Submission to the inquiry into

Delivery of outcomes under the National Disability Strategy 2010-2020 to build inclusive and accessible communities

Senate Standing Committees on Community Affairs

April 2017

Contents

Deafness Forum of Australia

Deafness Forum is the peak, national not for profit organisation that represents the one in six Australians who have a hearing impairment, a chronic disorder of the ear, are deaf, and the families who support them.

Deafness Forum's objective is to provide timely and realistic advice to government on strategic public policy development and practice reform.

> Hearing impairment or deafness is a grossly underestimated public health problem in Australia, causing significant productivity loss to the nation.
>
> In addition, there must be a new focus on the prevention of avoidable hearing loss acquired from poor occupational health practices and other exposures to noise.
>
> There is a real need for national advocacy.
>
> It is Deafness Forum's role to provide informed and realistic advice to the Australian Government and the Opposition, to inform public policy to benefit the one in six Australians it represents.
>
> *Hon John Howard OM AC, 25th Prime Minister of Australia, patron of Deafness Forum of Australia*

Deafness Forum of Australia is a foundation member of Australian Federation of Disability Organisations. AFDO is a peak organisation in the disability sector representing people with disability. AFDO and its member organisations are run by and for people with disability. Its mission is to champion the rights of people with disability in Australia and support them to participate fully in Australian life. AFDO has made a submission to this Inquiry in which it addresses a broad suite of issues of importance to all people with disability. Deafness Forum supports the AFDO submission.

This submission is endorsed by

afdo
Australian Federation of Disability Organisations

1. HEARING AUGMENTATION IN THE BUILT ENVIRONMENT

One in six Australians has a degree of hearing loss or chronic ear disorder. In the population aged over 50, the rate climbs to one in four. In the over 70s age group it becomes one in three.

The Disability Discrimination Act makes it clear that all people have the same right to communications access and information. Therefore, if a facility or service provides arrangements to amplify speech (in such contexts as inquiry counters, meeting rooms and transport spaces) and those arrangements use sounds to alert users to anything, then the facility or service should provide parallel arrangements that enable people with hearing disability and people who communicate in Australian Sign Language (Auslan) to receive the sounds and information.

If there are legislative provisions to provide particular information or sounds, such as fire alarms or emergency warnings/instructions, then that information/sounds must be accessible to all. The Building Code of Australia and various Australian Standards indicate the specific obligations in respect of various types of buildings and transport systems.

Appropriate means for alerting danger include alarms with flashing lights and portable vibration pagers. Flashing lights, when they are used to alert people, must be visible in/from all parts of a venue. Portable vibration pagers should be used to call waiting clients/customers.

All places should provide:

- Access to captioning on all television or video display sets
- Functioning hearing augmentation systems, such as Induction loop (IL), Frequency Modulated (FM), or Infrared (IR) systems to enable all people who need hearing augmentation to hear the information without reverberation or background noise, regardless of whether or not the source is amplified speech/sound, including at counters, in meeting rooms and auditoriums, and on televisions, etc.
- Real time captioning systems to enable all users who need such systems to follow what information is being provided; and real time Auslan relay
- Visual warning indicators in all toilet areas and in common areas to supplement the emergency horns/speakers

All building owners and operators should implement:

- Regular, ongoing maintenance and checking of hearing augmentation systems and procedures
- Regular, ongoing training of staff about the hearing augmentation systems available, such that users can be correctly informed
- Promotion of the existence of hearing augmentation systems in venue directory listings, website information and advertising
- Display of the International Symbol for Deafness to identify:
  - existence of hearing augmentation systems
  - type of systems available
  - areas covered by systems

1.1 Extend scope of the Access to Premises Standard in relation to hearing augmentation

The current Building Codes of Australia, and the Australian Human Rights Commission Access to Premises Standard, apply only to new buildings, and buildings undergoing significant changes. As a consequence, the majority of buildings are inaccessible for people with hearing disability.

Recommendation 1

Specify a timeframe for all buildings to meet the hearing augmentation requirements of the Access to Premises Standard:

a) All Class 9B areas for hire (e.g. hotel ballrooms) within 3 years
b) All counters that come under APRA (i.e. bank tellers etc) within 3 years
c) All government institutions (including federal, state, local government) within 5 years
d) All meeting rooms/areas in retirement villages within 5 years
e) All government funded organisations within 7 years
f) All others within 10 years

1.2 Aged care residential facilities

Retirement villages, Class 9C, are not required to have hearing augmentation if the meeting rooms cover a small percentage of the building. 70 percent of residents in aged care facilities typically have a hearing loss.[1]

Recommendation 2

The Access to Premises Standard must require all meeting rooms/areas in Class 9C buildings have hearing augmentation systems permanently installed.

1.3 Public transport buildings and conveyances

The current requirement for public transport places, and for public transport conveyances (reference AS1428.2–1992) is 25 years old and grossly out of date in regards to hearing augmentation. Consequently, airports and train stations are being constructed and refurbished with only 10 percent hearing augmentation coverage instead of the 80 percent coverage required of Class 9B buildings.

Recommendation 3

All public transport buildings and public transport conveyances must comply with the primary clause (D3.7) of the Access to Premises Standard, and AS1428.5 – 2010.

[1] Listen Hear -- the economic impact and cost of Hearing Loss in Australia, Access Economics 2006

1.4 Address inadequacies of the Building Codes of Australia and the Access to Premises Standard in its current form AS 1428.5

Hearing augmentation systems are being installed without regard to whether the systems are effective for people with hearing impairment. The reasons can be a lack of knowledge of how to install the systems; and a way to minimise costs.

Recommendation 4

All hearing augmentation systems must comply with AS 1428.5 – 2010 Design for access and mobility - Communication for people who are deaf or hearing impaired. Requiring all systems to comply with this definitive standard for hearing augmentation will ensure that such systems are suitable for the purpose. This must be referenced in the BCA/Access to Premises Standard.

1.5 Compliance avoidance

There are cases where to avoid compliance the inbuilt amplification system is installed after the occupancy certificate is granted.

Many hotels hire in amplification systems and charge the client.

It is obvious that a class 9B area of large areas (e.g. 300 square metres) will need some form of amplification system.

While every class 9B area should be covered, a compromise is that any class 9B area more than 75 square metres must have a hearing augmentation system permanently installed, regardless of whether inbuilt amplification is provided (as it is obvious that amplification will be provided at a later date).

Recommendation 5

All class 9B areas more than 75 square metres must have a hearing augmentation system permanently installed, regardless of whether inbuilt amplification is installed.

1.6 Floor Area

Reference to cover of floor area is to include “of each class of area”. This is an issue where first class areas are relatively small, but are excluded because the required coverage is met in the main. In some instances, wheelchair accessible areas are excluded – a proportion of people with mobility issues are also hearing impaired.

Currently, 80 percent floor area coverage is required for hearing augmentation systems, and 95 percent for receiver systems. This needs to state “of each class of area”.

Recommendation 6

Hearing augmentation must meet the minimum requirements of coverage for each class of seating.

1.7 Inbuilt amplification

Some building managers are interpreting inbuilt amplification to mean that a class 9B room with a television does not require hearing augmentation, even though D3.7 specifies it. Given that televisions are used for skype and video conferencing, it is necessary that all amplification be connected a hearing augmentation system.

Recommendation 7

Any form of amplification is required to be connected to a hearing augmentation system.

1.8 Receivers

The number of receivers specified for small areas is inadequate. A venue with a capacity of 45 people is required to provide only two receivers.

Recommendation 8

Where receivers are provided, or required to be provided for hearing augmentation, the minimum units provided must not be less than 10 percent of seating capacity.

Receivers must be provided with both neckloops (to work with the Telecoil or T switch on the hearing aid and/or cochlear implant) and headsets (for those without hearing aids). Those with hearing aids and/or cochlear implants cannot wear headsets, and neckloops are not an aid to those without hearing aids or cochlear implants. To comply with DP9, every receiver must be provided with both a neckloop and a headset, as per AS 1428.5. In addition, headsets must be able to be fitted to both ears, not just to one ear.

Recommendation 9

Where hearing augmentation is provided by receivers, rather than via a hearing loop, all receivers shall have both neckloops and binaural headsets.

1.9 Portable Systems

Portable systems are often used to meet compliance. This means that where there are numerous areas a portable system is taken from one to another. Over time, the unit can be damaged and settings disrupted. A portable system requires the staff to have a much higher level of training to know how to use the portable system as compared to an installed system.

If public access is available in a room or auditorium, the hearing augmentation system must be permanently installed to be available on demand.

Recommendation 10

All hearing augmentations systems shall be permanently installed. Portable systems shall not be acceptable as solutions for hearing augmentation requirements.

1.10 Emergency Warning & Intercommunication Systems

Emergency Warning & Intercommunication Systems are specifically excluded from requiring hearing augmentation. However, this needs to be clarified to state that if a system is used for any other purpose than Emergency Warning & Intercommunication, hearing augmentation is required.

This has been an issue where the Emergency Warning & Intercommunication System has also been used for background music; and then after the occupancy certificate is issued, used for announcements.

Recommendation 11

Where Emergency Warning & Intercommunication Systems are used for any other purpose than Emergency Warning & Intercommunication, hearing augmentation is to be provided; and

Where hearing augmentation is provided, Emergency Warning & Intercommunication Systems shall also be connected to that hearing augmentation system.

1.11 Customer service counters

The current Building Codes of Australia, and the Australian Human Rights Commission Access to Premises Standard require only counters with an installed barrier to have hearing augmentation.

Customer service counters are a continuing source of frustration for people with hearing disability. The greater the space separating service staff from the customer, the more difficult it is to hear. A similar situation arises where the staff member is seated, and the customer is standing.

While every customer service counter should have hearing augmentation, an acceptable compromise is that every counter wider than 800mm and/or lower than 900mm must provide hearing augmentation.

Recommendation 12

Customer service counters wider than 800mm and/or lower than 900mm must provide hearing augmentation.

Counters with barriers

The current Building Codes of Australia, and the Australian Human Rights Commission Access to Premises Standard are often ignored when it comes to customer service counters with barriers. By way of example, most bank service counters have some form of barrier, yet hearing augmentation is not provided.

The most common barrier is a transparent plastic barrier with a small opening. The requirement to only provide hearing augmentation for customer service counters with a security barrier is thereby avoided by such narrow openings.

The size of the barrier should be defined, as per recommendation 13.

Recommendation 13

Hearing augmentation is to be permanently installed at customer service counters where a barrier:

a) Has an opening less than 400mm wide at its narrowest horizontal opening, or
b) Where the opening that does not extend from the counter to a height of 1.9 metres above FFL

Portable systems

Portable service counter loop systems are frequently used to meet compliance. In practice, it often means that a single portable system is designated to serve multiple customer service counters. If the unit is in use at one counter, it is not available to concurrently serve customers at other counters. It is requires the customer to ask to access the system, thereby identifying themselves as having a disability – this is not a desirable situation and in contradiction to the importance of personal dignity highlighted in the Disability Discrimination Act.

Recommendation 14

Permanent customer service counters should have permanently installed hearing augmentation systems.

2. EDUCATIONAL SETTINGS: noisy classrooms inhibit learning

Much of what is learnt in school occurs through extended periods of listening. Compared to adults, children are far less efficient listeners owing to their neurological immaturity and underdeveloped abilities to predict a message from context. Pupils who continually miss key words and phrases because of poor listening conditions are significantly disadvantaged.

The need for spaces that support clear listening conditions is particularly important for pupils with hearing disability, learning difficulties and for whom English is not their primary spoken language.

Children spend 45-75 percent of their time in the classroom. Current teaching methods have a strong focus on group work activities; therefore classrooms are prone to high noise levels. Factors that interfere with speech reception in classrooms include level of background noise, reverberation, distance of the child to the teacher and power of the teacher's voice.

A recent investigation by the Department of Linguistics, Macquarie University and National Acoustic Laboratories, noted:[2]

[2] Classroom acoustic conditions: Understanding what is suitable through a review of national and international standards, recommendations, and live classroom measurements. Kiri Mealings 2016. Department of Linguistics, Macquarie University, Sydney, Australia; National Acoustic Laboratories, Sydney, Australia.

> Children will be affected by too much noise in the classroom leading to misunderstandings, fatigue and learning and academic difficulties - this includes children who have a hearing disability or Central Auditory Processing Disorder.
>
> Studies show that children from classrooms with poor acoustics have lower literacy and numeracy skills, are less productive in the workforce, and tend to be in lower paid jobs than those from classrooms with good acoustics. Therefore, it is vital that the classroom acoustic environment is designed to allow children to accurately discriminate what their teacher and the children in their group are saying among the other dynamic classroom noise.
>
> The (combined Australian/New Zealand) AS/NZS2107:2000 standard currently has recommendations for unoccupied classroom ambient noise levels and reverberation times; however, these are not enforced. Furthermore, there are no recommendations for occupied classroom acoustic conditions.

It's not only the students who suffer from poor classroom acoustics. Teachers report being more distracted by noise, found speech communication significantly more difficult, and thought children had more difficulty hearing them. Teachers who need to elevate their voices can experience vocal strain and voice problems.

Researchers Chyrisse Heine and Warwick Williams[3] noted in a report in 2007**:**

> Although of utmost importance, the difficulty with "standards" is that their existence does not make their use and/or implementation mandatory. School compliance with published standards is voluntary. Classroom architectural and engineering design teams do not need to comply with the recommended standard unless the school explicitly specifies the required standard in their construction documents.

<u>Recommendation 15</u>
That a national standard for acoustics in occupied classrooms be established; as well as the mechanisms to make observance of such a standard mandatory.

[3] Heine, C. & Williams, W. (2007). Where should my client sit? Can location help classroom listening? *ACQuiring knowledge in speech, language and hearing,9*(2), 60-63.