



Government of **Western Australia**
North Metropolitan **TAFE**

DISABILITY SUPPORT POLICY

PCY133

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All policy and procedural statements contained within this document are lawful orders for the purposes of section 80(a) of the Public Sector Management Act 1994 (WA) and are therefore to be observed by all College employees

POLICY STATEMENT

North Metropolitan TAFE is committed to facilitating the inclusion of people with disability through the improvement of access to its information, services and facilities.

North Metropolitan TAFE's Disability Support Office will work across all campuses to coordinate and implement support for students and staff with disability, whether temporary or permanent, to ensure they have access to its facilities and services on the same basis as students and staff without disability.

The Disability Support Office will work with learning portfolios, students and staff to develop and implement support services and reasonable adjustments that are based on the medical documentation supplied to Disability Support and/or information disclosed to Disabilities Support by the student and staff member. Support services and reasonable adjustments provided to students and staff with disability will not compromise the inherent requirements of a course or cause unjustifiable hardship to the College.

SCOPE

This policy applies to North Metropolitan TAFE, its Governing Council and employees and students with a disability, regardless of when the disability was acquired.

PRINCIPLES

North Metropolitan TAFE will endeavour to:

- Ensure that all its services meet the needs of people with disability
- Ensure that access to facilities and buildings meet the needs of people with disability
- Provide information in formats that acknowledges the communication needs of people with disability
- Maintain high levels of staff awareness and understanding concerning the needs and rights of people with disability
- Provide reasonable adjustments to its teaching and learning programs to enable students with disability to complete their chosen area of study
- Provide an environment where people with disability have the opportunity to participate in relevant decision-making processes with the TAFE

BACKGROUND

Disclosure of Disability

All students and staff are encouraged to disclose a disability but there is no legal obligation for a student or staff member to make such a disclosure.

Where a student or staff member has not disclosed a disability, North Metro TAFE is **not responsible** for providing education and training or work related adjustments.

As defined by the *Disability Discrimination Act 1992 (DDA)*, once a disclosure has been made by a student or staff member, appropriate responses including education adjustments to support the person with a disability must be considered.

Reasonable Adjustment

Reasonable Adjustment will be offered to all students and staff with a disability providing the necessary disclosure requirements are met and, appropriate documentation outlining the functional impacts of the disability is obtained from a qualified health practitioner.

Reasonable adjustment refers to the actions taken to provide a person with a disability with the same educational and employment opportunities as everyone else. It is not to give learners with a disability an advantage over others, to change course standards or override the student code of conduct.

Reasonable adjustment will be recommended by the Disability Support Coordinator and/or Occupational Safety and Health Consultant, in consultation with the relevant portfolio where necessary, and communicated to the learning portfolio through the student's Learning Support Plan or by consultation with the staff member's manager.

What a reasonable adjustment is will depend on the effects of the disability, the requirements of the particular course or job and the resources available to the student, staff member and the Institute. The adjustments need to be reasonable, appropriate and responsive to the individual student or staff member with a disability in a particular situation and can occur when:

- Applying for admission or enrolment (student)
- Participating in a course or program (student and/or staff member)
- Using facilities or services (student and/or staff member)

Judgements about what is reasonable adjustment for a particular person or a group of people with a particular disability may change over time. In assessing what is a reasonable adjustment for a person, regard should be had to all the relevant circumstances and interests, including:

- the person's disability
- the views of the person
- the effect of the adjustment on the person, including the effect on the person's;
 - ability to achieve learning/employment outcomes; and
 - ability to participate in courses or programs; and
 - independence;

- the effect of the proposed adjustments on anyone else affected, including North Metropolitan TAFE as a provider, their staff and other students;
- the costs and benefits of making the reasonable adjustment

Before North Metro TAFE makes any reasonable adjustment for a person, the person or an associate of the person **must** be consulted. Reasonable adjustment cannot be considered without;

- disclosure of a person's disability; and
- relevant medical documentation / professional assessment reports as outlined in the Medical Documentation guidelines

Reasonable adjustment to teaching and assessment refers to special conditions or considerations given to students with disabilities to improve their access and equity to the opportunity to complete their desired studies or training.

Reasonable adjustment to teaching methods refers to variations in the way that courses or subjects are taught in order that they are accessible to students with disabilities. Examples of reasonable adjustment to teaching methods may include: reading aloud overheads, ensuring audio-visual materials are accompanied by transcripts or subtitles, enlarging text, using accessible teaching venues for student with physical disabilities, negotiating suitable placements for students.

Reasonable adjustment to assessment practices, including examinations, assessment exercises and practical placements, can be modified to accommodate students with disabilities, but must appropriate to the students skills levels and physical / emotional / psychological capabilities.

Medical Documentation

In order to be eligible for Disability Support at North Metropolitan TAFE, a student/staff member will need to provide current evidence from an authorised health professional who has had comprehensive training and experience in the field of disability or health condition. This documentation will need to outline the person's diagnosis, the impact of the disability or health condition, and the functional limitations related to TAFE studies or work. This health professional must be independent of the person and not related to them.

- **Medical Documentation Validity**

Documentation needs to be relevant to the student's current function with the following timeframe of validity:

- In the last two weeks for a temporary condition
- In the last six months for a fluctuating condition
- After the age of 16 years old, or in the last three years for a learning disability
- No date is required for a permanent disability

- **Medical Documentation Requirements**

In order to receive assistance through Disability Support at North Metropolitan TAFE, we require:

- A clear statement of the condition, including a diagnosis against specific criteria if applicable e.g.:
 - ADD/ADHD – diagnosis based on the criteria in the DSM-IV/V (APA)
 - Autism Spectrum Disorder – diagnosis based on the criteria in the DSM-IV/V (APA)
 - Mental Health Conditions – diagnosis based on the criteria in the DSM-IV/V (APA)
 - Specific Learning Disorders – A diagnostic clinical assessment report with testing results from a relevant professional that includes information on the functional impacts of the specific learning disorder on academic achievement and recommendations
- Description of the severity of the condition as outlined above (e.g. temporary, fluctuating, permanent)
- Description of current symptoms
- Description of current treatment (if applicable)
- Current impacts of the condition on academic performance
- Recommended strategies for reasonable adjustments and strategies to support academic performance
- Recommended assistive technology specific to the condition

Documentation must be written on letterhead and signed/dated by a qualified health professional not related to the student. Alternatively, the North Metropolitan TAFE Health Practitioner Report Form (available from Disability Support Office) can be completed by the relevant professional.

• **Relevant Qualified Health Professionals**

The table below outlines the suggested health professionals who can provide medical documentation dependent on the health condition or disability.

Condition/ Disability	Suggested Health Professional
ADD/ ADHD	<ul style="list-style-type: none"> • Registered Psychologist • Psychiatrist
Autism	<ul style="list-style-type: none"> • Paediatrician • Registered Psychologist • Psychiatrist
Chronic Illness	<ul style="list-style-type: none"> • Medical Specialist
Hearing Impairment	<ul style="list-style-type: none"> • Audiologist
Learning Disability e.g. Dyslexia Dyspraxia Dyscalculia Dysgraphia	<ul style="list-style-type: none"> • Registered Educational or Neuro Psychologist with training and experience in testing for a learning disability
Medical Condition	<ul style="list-style-type: none"> • Relevant Medical Specialist

Condition/ Disability	Suggested Health Professional
e.g. Chronic Fatigue Diabetes Digestive Disorders Fibromyalgia HIV/AIDS	<ul style="list-style-type: none"> • General Physician with evidence of a clinical history with the student
Mental Health Condition e.g. Anxiety Bipolar Disorder Depression Eating Disorder Gender Dysphoria Post-Traumatic Stress Schizophrenia	<ul style="list-style-type: none"> • Registered Psychologist • Psychiatrist • General Physician with evidence of a clinical history with the student
Neurological Conditions e.g. Acquired Brain Injury Cerebral Palsy Epilepsy Multiple Sclerosis Spina Bifida	<ul style="list-style-type: none"> • Neurologist • Neuro Psychologist • Psychologist • Psychiatrist • General Physician
Physical Disabilities e.g. Amputation Arthritis Cancer Cystic Fibrosis Quadriplegia Paraplegia Spinal Cord Injury	<ul style="list-style-type: none"> • Medical Specialist • General Physician • Physiotherapist • Occupational Therapist
Temporary Condition or Injury e.g. Broken bone/s Musculoskeletal injury affecting fine and/ or gross motor function Surgery	<ul style="list-style-type: none"> • General Practitioner • Specialist • Relevant Health Professional
Vision Impairment	<ul style="list-style-type: none"> • Optometrist • Ophthalmologist • Specialist Vision Testing Service

If a student/staff member feels they have a disability or medical condition that is affecting their studies/work, but it has not been diagnosed, they are encouraged to seek assistance from the above medical professionals.

DEFINITIONS AND ACRONYMS

Disability

The *Disability Discrimination Act 1992* (Cth) defines disability as:

- total or partial loss of the person's bodily or mental functions
- total or partial loss of a part of the body
- the presence in the body of organisms causing disease or illness
- the malfunction, malformation or disfigurement of a part of the person's body
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment, or that results in disturbed behaviour; and includes disability that:
 - presently exists
 - previously existed but no longer exists (e.g. cancer)
 - may exist in the future (e.g. a condition that runs in the family which may develop in the future)
 - is imputed to a person (meaning it is thought or implied that the person has disability but does not – e.g. someone may believe a gay man has HIV/AIDS).

Reasonable adjustment

Reasonable adjustment refers to a measure or action taken by the college that assists a student with a disability with respect to: admission and enrolment; undertaking a course or short course, and accessing facilities or services, that balances the interests of all parties effected.

Same basis

Same basis refers to the college providing to a student with a disability comparable opportunities and treatment as a student without a disability which is achieved through the use of reasonable adjustment.

Unjustifiable hardship

Unjustifiable hardship refers to a situation where the college, attempting to comply with the *Disability Standards for Education 2005*, incurs unwarrantable costs with respect to making reasonable adjustments.

PROCEDURE

STUDENTS			
PROCESS ACTIVITY	WHO IS RESPONSIBLE FOR ACTIVITY?	WHAT DO I NEED TO DO?	WHAT ARE THE RESOURCES I NEED?
<p>Enrolment: when a student has disclosed they have a disability and require support for their studies</p>	<p>Client Services staff Disability Support Office</p>	<p>Client Services staff gives the student the contact details for Disability Support and encourages the student to make contact.</p> <p>Disability Support Office will download the EIS report for the students with disability that indicate they require assistance at the beginning of each Semester.</p> <p>Disability Support Office will make contact with the students that indicate they require assistance and invite the student to meet with the Disability Support Coordinator to discuss support requirements.</p> <p>Disability Support Office cannot disclose the student's disability to other staff without the written consent of the student/guardian.</p>	<p>Disability Support brochure & Contact details (business cards)</p> <p>Disability Support: 94271314 Student.support@nmtafe.wa.edu.au</p>
<p>During the course of study: when a student discloses that they have a disability OR a staff member suspects that the student may have a disability</p>	<p>Lecturing staff Disability Support Office</p>	<p>Lecturing staff member discusses support options with student and provides the student with Disability Support contact information</p> <p>Student makes choice about accepting/rejecting support</p> <p>If student accepts support, lecturing staff member asks the student if they consent to their details being passed to the Disability Support Office so that Disability Support can make contact with the student.</p> <p>Lecturing staff member provides Disability Support Office with the students details and informs the Disability Support that the student has consented to be contacted.</p> <p>If student rejects support, and Lecturing staff member has OH&S or duty of care concerns that there is a risk to the student or others, then the staff</p>	<p>Disability Support brochure & Contact details (business cards)</p> <p>Disability Support: 94271314 Student.support@nmtafe.wa.edu.au</p>

		<p>member consults with Portfolio Manager and Disability Support Office as to whether the student can continue with the course of study.</p> <p><i>Eg: Sever, uncontrolled epilepsy in a dangerous environment (for example, roof tiling), where the student may need to get medical clearance to continue with the course.</i></p>	
<p>Registration and assessment of students with disability that require support</p>	<p>Disability Support Office</p>	<p>Disability Support Office will interview and register a student for support.</p> <p>The provision of all support services, facilities and accommodations will be based on the medical documentation supplied to Disability Support and information disclosed to Disability Support by the student.</p>	<p>Medical documentation outlining the person's diagnosis and the impact of the functional limitations related to TAFE studies</p>
<p>Development and implementation of a Learning Support Plan (LSP) for student with disability</p>	<p>Disability Support Office Lecturing staff</p>	<p>Disability Support Office will develop a Learning Support Plan (LSP) which outlines the support requirements considered by the Disability Support Coordinator to be reasonable and enables the student to access and participate in education on the same basis as other students. Where appropriate, and when the adjustments may require significant input from the lecturer or learning area, lecturing staff will be consulted.</p> <p>The LSP will be reviewed and approved in writing by the student and disseminated only to approved staff on an as-needs-basis by Disability Support Office.</p> <p>Lecturing staff members who receive a student's LSP must consider and implement the reasonable adjustments outlined in the LSP. Should the support requests in the LSP compromise the inherent requirements of a course, override the student code of conduct or if further discussion is required, the lecturing staff member should discuss the concerns with the Disability Support Coordinator.</p> <p>Lecturing staff members who receive a student's LSP must not, for reasons of confidentiality, divulge any information contained in a LSP to any other party</p>	

		without the written authorisation of the student.	
Storage of private health information	Disability Support Office Lecturing staff	Disability Support Office will store a student's private health information on a secure database, assessable only to approved staff members. Lecturing staff that receive any confidential information relating to a student's private health information (e.g. a student's LSP) must file and store the information securely.	
Promoting Disability Support	Disability Support Office Lecturing staff All College employees	Disability Support Office shall be available on request, and where possible, to explain the services and provision of Disability Support to all staff and students. Lecturing staff to invite Disability Support to orientations to explain the services and provision of Disability Support to students. All College employees are encouraged to promote the services of the Disability Support Office.	Disability Support brochure & Contact details (business cards)

STAFF			
PROCESS ACTIVITY	WHO IS RESPONSIBLE FOR ACTIVITY?	WHAT DO I NEED TO DO?	WHAT ARE THE RESOURCES I NEED?
Staff member discloses disability OR A staff member is suspected of having a disability	Staff member Manager	Staff member discusses with Manager functional impact of disability (and provides supporting documentation) and explains how their ability to perform work related tasks is affected. Manager discusses with staff member support options available. Staff member makes choice about accepting/rejecting support	
Development and implementation of reasonable adjustments	Staff member Manager OHS & Injury Management Consultant/s	Staff member and Manager discuss functional impact of disability with OHS Consultant and determine required reasonable adjustments / workplace modifications. OHS & Injury Management Consultant/s assists Staff member	https://www.jobaccess.gov.au/home

		and Manager to apply for Job Access funding if required	
Implementation and Development of an Injury Management procedure / process	Staff Member, Manager, OSH & Injury Management Consultant	<p>Staff Member discusses with Manager regarding returning to work from a medical related condition/disability that requires supports and or assistance (based on Medical certification)</p> <p>Manager refers to OSH & Injury Management Consultants for Vocational Rehabilitation assistance in line with NMT's Injury Management System.</p>	<p>Injury Management</p> <p>https://staff.central.wa.edu.au/HRPD/OSH/Pages/Worker s- Compensation -and-Injury- Management.aspx</p>

RELATED POLICES AND OTHER RELEVANT DOCUMENTS

- North Metropolitan TAFE Disability Access and Inclusion Plan (DAIP) 2017 – 2022
- Government of Western Australia, Department of Training and Workplace Development publication, *Reasonable Adjustment: A guide to working with students with disability* (2013)
- North Metropolitan TAFE Health Practitioner Report Form (available from Disability Support Office)

RELEVANT LEGISLATION

- *Commonwealth Disability Discrimination Act 1992*
- *Disability Standards for Education 2005*
- *Review of Disability Standards for Education 2005 Discussion Paper 2010*
- *Western Australia Disability Services Act 1993*
- *WA Equal Opportunity Act 1984*

REVIEW DATE

September 2018

CONTACT INFORMATION

Manager, Disability Support
OHS & Injury Management Consultant/s

Note, this document is available in alternative formats upon request including electronic format (USB, CD, e-mail), hard-copy (standard and large print) or audio format.