

## Disability Policy

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### 1. Purpose

This policy affirms Flinders University's commitment to providing an environment where students and staff with a disability are valued, supported and encouraged, and are able to, as far as practicably possible, participate fully and independently in the life of the University.

### 2. Scope

- a. This policy applies to all members of the University community, as well as applicants for admission and applicants for employment.
- b. This policy applies in all University locations, including University-owned or operated residential accommodation.

### 3. Policy statement

#### 3.1. Access and Equity

- a. Flinders University recognises the value of people of diverse abilities, and is committed to the inclusion of people with disabilities in employment and education. The University also aims to ensure inclusion of persons who are associates of people with a disability, such as partners, relatives or carers.
- b. As part of the University's values of being student-centric and acting with integrity, Flinders will proactively work towards creating an environment that is welcoming and accessible to students and staff of all abilities.
- c. The University is committed to:
  - i. complying with all relevant legislation regarding access and equity for people with disabilities;
  - ii. providing services and support for students with disabilities to enable them to participate fully and independently in the academic, cultural and social life of the University;
  - iii. providing access for staff with disabilities to enable them to participate fully and independently in all aspects of their work and career development; and

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- iv. fostering and encouraging, among staff, students and the community, positive, informed and unprejudiced attitudes towards people with disabilities.
  - d. No one may treat a person with a disability less favourably because of their perceived disability status.
  - e. Ensuring that people with disabilities have full access to participate in the life of the University is a mutual and iterative process between the University and the person with the disability. It is expected that both parties will engage in good faith and with a focus on finding reasonable and workable solutions.

### **3.2. Reasonable Adjustment**

- a. To give effect to the commitments in s.1 and s.3.1 above, wherever practicable, reasonable adjustments to a usual policy, practice, work or study environment, conditions of work, teaching methods, or mode or method of assessment will be made to meet the needs of a person with a disability.
- b. Adjustments in a study context must not lead to a weakening or lowering of the academic standard being assessed. Students must still be able meet the inherent requirements of the assessment tasks for a topic.
- c. Students with disabilities who are preparing to undertake work integrated learning placements must meet the requirements specified in the [Working Integrated Learning Policy](#) and procedures.
- d. In the event that a teaching staff member or manager does not accept a person's request for a particular adjustment, the final determination as to whether an adjustment is reasonable:
  - i. in a study context, will rest with the relevant Dean (Education); and
  - ii. in an employment context, will rest with the Director, People and Culture.
- e. Where two or more staff or students require adjustments that may not be compatible, Flinders will work with both individuals to create an adjustment that meets both needs, bearing in mind that the adjustment may not be exactly as originally sought. This may include relocating the work or study site of one or both people.

### **3.3. Disclosure of Disability**

- a. An individual with a disability who does not require any adjustments is not obliged to disclose their disability at any time.
- b. An individual with a disability who requires an accommodation or adjustment is encouraged to disclose their need for the adjustment to the University, with appropriate documentation, as soon as possible. This includes:
  - i. applicants for work or study;
  - ii. existing students; and
  - iii. existing staff.
- c. Information regarding the disability, and any adjustments needed, may only be disclosed to other staff on a need-to-know basis. This may include disclosure to teaching staff, supervisors, facilities services, and other staff who may be required to implement the required adjustments. Subject to the above, University staff must treat as confidential and private any disclosure of information concerning a person's disability.
- d. Evidence of a disability may be required for appropriate adjustments to be provided.

### **3.4. Disability Action Plan (DAP)**

- a. In conjunction with this policy, the DAP sets out the University's approach to meeting its obligations and responsibilities under Part 3 of the Disability Discrimination Act. The Vice-Chancellor is the Responsible Officer for the implementation of the actions identified in the DAP.
- b. The DAP will be lodged with the Australian Human Rights Commission to assist it to evaluate any claim in the event of a complaint being made against the University.

- c. Biennial reports to the Vice-Chancellor will be made on the implementation and effectiveness of the Disability Policy and the DAP.

## 4. Complaints

Complaints about any breaches of this policy may be made in accordance with the:

- a. [Student Complaints Policy](#) and [Student Complaints Procedures](#) (if the complainant is a student)
- b. [Staff Grievances](#) provisions in the University's Enterprise Agreement and associated policy and procedures (if the complainant is an employee).

## 5. Responsibilities and Authorities

<b>Vice-Chancellor</b>	<ol style="list-style-type: none"> <li>a. Take overall responsibility for the delivery of the Disability Action Plan.</li> <li>b. Provide additional funding for adjustments where required and appropriate.</li> </ol>
<b>Disability Service</b>	<ol style="list-style-type: none"> <li>c. Advise students with disabilities of their options.</li> <li>d. Create individualised Access Plans for students with disabilities.</li> <li>e. Fund approved accommodations or adjustments for students with disabilities.</li> <li>f. Record evidence of assistance animal suitability for students using assistance animals.</li> <li>g. Provide advice and assistance to academic staff and other areas of the University in supporting and accommodating students with disabilities.</li> </ol>
<b>College Disability Academic Advisors (CDAA) (appointed by the relevant Vice-President and Executive Dean)</b>	<ol style="list-style-type: none"> <li>h. Provide point of contact / liaison between academic staff, students with disabilities and the Health, Counselling and Disability Service.</li> </ol>
<b>Director, People and Culture Deans (Education)</b>	<ol style="list-style-type: none"> <li>i. Make the final determinations on whether adjustments are reasonable and will be undertaken where they are disputed.</li> </ol>
<b>Vice-President &amp; Executive Deans, Portfolio Heads</b>	<ol style="list-style-type: none"> <li>i. Fund approved adjustments or accommodations for staff with disabilities in their areas.</li> <li>j. Provide data on their area for the biennial report on the implementation and effectiveness of the Disability Policy and DAP.</li> </ol>
<b>Supervisor of a staff member with disabilities</b>	<ol style="list-style-type: none"> <li>j. Negotiate and approve accommodations and adjustments for their staff member, in consultation with People &amp; Culture and Disability Advisors.</li> </ol>
<b>Manager, Equal Opportunity and Diversity</b>	<ol style="list-style-type: none"> <li>k. Provide advice and assistance to People &amp; Culture in accommodating staff with disabilities.</li> <li>l. Record evidence of assistance animal suitability for staff using assistance animals.</li> <li>m. Compile the biennial report for the Vice-Chancellor on the implementation and effectiveness of the Disability Policy and DAP.</li> </ol>

## 6. Definitions

<b>Access</b>	Refers to the design of products, devices, services, or environments to maximise the ability of all people to access and use them. The concept of accessible design ensures both "direct access" (i.e. unassisted) and "indirect access", meaning compatibility with a person's assistive technology.
<b>Disability</b>	The definition of disability adopted by Flinders University is that which appears in Section 4 of the Disability Discrimination Act.
<b>Reasonable adjustments</b>	An adjustment is a reasonable adjustment unless making the adjustment would impose an unjustifiable hardship on the person or organisation.
<b>Unjustifiable hardship</b>	<p>In determining whether a hardship that would be imposed would be an unjustifiable hardship, all relevant circumstances of the particular case must be taken into account, including the following:</p> <ol style="list-style-type: none"><li>the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned, including any wider community benefit</li><li>the effect of the disability of any person concerned, and</li><li>the financial circumstances, and the estimated amount of expenditure required to be made.</li></ol> <p>The burden of proving that something would impose unjustifiable hardship lies on the person or organisation claiming unjustifiable hardship.</p>
<b>University community</b>	<p>For the purposes of this policy, University community includes:</p> <ul style="list-style-type: none"><li>enrolled Flinders students, including cross-institutional students and students on exchange from another institution</li><li>employees and exchange staff</li><li>employees of controlled entities, Centre and Institutes, and affiliated clubs and associations</li><li>contractors and consultants performing work on University sites or on behalf of the University</li><li>visiting academics or persons with academic status</li><li>the Council and its committees</li><li>any volunteer in the workplace and study environment.</li></ul>

## 7. Related documents and procedures

[Disability Action Plan](#)

[Equal Opportunity Policy](#)

[Appointment Policy](#)

[Student Complaints Policy](#) and [Student Complaints Procedures](#)

[Staff Grievances](#) provisions in the University's Enterprise Agreement and associated policy and procedures

[Appendix A of the Assessment Policy and Procedures](#): Guidelines for Reasonable Adjustment to Assessment and Teaching Methods for Students with Disabilities

[Working Integrated Learning Policy](#)

## 8. Legislation

The following legislation applies in this area:

- Australian Human Rights Commission (AHRC) Act 1986
- Disability Discrimination Act (DDA) (Cth) 1992
- Commonwealth Disability Standards for Education 2005
- Equal Opportunity Act 1984
- Dog and Cat Management Act 1995 (SA)

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<b>Responsible Officer</b>	Director, People & Culture
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\* Unless otherwise indicated, this procedure will still apply beyond the review date.

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