

# Sharing your disability information

Information to help you decide if, how and when you should share your disability.

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The NSW Government is committed to improving employment of people with disability in our sector and creating a more inclusive public sector workforce. Research has demonstrated that inclusive organisations are more innovative, productive and enjoy greater employee engagement. Data on disability, particularly the disability employment rate, helps to drive inclusion and accessibility strategies and initiatives.

## Video embed:

[Sharing your disability information \(open captions\) - long version](#)

## Choosing to share

There are many reasons for, and benefits that come from, sharing your disability information at work. You can decide at any time who you wish to share your disability information with, and how much detail to provide. Sharing can have a variety of positive impacts on you and your employer. It can help your manager and team members have a better understanding of you.

## Understanding your needs

Sharing your disability information can start a conversation that will help your employer to better understand and support you to fully participate and do your work in a safe and inclusive environment.. These conversations could happen when you commence your employment or at a later stage. Sharing your disability information could also help your manager and agency effectively support you should your circumstances change.

## Bringing out your best

Without adjustments, your work environment or work practices may be limiting you from performing your best. Adjustments can positively impact your wellbeing and work performance. Examples of these may include:

- a quiet desk location
- flexibility in work hours to attend medical appointments,
- your manager providing written instructions by email to you after meetings,
- or a private space at the workplace for injecting medications.

## Helping to protect you from discrimination

Sharing information about your disability may help clarify your agency's responsibilities regarding your employment. These responsibilities include the protections against discrimination that apply under the *Disability Discrimination Act 1992* (Cth) and the *Anti-Discrimination Act 1977* (NSW). You can find more information about disability discrimination by visiting the websites of the [Australian Human Rights Commission](#) and [Anti-Discrimination NSW](#).

## Providing information

The information you provide is your choice and can be based on what you would like to achieve. You may choose only to share that you have disability, you do not need to tell anyone about the type of disability you experience or your medical diagnosis. When considering what to share, think about what you need from your employer to improve your workplace experience.

It is your right to request that your disability information be treated confidentially, and not shared with others such as HR, your manager or team members. If you experience difficulties at work due to your disability, please speak with your Human Resources team, and/or manager, about what can be done to make things easier for you.

If you need workplace adjustments, you should talk to your manager about what you require to perform your role. There is no obligation to share information about your disability unless it is likely to affect your ability to perform the inherent requirements of your role and work safely.

As is the case with any extended period of sick leave, a medical certificate may be required if you need to take long-term sick leave due to your disability.

## How to share information

Sharing your disability information in the workplace can happen in many ways, for example:

- when you apply for an NSW public sector role on the 'I work for NSW' website
- when you start a new role and complete your new starter paperwork
- talking with your manager or colleagues
- indicating that you are a person with disability in your employer's Human Capital Management (HCM) system e.g. SAP or Oracle
- indicating that you are a person with disability in workplace surveys, such as the People Matter Employee Survey (PMES).

It is also important to be aware that due to privacy legislation and agency ICT (Information and Communications Technology) systems and processes, you may be required to share your information more than once. It is also possible that your information may not carry over if you change teams or roles. In each case, you can ask that this information be treated confidentially and not be shared with your manager or other team members.

## Accessing information and privacy concerns

You have control of your information. If you share information about your disability in the Human Capital Management (HCM) system, that information must be kept secure and confidential in line with the *Health Records and Information Privacy Act 2002 (NSW)* (HRIP Act). **[You can find more information about the HRIP Act from the NSW Information and Privacy Commission.](#)**

Any information stored in your agency's HCM system should be accessible only to the human resources team. You have the right to ask to view the information stored in such a system, and to ask for it to be amended if it is incorrect.

## How disability information is used to understand employees' experience

HCM systems capture a range of data about employees, including disability information, to help agencies understand the characteristics of their workforce. Disability information is also used for workforce information reporting for NSW Government.

Your employer will provide the NSW Public Service Commission (PSC) with information from its HCM system, **however the information shared will not identify you in any way**. The PSC is committed to making the NSW government a safe and welcoming place for people with disability. One of the things we use this type of information for is to see how well agencies are including people with disability in their workforce. The PSC also uses this information to create the annual State of the Public Sector report which reports on workforce trends, including disability representation.

Another way you may be asked to share your disability information is in a survey. An explanation of how your information will be used should be given to you at the beginning of the survey. The annual PMES is an example of a survey that asks you to indicate if you are a person with disability and whether you experience a mental health condition. The PSC collects the responses of this survey directly to understand the composition, characteristics and experiences of the NSW public sector workforce. This information is then shared with agencies to help them understand the workforce better. **The PMES is anonymous and you will not be identified by name at any point.**

The table below explains who has access to your information depending on if and where you share it.

| Who can see                  | Job Application  | Health Declaration   | HCM System   | Surveys  |
|------------------------------|--|--|--|--|
| <b>HR/People and Culture</b> | HR will know and be able to organise adjustments for the interview process   | Yes. This information is stored on file and not used by anyone else. | Yes  | Yes. Your organisation may get reports summarising the results of surveys.                   |
| <b>Immediate Manager</b>     | HR will notify the Hiring Manager only if adjustments need to be made for the interview. Hiring Managers will not have access to this information otherwise. | No   | No   | No   |
| <b>Director</b>              | No   | No   | No   | No   |
| <b>Team</b>                  | No   | No   | No   | No   |
| <b>Other Workmates</b>       | No   | No   | No   | No   |
| <b>Other</b>                 | Yes. The PSC will have access to aggregated information, but it will be de-identified.   | No   | Yes. The PSC will have access to this information but will not know whose information it is. | Yes. The PSC will have access to this information but will not know whose information it is. |

