



# REASONABLE ACCOMMODATION IN DEVELOPMENT PROGRAMS GOOD PRACTICE NOTE<sup>1</sup>

The purpose of this Good Practice Note is to support DFAT staff and partners understand what reasonable accommodation is, DFAT's obligations to ensure it is provided, and how to use it as a tool for enabling participation of people with disability on an equal basis with others. It includes specific examples across the development program cycle and suggestions for systemic improvements to ensure access to reasonable accommodation wherever and whenever it is needed.

Reasonable accommodation is the provision of support, modifications, and/or adjustments that meet the individual needs of people with disability to enable them to participate on an equal basis with others. People with disability have the right to request reasonable support or adjustments that they consider to best support their participation in a specific situation. Checking whether reasonable accommodation is required should be built into processes, so it is not the sole responsibility of people with disability to ask.

As a party to the [UN Convention on the Rights of Persons with Disabilities](#) (CRPD), Australia has a responsibility to ensure its international cooperation, including development programs and humanitarian action, is inclusive of and accessible to people with disability. In line with this, [Australia's International Disability Equity and Rights Strategy \(IDEARS\)](#) identifies reasonable accommodation as a key enabler for inclusion of people with disability across society.

## 1. Reasonable accommodation at a glance

- Is made at the request of people with disability
- Is designed to reduce or eliminate a specific barrier within a specific situation, which if unaddressed risks that person being unable to realise their rights and participate equally with others
- Is agreed in consultation with the person with disability to meet their specific needs and the barrier
- Must be addressed immediately i.e. through providing what is requested or through consultation to identify alternative solutions to address the barriers
- Must be 'reasonable' - should not impose an undue burden on the person or organisation providing the accommodation (such as being too difficult to achieve or imposing an excessive cost)
- Is a necessary part of investment budgeting
- Does not replace the need for inclusive development practice across all partners and investments
- Is carried out *in addition to* efforts to improve the accessibility of activities (such as ensuring accessibility of venues or presentation slides)
- Is reportable within DFAT's annual investment monitoring processes

## 2. What is reasonable accommodation?

Reasonable accommodation supports a person with disability to be able to participate equally, by making changes to a setting or how an activity is delivered, or by providing additional support. These

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arrangements are made for an individual set of circumstances. It is this focus on an individual's needs that differentiates reasonable accommodation from broader accessibility considerations.

Reasonable accommodation is defined in Article 2 of the CRPD 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”.

A person with disability may request reasonable accommodation in relation to any aspect of their engagement with DFAT. This request may not always be identified by the term ‘reasonable accommodation’ or identify a particular solution. For instance, the following constitutes requests for reasonable accommodation: “Can I get this document in an accessible electronic format?” or “This workshop is not in a wheelchair accessible venue, is there some way I can participate?”.

#### **Box 1. Examples of reasonable accommodation in the Australian development program**

- Providing a sign interpreter on request so that a Deaf person can participate in consultations
- Providing per diems for a personal assistant to accompany a person with disability so they can fully participate in a design workshop
- Adjusting the start time of a meeting to accommodate a person with a physical disability who needs a longer transit time due to limited transport options
- Using an alternate online meeting platform with enhanced accessibility features that enables a consultant with disability to lead the online training
- Emailing key documents two days in advance of a meeting to enable a person with cognitive disability time to read and understand the content
- Making minor adjustments to a venue to meet the needs of a delegate using crutches (e.g. installing a moveable ramp, relocating to a ground floor room)
- Providing financial assistance for private transport for people with physical disability where there is no accessible public transport available to the venue
- Translating a research report into Braille or providing it in large print format on request so it can be accessed by a person with vision impairment
- Ensuring that water and space is provided for a guide dog used by a visitor with vision impairment

### **3. The difference between reasonable accommodation and accessibility**

Both reasonable accommodation and accessibility are required under the CRPD and are necessary for disability equity and rights. They differ in who they are designed for and when they are provided.

**Reasonable accommodation** refers to individual situations and therefore involves responding to the specific needs of the person with disability concerned. It is achieved with immediate action.

**Accessibility** is for all people and is realised progressively overtime. It is one of six preconditions to inclusion in IDEARS. The CRPD refers to accessibility as “appropriate measures to ensure persons with disabilities have access, on an equal basis with others, to the physical environment, to transportation, to information and communications ... and to other facilities and services open or provided to the public”.

Reasonable accommodation does not replace the need for accessibility; they are both necessary for disability equity. Requests for reasonable accommodation are likely to reveal barriers impacting more than one individual. They can influence positive changes to the broader accessibility of systems,

processes, and practices. For example, a portable ramp over stairs is **reasonable accommodation**. It can be achieved with immediate action. A permanent concrete ramp is **accessibility**. It may take time to put in place.

#### Box 2. An example of providing reasonable accommodation in the Australian development program

An implementing partner has double-story offices which lack accessible toilets and wheelchair access. There is limited accessible public transport to the offices, which are often used for program workshops. A local organisation of people with disability (OPD) advocates for the inclusion of children with disability in the program. An OPD representative who uses a wheelchair wishes to attend the workshops but cannot access the building or transport to get to the morning events. She asks the implementing partner to find a way for her to take part. The staff meet with the woman to discuss her specific needs. Together they agree on a solution – a reasonable accommodation.

- The managing contractor installs a ramp to make the lower levels of their offices accessible. The ramp also improves the overall accessibility of the building.
- While installing an accessible toilet is not possible in the short term, they agree that any program meetings longer than one hour will be held at a nearby wheelchair-accessible location with an accessible toilet, rented for each occasion by the implementing partner.
- They agree that meetings will start no earlier than 10 am, to allow time for the woman to be transported to the venue on the OPD's wheelchair-accessible bus.

## 4. Deciding what is 'reasonable'

The CRPD definition of 'reasonable accommodation' specifies that the accommodation is not an **undue burden** on the agency responsible for providing them. Considerations to determine what is "reasonable" include:

- The availability of the requested accommodation (e.g. if live captioning services do not exist in a particular country, they cannot be provided there)
- The difficulty or feasibility of providing the accommodation requested within the available timeframe (e.g. time required to respond and organise)
- The level of expense involved, considering the financial and other resources available
- The effect of providing or not providing the requested accommodation on the person requesting it (e.g. reduced participation or exclusion)

The CRPD reference to "disproportionate or undue burden" is not an excuse for inaction. As reasonable accommodation is designed for an individual, the response requires consultation with the individual to find a solution that meets their needs, is reasonable, and which has the same or similar effect to what was requested.

#### Box 3. An example of deciding what is reasonable

A DFAT partner from a small Pacific Island received a request from a person with disability for a Braille copy of a document that was being discussed at a meeting in four days. There was no Braille machine on the island. The cost associated with procuring a Braille machine or paying an agency in a neighbouring island to translate the document exceeded the budget and impossible within the timeframe. Instead, the agency discussed with the individual alternate solutions to access the information. Together they discovered that by providing an electronic copy of the document and

technical support for screen reader software the person was able to access the information and be prepared for the meeting.

## 5. Budgeting for reasonable accommodation

Budget requirements for reasonable accommodation vary significantly depending on how accessible the operating context is, the sector, and access to assistive devices and support services. Requests for reasonable accommodation need to be considered within the context of the resources available. For programs that have a strong focus on individuals (for example, scholarship programs) the cost of reasonable accommodation may be significantly higher.

Resources for reasonable accommodation can include time, people, money, materials, and products. Some accommodations can be implemented at little or no cost, and some require budget allocation. DFAT recommends a dedicated budget line for reasonable accommodation which is available across the program cycle. The [Disability Inclusion in the DFAT Development Program Good Practice Note](#) suggests approximately 3 to 5 per cent of the budget should be allocated specifically to ensure the activity is inclusive and accessible. This particularly relates to the budget for design, monitoring and evaluation. The budget for implementation will vary depending on the nature and context of the investment.

## 6. Reasonable accommodation across DFAT's development program cycle

Reasonable accommodation must be made available across the program cycle; for design and evaluation, implementation, and procurement. Provision of reasonable accommodation (alongside accessibility), as well as strengthening of investment processes to support reasonable accommodation provision, should be reported in DFAT's annual Investment Monitoring Reporting as evidence of supporting disability equity. For example, the provision of reasonable accommodation is one component of ensuring an investment does not reinforce discrimination towards people with disability.

### Box 4. Examples: strengthening systems for reasonable accommodation

- Develop a process for facilitating and assessing requests for reasonable accommodation.
- Include requirements for reasonable accommodation (and associated budgeting) in policy, program, and partner documentation e.g. designs, contracts and grant agreements, reviews, and evaluations.
- Ensure all staff and partners/stakeholders are aware of their obligations for reasonable accommodation, and the need for immediate realisation of that obligation.
- Learn from OPDs and facilitate their awareness raising of people's right to request reasonable accommodation and practical examples of how to do this.
- Monitor and learn where reasonable accommodation has been requested and provided or not, to help identify broader potential accessibility investments.

## 7. Further information and advice

DFAT staff can request further advice on reasonable accommodation processes and considerations by emailing [GEDSI.GEB@dfat.gov.au](mailto:GEDSI.GEB@dfat.gov.au).