



# **DISABILITY ACTION PLAN**

This Action Plan may be changed from time to time by vote at a Meeting of the Directors.

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# DISABILITY ACTION PLAN

## INTENTION:

This Disability Action Plan has been developed to facilitate and encourage the participation of people with disabilities and their care providers and associates in all activities of the Paint Horse Association of Australia (PHAA).

Its provisions are intended to create positive opportunities for these people to access, enjoy and benefit from PHAA activities.

They are also intended to assist members of the PHAA to understand issues around disability so they may action the Plan's proposals well.

The PHAA is committed to continuously improving the provisions of the Plan. Any comments or suggestions on how its objectives might be met more effectively should be made through any member of the PHAA Board or through the PHAA Secretariat.

Likewise any PHAA Board Member will be pleased to accept any statement of concerns regarding alleged failure to implement the Plan, and will undertake to address such concerns through the provisions outlined in Section 4 with due respect to the rights and preferences of the individual(s) raising the matter.

The provisions of this Plan apply to people with disabilities as defined by the Disability Discrimination Act, 1992, and all other comparable provisions of relevant state and territory laws in Australia.

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## 1. Accessibility

- (i) Any premises leased by the PHAA for use as the PHAA Office will be accessible for people with disabilities. The PHAA will not relocate its central office without regard to the requirements of the Disability Discrimination Act.
- (ii) It is recommended that any premises leased or hired by the PHAA for any PHAA function must be hired with a view to accommodate any member who may have disabilities.
- (iii) The PHAA will meet the requirements of the Disability Discrimination Act and other relevant legislation in its employment practices. The PHAA office/workplace will be equipped to reasonably assist the effective employment of people with disabilities. Likewise workplace procedures will address any special requirements whenever possible.

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- (iv) The same principles will apply to the participation of people with disabilities in voluntary positions within the PHAA.
- (v) PHAA phone numbers to be listed in the TTY directory and Yellow Pages.

### 2. Communication

- (i) The Disability Action Plan will be lodged with the Human Rights and Equal Opportunity Commission within a month of its being adopted by the PHAA.
- (ii) The Plan will be made available upon request in other necessary formats to facilitate understanding by any person with specific disabilities.
- (iii) Copies of the Plan will be held by the PHAA office and the Secretary, and will be made available to employees/members on request and free of charge. Employees/members will be advised of this through the PHAA Journal.
- (iv) Copies of the Plan will be given to all affiliated Paint Horse Clubs and Associations.
- (v) PHAA members will be encouraged to inspect the Plan and will receive a free copy of the Plan upon request.
- (vi) Feedback from employees, members and the public is welcome and should be directed to the PHAA Board. Feedback will be acknowledged.
- (vii) Ongoing information about the DDA and people with disabilities will be provided to members commencing 31 August, 1997. This could take the form of regular articles on people with disabilities and disability issues in the Paint Horse Journal. The Journal will carry regular advice re Disability Action Plan objectives and 'in principle' matters etc.
- (viii) The non-discriminatory employment policy will be affirmed by the Board at its next meeting and a statement to this effect will be incorporated into the next Journal.
- (ix) The PHAA will, as a priority, collect and hold in the PHAA office, information for employees and members about other blood borne diseases such as HIV/AIDS, with a view to assisting the effective participation of these people in PHAA activities. Information will include practical guidance to assist reasonable adjustment measures where this is available. People with disabilities will be encouraged to assist the development and dissemination of this information.

### 3. Evaluation strategies

- (i) Each Annual Report, starting with the 1997-98 report, will include information on progress towards Action Plan goals.
- (ii) This Action Plan will be reviewed by December 1998 by the Action Plan Project Team and recommendations for changes to the Plan will be made to the Board of Directors at the next meeting.
- (iii) The Board will consider suggested changes at the meeting following the receipt of recommendations and will make amendments to the Action Plan if deemed appropriate.
- (iv) The Board will also take this opportunity to consider the positive outcomes of the Action Plan implementation and will consider ways of publicising these results.

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### 4. Promotion of Responsibility

- (i) The PHAA Board will ensure that any job descriptions are reviewed from 31 August, 1997 and will include a requirement as follows:

“The successful applicant will be required to oversee the implementation of the PHAA’s DDA Action Plan.”

- (ii) Any staff, paid or otherwise, must be educated to implement the PHAA’s DDA Action Plan.
- (iii) Affiliated Paint Horse Clubs and Associations will be required to accept and promote the provisions of this DAP as a condition of their affiliation with the PHAA.

### 5. Development of an Informed Planning Process

- (i) The Disability Action Plan Subcommittee, being the planning team, will consist of no less than three (3) people and will continue to monitor the ongoing Action Plan policies.
- (ii) Members of the planning team will be required to familiarize themselves with the DDA and the function of an Action Plan. Resources will be made available to assist the team to devise plans which comply with this Action Plan. Planners will seek advice from organizations representing people with disabilities where they are unclear about disability issues.
- (iii) Members of the planning team will be answerable to the PHAA Board.

### 6. Grievance procedure

- (iv) Concerns or complaints about failure to comply with the Disability Discrimination Act or the Action Plan may be made to the PHAA Board. The Board will investigate the matter and seek to resolve the problem as quickly as possible. This will include authorization to take any measures as may be appropriate. Any complaint will be tabled at the next PHAA Board Meeting for allocation to the appropriate subcommittee, with appropriate respect for the privacy of the affected individuals.
- (v) Copies of any complaints and information on progress towards resolution will be made by the aforementioned committee and will be made available on a strictly confidential basis to all Board members prior to the meeting following receipt of the complaint.

### 7. Rider Exemption Procedure

#### a) Philosophy behind the concept of a Rider Exemption Procedure

It is understood and appreciated that many people with a disability are able, and have been involved in Open competition without the need for exemptions, in many cases with great success in different areas of equestrian competition. The PHAA recognizes however, that some people with disabilities do require additional assistance to allow their effective involvement.

- The PHAA encourages any development which assists riders with disabilities to become included into the mainstream equestrian events at whatever level their ability allows, on an equal footing.
- The PHAA does not support positive affirmative actions which discriminate in favor of people with a disability, to give them an unfair advantage over other riders.
- The PHAA believes issues of safety to the rider, other participants, officials or spectators and welfare of the horse to be paramount and will not support any action or regulation amendment which could result in reduced standards of safety to the rider or welfare of the horse.

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- There is a procedure by which any rider exemption application will be assessed by a qualified medical practitioner, physiotherapist or occupational therapist to determine that the applicant has a degree of disability which constitutes a basis for an application for exemption from certain regulations, rules or requirements of competition which the applicant cannot meet due to the effects of his/her disability.
- It must be recognized that not all applicants who apply for an exemption will be granted one. The decision of the Committee will be final.
- There are two (2) types of exemptions possible:
  - 1) a permanent exemption for applicants with a stable condition e.g. amputee. This will be renewable every two (2) years.
  - 2) a limited time exemption for applicants with a:
    - (i) temporary condition (e.g. broken limb)
    - (ii) degenerative condition (e.g. multiple sclerosis)

The limited time exemption card will be valid for a maximum of two (2) years and is able to be reviewed at any time upon additional medical evidence.

The time limit for the exemption card will be advised by the treating Doctor and approved by the Exemption Committee.

In emergent cases an interim card and/or letter may be issued at the discretion of the Exemption Committee.

### b) Procedure to establish an Exemption Committee

RDAА recommends the following action:-

*“THAT an Exemption Committee be formed by the PHAA with Terms of Reference and Membership as listed below”*

#### i) Terms of Reference

- to investigate the appropriate show rules and regulations to determine which regulations could be amended or waived to allow a rider to gain exemption from certain rules or requirements of conditions, and to determine which exemptions may be relevant for which events.
- to assess which regulations are not open to exemptions due to issues including safety of the rider, welfare of the horse or any other issue of which the Committee may be aware.
- to investigate applications from individuals to determine the appropriate type of exemption for each individual case.
- applications must be submitted according to PHAA approved format and procedure. See attached Appendix A.

#### ii) Membership of Exemption Committee

- A member of the PHAA who is a qualified Judge in his/her respective field, with wide experience in competition and the approval of the PHAA Board, with extensive knowledge of the regulations and judging of PHAA approved activities.
- An RDAА Nationally qualified Coach, with extensive knowledge of disabilities and their effects on riding plus a knowledge of PHAA approved activities.
- A qualified medical practitioner, physiotherapist or occupational therapist with experience in disabilities and preferably with a knowledge of PHAA rules and regulations applying to competition.

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It is felt that the Committee could conduct the majority of their business via correspondence coordinated by the PHAA Office.

### c) Rider Exemption Procedure

- Riders wishing to apply for an Exemption Card must make application to the PHAA on the appropriate form with all requested information complete (See Appendix A).
- The PHAA Exemption Committee will consider the application and if necessary seek such further information, clarification or advice deemed necessary to make a decision.
- If an Exemption Application is not approved the applicant will be informed in writing by the PHAA, giving the reasons for the decision, and will be invited to represent their application with additional information which might assist its success.
- If an exemption is granted, the applicant will be advised in writing and the appropriate PHAA Exemption Card will be issued. A register of Exemption Card holders and applicants is to be kept by the PHAA Office.

### d) The Exemption Card

The Card:

- will not identify the nature of the disability of the rider.
- will indicate the nature of the exemption and the rules and/or regulations to which the exemption applies.
- must be presented to the Show Secretary prior to the commencement of the Show for the exemptions noted on the card to be taken into consideration during judging in events at the Show. The Show Secretary must notify the Gate Marshall, Show Manager, Stewards and Judge and any other appropriate persons, of exemptions which are noted on the card.
- will be shown to the Gate Marshall by the competitor at each event in which he/she is competing and the Marshall or a designated person shall inform the Judge of the appropriate exemption before the beginning of that class.
- The Judge and Stewards must take into account noted exemptions when judging any event for which an Exemption Card has been presented.

If any event is pre-nominated, the details of an existing PHAA Exemption Card must be included with the entry at that time.

All PHAA approved show entry forms must state that Exemption Cards are to be cited for exemptions to be taken into consideration.

The rider will not be required to discuss the exemption with the Judge, nor will the rider or people associated with the rider be entitled to enter into any discussion with the Judge about the exemption or the performance by the rider.

Any competitor exhibiting with an Exemption Card is not required to discuss the basis of their exemption with any other competitor. The Show Management will advise any competitor who queries a fellow exhibitor competing with an Exemption Card, that the person is not to be approached to discuss the basis of their exemption.

## 8. Annual Award

A framework for provision of an Annual Award to be awarded by the PHAA to a disabled person nominated by a PHAA member in recognition of their efforts, will be developed for approval by the PHAA Board by June 1998.

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### DISABILITY ACTION PLAN - APPENDIX A

#### PHAA Application for Exemption by a Rider with a Disability

N.B. ANY INFORMATION GIVEN ON THIS FORM IS STRICTLY CONFIDENTIAL.

#### A. PERSONAL INFORMATION

Name of Applicant: .....

Address of Applicant: .....

..... P/Code .....

Phone: .....

Name of Parent/Guardian if under 18 years of age: .....

Nature of disability: .....

Date of onset of disability: .....

Cause of disability: .....

Is the disability stable or degenerative? .....

Medical verification of the disability is required. A Doctor's Certificate giving the Doctor's assessment of the nature of the disability and the amount of functional ability which the applicant retains is required. This Certificate must be attached to the Application Form.

#### Details of Horse/s ridden by the Applicant

(Attach details for any horses ridden by the Applicant)

Name of Horse .....

PHAA Registration No. .... Date of Foaling .....

Sex (Please tick) Gelding ..... Stallion ..... Mare .....

#### Special Equipment used by the Applicant

Please give details of any special equipment, saddlery or aids which the applicant

requires: .....

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Types of Events in which the Applicant usually competes:

.....  
 .....  
 .....  
 .....

I certify that the above information is correct

Signature of Applicant .....Date .....

Signature of Parent/Guardian .....Date .....  
 (if Applicant is under 18 years of age)

### B EXEMPTION DETAILS

I, ....., hereby wish to apply for exemption from rules and/or regulations as follows:

(Please quote the rule and regulation number and any relevant sub sections from applicable rule books. Please attach photocopies of applicable sections of any rule book with the exception of the current PHAA Rule Book.)

Regulation No. ....

and sub section (if applicable) .....

Name of Rule Book .....

Type of Exemption sought. (Explain reasons clearly.)

1. Event rules and regulations

.....  
 .....

2. Equipment rules and regulations

.....  
 .....

3. Attire rules and regulations

.....  
 .....

Any other relevant information to support this application should be attached and forwarded to:

**Paint Horse Association of Australia**  
**Exemption Committee**  
**PO Box 1008**  
**Dubbo NSW 2830**