linked or related, when they are not.

HR professionals have responsibilities, outside of data collection, to implement policies supporting diversity and workplace safety

This includes preventing and addressing discrimination and bullying, and creating respectful and psychologically safe workplaces. You should make sure your agency's policies are up to date and focus on employee safety and wellbeing.

Discrimination against people with disability is unlawful

The Disability Discrimination Act (DDA) makes it unlawful to discriminate against a person in many areas of public life including employment, because of their disability.

The DDA covers people who have temporary or permanent disabilities, and extends to disabilities that people have had in the past and potential future disabilities, as well as disabilities that people are assumed to have. Discrimination can be direct or indirect.

The definition used in the DDA is broader than that used in APS HR data collection.

The below organisations' powers may extend beyond your agency's existing policies:

- **The Fair Work Ombudsman** can help with workplace issues, as they investigate and inquire about alleged breaches of the Fair Work Act, and take enforcement action when appropriate. Get help with your workplace issue - Fair Work Ombudsman.

- The **Australian Human Rights Commission** has resources about workplace discrimination, harassment and bullying, preventing discrimination in recruitment, and steps you can take to create a fair and productive workplace.

- The **Ethics Advisory Service** is available to all APS employees providing options, considerations, and strategies to help APS employees work through ethical issues and dilemmas, and to assist them to make sound judgements and choices. Contact the Ethics Advisory Service (Monday to Friday 9am to 5pm) ethics@apsc.gov.au. Ethics Advisory Service | Australian Public Service Commission (apsc. gov.au)

References

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5. Evans M, Edwards M, McGregor C and Upton P (2016) 'Doing It Differently: Staff perceptions of the barriers to workplace participation experienced by public servants with disability in the Australian Public Service'. University of Canberra

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