Workplace Learning for Students with Disability Guidelines

Section 1 - Purpose

(1) These guidelines:

a. describe recommended processes and support, as provisioned in various University policy texts, for staff assisting students with disability to arrange workplace learning that meets inherent requirements and provides the student with reasonable adjustment for disability
b. describe recommended processes and support for staff assisting students recovering from injury and/or illness to return to workplace learning that meets inherent requirements
c. support compliance with the Disability Discrimination Act 1992 and the Disability Standards for Education 2005
d. support compliance with Higher Education Standards Framework (Threshold Standards) 2021, in particular standards 2 and 3.3.

Section 2 - Policy

(2) These guidelines support the following policies:

a. Disability and Work or Study Adjustment Policy
b. Course and Subject Policy
c. Assessment Policy
d. Equal Opportunity Policy

Section 3 - Procedure

(3) These guidelines support the following procedures:

a. Course and Subject Procedure - Delivery Management
b. Assessment Flexibility Procedure

Section 4 - Guidelines

University commitment

(4) Charles Sturt University (the University) is committed to providing an accessible and inclusive study environment that enables students with disability to participate in University life on the same basis as other members of the University community (see the Disability and Work or Study Adjustment Policy and the Equal Opportunity Policy).

Requesting reasonable adjustments

(5) The University will provide reasonable adjustments for students who:

a. are living with disability or a health condition, or
b. have ongoing carer responsibility for an immediate family member who is living with disability or a long-term health condition

as stated in the Disability and Work or Study Adjustment Policy and Assessment Policy.

(6) Students who require reasonable adjustment to participate in workplace learning activities must:

a. be registered with the University's Accessibility and Inclusion Support and have a current study access plan
b. review and understand the learning objectives and inherent requirements for each placement/subject and identify their needs and adjustments (or consult with the Workplace Learning Coordinator for advice)
c. inform the Workplace Learning Coordinator early enough that there is reasonable time to provide any adjustments that are needed
d. develop a workplace learning plan with a Workplace Learning Coordinator (and Accessibility and Inclusion Advisor if required)

as stated in the Course and Subject Procedure - Delivery Management and Assessment Flexibility Procedure.

(7) Contact information for Workplace Learning Coordinators will normally be provided in the school or faculty workplace learning handbook or in the subject outlines for subjects with workplace learning components.

Planning reasonable adjustments

Workplace Learning Coordinator actions

> Note: Workplace Learning Coordinator is used here as described by the 'WPL academic management and support roles' heading in the Course and Subject Procedure - Delivery Management

(8) When an adjustment is requested for a workplace learning activity, Workplace Learning Coordinators should:

a. discuss the learning objectives and inherent requirements of the placement/subject with the student
b. if necessary, consult the Accessibility and Inclusion Advisor to clarify the adjustments and additional support that may be necessary during the placement
c. consider the suitability of available placement agencies
d. develop a workplace learning plan with the student and input from the Accessibility and Inclusion Advisor if required
e. subject to clause 14, 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.

Accessibility and Inclusion Advisor actions

(9) Disability Liaision Officers should:

a. discuss with students who are registered with Accessibility and Inclusion Support if placement planning is required. Include the need for placement planning in the study access plan
b. provide advice on reasonable adjustment and support to the Workplace Learning Coordinator
c. provide resources which could include specialised equipment or funding for reasonable adjustment
d. provide input for workplace learning plans.

Guidelines for reasonable adjustments

(10) Examples of reasonable adjustments are set out in:

a. Assessment Flexibility Procedure section 4
b. Students With Disability - Reasonable Adjustments: Disability Specific

Funding reasonable adjustments

(11) Accessibility and Inclusion Support must be consulted prior to an agreement to pay for educational support or for specialised equipment at a workplace. Accessibility and Inclusion Advisor can determine if the cost for the student is eligible to be claimed under the Additional Support for Students with a Disability (ASSD) program.

(12) The University can claim partial reimbursement for costs associated with supporting students with disability or health condition. Accessibility and Inclusion Support prepares the retrospective claim to the Commonwealth department responsible for the Higher Education Disability Support Programme each February on behalf of the University.

Maintaining academic integrity

(13) 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)).

Personal and health information and privacy

(14) The University's Privacy Management Plan allows that, in making reasonable adjustments for workplace learning for students with disability, it may be necessary to share personal and health information with the placement agency. The University will secure the consent of students and disclose only the 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.

Mandatory reporting of impairment – registered health practitioner students

(15) Under the Health Practitioner Regulation National Law (NSW) (National Law), disability is included in the overarching definition of impairment and, 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.

(16) 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 to Australian Health Practitioner Regulation Agency (Ahpra) 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 (s 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 (s 143(1)(a)-(b))

(17) Such notification is protected from civil, criminal or administrative liability (s 237).

(18) Faculty of Science and Health has local procedures to guide mandatory reporting.

Return to workplace learning following approved special consideration

(19) Where special consideration to delay workplace learning due to a short-term disability or condition or exacerbation of an existing disability or condition has been approved, the student must provide a signed medical certificate from a registered professional in a relevant health profession, giving the dates from which the student is cleared to safely return to workplace learning.

Refusal of permission to undertake workplace learning

(20) The Executive Dean (or their nominee) may refuse a student permission to undertake workplace learning if they fail to meet pre-placement requirements, would pose a risk to themselves or others if they undertook the placement, or cannot meet the required professional standard. See the Assessment - Conduct of Coursework Assessment and Examinations Procedure.

(21) Students may appeal this decision under the University Student Appeals Policy and University Student Appeals Procedure.

Summary of legislation

(22) 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.

(23) 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 disability to participate in education and use facilities and services on the same basis as a student without disability.

(24) Health Practitioner Regulation National Law (NSW). 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 National Law.

(25) 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."

(26) Privacy and Personal Information Protection Act 1998 (NSW) (PPIPA) provides information privacy 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. In the administration and management of workplace learning for any students, personal information will be exchanged 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 disability it may be necessary to share further information to support the development of appropriate reasonable

adjustments.

(27) 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.

Section 5 - Glossary

(28) For the purpose of these guidelines:

a. Disability: refers to a disorder, malfunction, illness or disease affecting physical, sensory, intellectual, learning, psychiatric or neurological functions. Disability may be temporary or permanent, total or partial, lifelong, acquired or imputed.
b. Inherent requirements: as defined in the policy library glossary.
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 (as described in the Disability Discrimination Act 1992).
d. 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. See also the Course and Subject Procedure - Delivery Management glossary definition.

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Glossary Terms and Definitions

"Inherent requirements" - the fundamental components that demonstrate the abilities, knowledge and skills required to achieve the core learning outcomes of a course. They are based on course learning outcomes, which are designed to reflect professional standards. Reasonable adjustments can be made to meet the requirements, however, any adjustment must not fundamentally change the nature of the inherent requirement.

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