# Disability and Social Inclusion Lexicon

<u>Reference</u>: Things you should know: definitions, concepts and approaches
Office for Disability Issues<sup>1</sup>.

# Disability

The <u>United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)</u> defines a disability as any long-term physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder the full and effective participation of disabled people in society on an equal basis with others.

The experience of disability is influenced by the nature of a person's impairment. Gender, age, ethnicity, and culture can also have a profound and sometimes compounding effect on an individual's experience of disability.

#### **Impairment**

An impairment can be intellectual, psychiatric, physical, neurological or sensory, and be temporary, intermittent or ongoing. People may acquire an impairment through an accident or illness, and/or a person may be born with an impairment. Multiple impairments are common, especially with increasing age.

Impairments are often considered to be the disability. However, under the social model, there is a distinction between the two concepts.

# Social model vs medical model of disability

The medical model holds that disability lies with the individual and that the disabled person needs to adapt or be cured to fit the environment and society. This has been the prevailing model in Western society since the time of the Industrial Revolution, and elements of this model persist today.

The <u>New Zealand Disability Strategy</u> adopts the UNCRPD's 'social model' of disability. The social model of disability arose from the disability rights movement in the 1970s and 1980s, in response and resistance to the prevailing medical model and specifies that individuals have impairments but rather than the impairment disabling a person, the barriers created by an inaccessible society are the disability.

The experience of disability occurs when:

<sup>&</sup>lt;sup>1</sup> <a href="https://www.odi.govt.nz/disability-toolkit/things-you-should-know-definitions-concepts-and-approaches/">https://www.odi.govt.nz/disability-toolkit/things-you-should-know-definitions-concepts-and-approaches/</a>

- people with impairments are excluded from places and activities most of us take for granted
- infrastructure and systems (the built environment) do not accommodate the diverse abilities and needs of all citizens.
- people's attitudes prevent people with impairments from being able to participate in society on an equal basis with non-disabled people.

For example, where a person has a mobility impairment and is unable to climb stairs, rather than the focus being on trying to make them walk (which can cost significant amounts of energy and could potentially hurt or injure them), the focus is on making the world more accessible via ramps, accessible public transport, accessible facilities etc.

More information on the social model can be found on this page by People with Disability Australia .

# Disability groups

# Disabled people

People with impairments are disabled if society does not provide an environment that takes their impairments adequately into account. Consequently, they experience barriers preventing their participation in society. Disabled people are a diverse minority and it is important to consider how intersectionality plays a role in the experiences of subgroups of disabled people – they may also be members of ethnic groups, unemployed, low income, LGBTQI+ etc.

For more information on who disabled people are, see Who we are - our community in the New Zealand Disability Strategy 2016-2026.

### **Disability sector**

The disability sector includes organisations and people (disabled and non-disabled, professional and lay people) who work in support of disabled people and disability issues. This includes service providers and funders (both government and non-government) and umbrella agencies that represent providers and consumers for particular aspects of the disability sector.

### **Disability community**

The disability community is a subset of the disability sector. It includes disabled people, partners, friends, families, relatives, unpaid carers and others directly involved in informal support as determined by disabled people. This includes advocacy/consumer organisations made up of and representing disabled people.

# Concepts

# Intersectionality

Intersectionality recognises that social identities and experiences can intersect to create different modes of discrimination and privilege. That is, the experience of a Māori disabled woman as a combination of identities around race, gender and disability would be different to a Pākehā disabled man. For example, many Māori people identify primarily as Māori first and disabled second. It is important to consider how policy can shape and influence these experiences and conversely, how these experiences can shape and influence how policy will impact on someone.

#### **Ableism**

Ableism is the discrimination against disabled people based on disability, similar in concept to racism and sexism.

It ranges in scale from small microaggressions and offensive stereotypes through to systemic ableism. Many ableist stereotypes and beliefs are deeply ingrained in society and are subconsciously internalised. Disabled people themselves may have ableist beliefs about themselves and others. It is important to challenge unconscious biases and preconceived notions toward and about disabled people when you create and work with policy. More information can be found at the <a href="Simmons University Library guide to anti-ableism">Simmons University Library guide to anti-ableism</a> and the <a href="Ableism webpage on Wikipedia">Ableism webpage on Wikipedia</a>.

For more information on these concepts and correct terminology to use when talking about disabled people, see the <u>Health and Disability Commission's 'Making Communication Easy'</u>.

### Co-design

Co-design is the process of policy design in which the community and stakeholders that will be impacted by the policy are involved in the design process as experts in their own lives and experience. A great example of the co-design process in action is the start of the System Transformation work programme at the Ministry of Health, in which many disabled people were involved in workshops to inform and collaborate on what the disability support system should look like and how it should work for disabled people.

#### Reasonable accommodation

Article 2 of the UNCRPD (link) defines reasonable accommodation as

"necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms"

Examples of reasonable accommodation includes flexible hours or part-time hours in employment, ramps for access, a New Zealand Sign Language (NZSL) interpreter for meetings or events, additional time for tests and examinations in educational settings, and many more.

It is important to understand the differences between reasonable accommodation and accessibility and how the two concepts interact. Accessibility is the baseline of equal service, and accommodation is the support to ensure an individual can participate even with accessibility in place.

Accessibility is what we should expect to be in place for disabled people without asking or planning. Accommodation is for adaptations that cannot be reasonably anticipated. They are different for everyone.

Reasonable accommodation is any adjustment that makes it possible for an individual to access and perform the essential functions of and enjoy the equal benefits and privileges of citizenship.

Interpretation of what is considered 'reasonable' is not always agreed, and case law in this area is evolving both in New Zealand and overseas. Achieving full human rights for disabled people will require a clearer understanding of what provisions or accommodations it is reasonable to expect. More guidance is provided in <a href="UNCRPD General Comment 6">UNCRPD General Comment 6 on Article 5</a>.

For example, it might not be reasonable for a small business, whose workplace is only accessible by stairs, to install a lift to enable access by someone with a mobility-impairment. However, it might be reasonable for an employer to change the layout of a workplace and purchase adaptive software, such as screen readers used by vision-impaired people.

More information about reasonable accommodations and what they mean in practice can be found in <a href="mailto:this guide released by the Human Rights Commission">this guide released by the Human Rights Commission and in the Lead Toolkit for Employing Disabled People in the State Sector.</a>

# Universal design

Article 2 of the UNCRPD (link) defines universal design as

"the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed"

Using universal design involves catering to the outliers of the bell curve to meet the needs of all, across the range. It is an inclusive approach that reduces or eliminates the need for reasonable accommodations. For example, a universal design approach to building would involve step-free access to the main entrance of the building. No stairs or steps would mean people of all abilities, as well as those pushing pushchairs and prams, would equally be able to access and enter the building.

There are seven principles behind universal design:

Equitable use

- Flexibility in use
- Simple and intuitive use
- Perceptible information
- Tolerance for error
- Low physical effort
- Size and space for approach and use.

More about the principles can be found on the Universal Design website.

Universal design is often spoken about with respect to buildings and building design, but it can also relate to information and services. Some links to universal design in practice of different contexts and settings can be found below:

https://www.lifemark.co.nz/news/need-universal-design/

http://www.aucklanddesignmanual.co.nz/design-subjects/universal\_design\_

https://www.inclusive.tki.org.nz/guides/universal-design-for-learning/

# Twin-track approach

A twin-track approach is about making sure mainstream services and supports (such as public transport) are inclusive of, and accessible to, disabled people, while services and supports that are specific to disabled people are also available. This approach is not about having to choose between the specific or mainstream option, but rather, having the right access to the most appropriate high-quality support or service, at the right time and in the right place.

Ensuring that mainstream services and supports are inclusive of disabled people requires the provision of reasonable accommodation and incorporation of universal design.