

# Sharing information regarding disability



Workplaces confident to employ people with disability create trusted environments where people with disability feel safe and supported to share information regarding disability.

A person with disability is not legally required to share information regarding disability unless:

- a workplace adjustment is required to do the inherent requirements of the job
- there is a risk to workplace safety.

## Tips

- Create opportunities throughout the recruitment process and during employment for people to share general information regarding disability and invite discussion to determine if workplace adjustments are required:
  - Application forms – use of an optional question about requirements for workplace adjustments if the individual progresses to interview
  - Interview / recruitment / job offer
  - First day and induction
  - During employment:
    - if current adjustments are sufficient or additional adjustments required
    - General staff surveys – to ascertain workplace inclusion and accessibility.
- Privacy is often a big concern to a person with disability because the information is personal and often sensitive. Understand why you are asking something and communicate clearly the reason why.
- Under the [Disability Discrimination Act \(DDA\) 1992](#), it is illegal for employers to ask someone how they acquired their disability, the type or specific details of the individual's disability.  
<https://bit.ly/3IH0j1P>

- The DDA states questions related to disability must be for legitimate and non-discriminatory reasons (not to disadvantage the individual).
- It may be deemed as discrimination if confidential personal information about an individual's disability is not protected and is disclosed to other employees or to third parties.
- Ultimately it is up to the individual to share regarding their disability, if you ask if workplace adjustments are required and the individual's response is no, then no further questions can be asked.

## There are appropriate ways to ask people about disability.

### Sample questions:

1. "We're committed to a diverse workforce. Are there any workplace adjustments and or supports you would need, to ensure your success at work?"
2. "We have a workplace adjustment policy and are committed to ensuring access and inclusion in our workplace. Do you have any specific access requirements – for example a height adjustable desk; flexible hours?"

This project is a NDIS Information, Linkages and Capacity Building (ILC) initiative.



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