

# Disability and Work or Study Adjustment Policy

## Section 1 - Purpose

(1) This Policy outlines the Charles Sturt University's commitment to providing an accessible and inclusive work and study environment that enables staff and students with disability to participate in Charles Sturt University (the University) life on the same basis as other members of the University community.

### Scope

(2) This Policy applies to prospective and existing staff and students who have a temporary or permanent disability.

## Section 2 - Glossary

(3) For the purposes of this Policy:

- a. Disability - the definition of disability is that used by relevant anti-discrimination legislation. Disability is very broadly defined in the legislation as any physical, sensory, intellectual, psychiatric, neurological or learning disability and includes physical disfigurement and the presence in the body of disease causing organisms. A disability may be temporary or permanent, total or partial, lifelong or acquired. The prohibition against discrimination on the basis of disability also covers a disability that existed in the past, may exist in the future or that is imputed to a person.
- b. Inherent requirements - are the core and essential components of a job or course of study and are determined in relation to the purpose and intended outcomes of the job or course of study.
- c. Reasonable adjustment - refers to the administrative, environmental or procedural alterations that are required to remove unnecessary barriers to people with disability working or studying effectively and on the same basis as others. Universities have a statutory responsibility to make such adjustments in work and study contexts wherever it is necessary, possible and reasonable to do so. An adjustment is considered reasonable if it takes into account the requirements of the person with disability and balances the interests of all parties affected. An organisation may refuse to introduce an adjustment if it can demonstrate that to do so would cause it "unjustifiable hardship".

The principle of reasonable adjustment covers the total work/study environment and can include:

- i. modifying premises;
  - ii. modifying or providing equipment;
  - iii. making changes to job design, work schedules or other work practices in ways that do not compromise performance of the inherent requirements of the position;
  - iv. providing training or other assistance;
  - v. providing information in appropriate formats; and
  - vi. changing course delivery, assessment procedures or examination arrangements in ways that do not compromise the requirement to demonstrate essential skills or knowledge.
- d. Unjustifiable hardship - refers to a defence in law that permits an organisation to refuse a particular adjustment if it will cause major difficulties or the cost is unreasonable. Whether or not a defence of unjustifiable hardship

can be sustained is determined on a case by case basis, taking into account all the relevant circumstances, including:

- i. the effect of the disability on the student or staff member;
- ii. the benefits or disadvantages likely to be experienced by any persons concerned as a result of the adjustment being made; and
- iii. the cost of making the required adjustment in the context of the organisation's financial circumstances.

## Section 3 - Policy

### Statement of Commitment

(4) Charles Sturt University is committed to providing an accessible and inclusive work and study environment to enable people with disability to participate fully in all aspects of University life.

(5) The University embraces the principle of universal design. That is, embedding in the design of products and environments the capacity to cater for a diversity of users, including people with disability.

(6) The University also seeks to apply the principle of reasonable adjustment to remove barriers to participation in work or study by people with disability.

(7) To give effect to the commitments above, the University will:

- a. foster a work and study environment free from discrimination or harassment on the basis of disability;
- b. provide training and/or information on disability issues for staff working with people with disability, where appropriate;
- c. promote and implement procedures for making reasonable adjustments that enable people with disability to participate effectively in work or study at the University.
- d. provide adequate resources to ensure that appropriate equipment and support services are available to staff and students with disability where reasonably possible; and
- e. have due regard for each person's right to privacy and confidentiality when seeking information about their disability for the purpose of making work or study related adjustments.

## Section 4 - Procedures

(8) Refer to the [Disability - Workplace Adjustment Procedure](#).

## Section 5 - Guidelines

(9) Nil.

## Status and Details

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