

Workplace Learning for Students with a Disability Policy (Planning Guidelines)

Section 1 - Purpose

(1) In accordance with the [Disability Discrimination Act 1992](#) and the [Disability Standards for Education 2005](#), these guidelines describe recommended processes and support for staff assisting students with a disability to arrange workplace learning that meets inherent requirements and provides the student with reasonable adjustment for disability.

Section 2 - Glossary

(2) The University (or University): refers to Charles Sturt University.

(3) Disability: refers to a disorder, malfunction, illness or disease affecting physical, sensory, intellectual, learning, psychiatric or neurological functions. A disability may be temporary or permanent, total or partial, lifelong, acquired or imputed.

(4) Workplace learning: describes unpaid work experience to meet subject requirements. The following terms may also be used to describe workplace learning: practicum, practical experience, industrial training, work placement, clinical experience, professional experience, practice-based learning and field placement.

(5) Reasonable adjustment: refers to the administrative, environmental or procedural alterations that are required to remove barriers for students with a disability so that they may access study on the same basis as students without a disability. An adjustment is considered reasonable if it takes into account the needs of the student with a disability and balances the interests of all parties affected.

Section 3 - Policy

Summary of Legislation

(6) [Disability Discrimination Act 1992](#) protects individuals across Australia from direct and indirect discrimination in many parts of public life, such as employment, education and access to premises.

(7) Direct discrimination can occur when a person is treated less favourably, because of their disability, than a person without that disability in the same or similar circumstances.

(8) Indirect discrimination can occur where the same treatment applies to people with and without a disability but the impact is to disadvantage or exclude people with a disability in a way which is not reasonable.

(9) [Disability Standards for Education 2005](#) clarify obligations for education providers under the Disability Discrimination Act. The Standards require organisations to take reasonable steps to enable students with a disability to participate in education and use facilities and services on the same basis as a student without a disability.

(10) [Health Practitioner Regulation National Law \(NSW\) No 86a](#). The Australian Health Practitioner Regulation Agency (AHPRA) has partnered with National Health Practitioner Boards to regulate health professionals and health professional students. Students enrolled in related University courses and undergoing clinical experience in the workplace will be impacted by the Health Practitioner Regulation National Law (NSW).

(11) Under the National Law, disability is included in the overarching definition of impairment, such that impairment is defined as:

"impairment, in relation to a person, means the person has a physical or mental impairment, disability, condition or disorder (including substance abuse or dependence) that detrimentally affects or is likely to detrimentally affect - ...

(b) for a student, the student's capacity to undertake clinical training:

(i) as part of the approved program of study in which the student is enrolled; or

(ii) arranged by an education provider."

(12) If students in related University courses have a health impairment, conditions may be imposed upon their registration to ensure that they are able to participate in a safe manner.

(13) Anyone can make a notification to AHPRA about a student who they believe may be impaired. Typically, notifications about impairment are made by treating health practitioners, employers, education providers, statutory bodies and by the practitioners or students themselves.

(14) The National Law sets down specific grounds for mandatory notifications by health practitioners and education providers related to impairments for students such that:

- a. registered health practitioners must make a notification if, in the course of practising their profession, they form a reasonable belief that a student has an impairment that in the course of the student undertaking clinical training, may place the public at substantial risk of harm (Sect 141 (1) (b));
- b. education providers must notify AHPRA if they reasonably believe that a student enrolled in a program of study provided by the education provider, or a student for whom they have arranged clinical training, has an impairment that, in the course of the student undertaking clinical training as part of the program of study, may place the public at substantial risk of harm (Sect 143 (1) (a) & (b)).
- c. such a notification is protected from civil, criminal or administrative liability (Sect 237).

(15) [Privacy and Personal Information Protection Act 1998 No 133](#) (NSW) (PPIPA) provides Principles for the protection of personal information held by agencies. The University has a [Privacy Management Plan](#) in accordance with the requirements of the PPIPA. The University recognises that in the administration and management of Workplace Learning for any students there will be an exchange of personal information with the workplaces. This information commonly includes name and contact details. The University recognises that in making reasonable adjustments for workplace learning for students with disabilities it may be necessary to share further information to support the development of appropriate reasonable adjustments. The University will secure the consent of students to disclose such personal information necessary to arrange reasonable adjustment within a workplace. The recommended form for obtaining student consent is the [Workplace Learning Health and Safety Disclosure Form](#).

(16) Organisations who do not hold existing policies for confidentiality relating to students should be asked to sign the Confidentiality Agreement — Disclosure by the University.

(17) [Work Health and Safety Act 2011](#) aims to ensure the health and safety of workers and workplaces through the elimination or minimisation of risks. The ability to meet the health and safety standards of the workplace agency is regarded as an inherent requirement for workplace learning.

Maintaining Academic Integrity

(18) In accordance with the [Disability Standards for Education 2005](#) there is a requirement that reasonable adjustment for workplace learning will be implemented if it does not compromise the academic integrity of the subject or course:

"In assessing whether an adjustment to the course.....is reasonable, the provider is entitled to maintain the academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature." (DSE section 3.4(3)).

Funding of Reasonable Adjustment for Workplace Learning

(19) The Disability Service must be consulted prior to an agreement to pay for an educational support or for specialised equipment at a workplace. Disability Liaison Officer can determine if the cost for the student is eligible to be claimed under the Additional Support for Students with a Disability (ASSD) program.

(20) The University can claim reimbursement of a percentage of eligible costs of educational support over \$500 per year and the costs of specialised equipment for students with a disability. The Disability Service prepares the retrospective ASSD claim to the Commonwealth department responsible for [Higher Education Disability Support Programme](#) (currently Department of Education and Training) each February on behalf of the University.

Section 4 - Procedures

(21) Nil.

Section 5 - Guidelines

Planning for Workplace Learning - Guidelines for Students, Workplace Learning Coordinator and Disability Liaison Officer

Student

(22) Understand the learning objectives and inherent requirements for each placement/subject and identify needs and adjustments.

(23) Complete the [Workplace Learning Health and Safety Disclosure form](#) and submit to the Workplace Learning Coordinator.

(24) Register with the Disability Services and develop a study access plan with the Disability Liaison Officer if workplace learning adjustments are required.

(25) For students with high support needs, develop a Workplace Learning Plan with a Workplace Learning Coordinator (and Disability Liaison Officer if required).

Workplace Learning Coordinator

(26) Discuss the learning objectives and inherent requirements of the placement/subject with students who have indicated on the Workplace Learning Health and Safety Disclosure form they have a disability.

(27) If necessary, consult the Disability Liaison Officer to clarify the adjustments and additional support that may be necessary during the placement.

(28) Consider the student for pre-allocation.

(29) For students with high support needs develop a Workplace Learning Plan with the student and input from the Disability Liaison Officer if required.

(30) Communicate to the placement agency the needs of the student and the suggested adjustments required while the student is on placement. Forward a copy of the Workplace Learning Plan if the student has one.

Disability Liaison Officer

(31) Discuss with students who are registered with the Disability Services if placement planning is required. Include the need for placement planning in the Study Access Plan (SAP).

(32) Provide advice on reasonable adjustment and support to Workplace Learning Coordinator as requested.

(33) Provide resources which could include specialised equipment, funding for reasonable adjustment.

(34) Provide input for Workplace Learning plan for high support needs students as requested.

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