# Disability, Accessibility and Inclusion Policy (MPFXX)

## 1. Objective

The objectives of this policy are to:

1. provide for an inclusive, accessible environment that allows all people to participate fully and independently in the life of the University; and
2. affirm the University’s commitment to being a place where for all community members, including those with a disability are valued for their diversity, supported, encouraged, and provided with what they need to succeed on an equal basis with others.

## 2. Scope

2.1. This policy applies to all members of the University community.

## 3. Authority

This policy is made under the [*University of Melbourne Act 2009* (Vic)](http://www.legislation.vic.gov.au/domino/web_notes/ldms/pubstatbook.nsf/edfb620cf7503d1aca256da4001b08af/489fcdb5278f3602ca25767f00102b11/$file/09-078a.pdf) and the [Vice Chancellor Regulation](http://www.unimelb.edu.au/governance/statutes) and supports compliance with:

1. *Australian Human Rights Commission Act 1986 (Cth);*
2. *Charter of Human Rights and Responsibilities Act 2006 (Vic);*
3. *Disability Discrimination Act 1992 (Cth);*
4. *Disability Standards for Education 2005 (Cth);*
5. *Equal Opportunity Act 2010 (Vic);*
6. *Fair Work Act 2009 (Cth)*

## 4. Policy

4.1. The University of Melbourne values all members of its community and recognises the importance of inclusive research, teaching and learning.

4.2. Universal design principles are actively engaged in the construction, renovation and adaptation of physical spaces, as well as the design of public-facing events and programs, learning delivery and assessment. The key focus is to ensure that environments and programs are designed to meet the needs of all people who may need to use them, now and in the future.

4.3. When engaging in inclusive planning, the University focuses on maximising:

1. Dignity: Physical spaces, programs, learning and events are designed to ensure that all people can engage with them while maintaining personal dignity. This means making sure that design elements do not create barriers for people with particular needs.
2. Functionality: Ensuring that physical spaces, programs, learning and events are optimised for their function is an essential element of inclusive planning.
3. Equity of access: The University ensures that access to its facilities, resources, events and courses is equitable, by ensuring that the most adaptable design possible is used.
4. Independence of use: Physical spaces, programs, learning and events are designed to allow for and promote independent use by people of all abilities, so that people with diverse access needs can retain autonomy in their movements.

4.4. The University embraces its responsibility to foster and encourage positive, informed and unprejudiced attitudes towards people with disability among staff, students and the community. As part of this commitment, the University:

1. conducts training and awareness raising among the University community, including specialised training for staff who may be responsible for managing requests for reasonable adjustments;
2. showcases the achievements of people with disability in multiple roles within the University and the community; and
3. participates in research and community activities to support the goal of building a fully inclusive society in which the barriers faced by people with disabilities are reduced or eliminated.

4.5 The University collects data on the progress of accessibility and other measures, as well as the experience of people with disability in using University spaces, services and resources. Data will be analysed and reported on annually as part of the Disability and Accessibility Strategy reporting process, and will serve to identify areas for further improvement.

**Individual support**

4.6. Ensuring that people with disability can fully participate in the life of the University is a mutual and iterative process between the University and the person with the disability. For this reason, each individual’s needs are considered within the person’s particular context.

4.7. The University also works to ensure the full inclusion of persons who are associates of people with a disability, such as partners, relatives or carers.

4.8. As part of its commitment, the University:

1. complies with all legislative requirements regarding reasonable adjustments, access and equity for people with disability;
2. provides tailored services, support and appropriate adjustments for students with disability to enable them to participate fully and independently in the academic, cultural and social life of the University; and
3. provides access, support and appropriate accommodations for staff with disability to enable and encourage them to participate fully and independently (with any reasonable and necessary support) in all aspects of their work and career development.

**Reasonable Adjustments**

4.9 The University makes reasonable adjustments to a usual:

1. policy or practice
2. work or study environment
3. condition of work (e.g, hours, location, nature or requirements of work)
4. teaching method
5. mode or method of assessment

to meet the needs of a person with a disability.

4.10 Where two or more staff or students require adjustments that are incompatible, the University will work with both individuals to create an situation that is acceptable to all parties. This may mean that adjustments made may not be exactly as originally sought.

## 5. Procedural principles

**Disclosure of disability**

5.1. The University aims to frame and facilitate disclosure of disability as a safe and mutually beneficial exchange of information between people with disability and the University, to improve policy and practice impacting on people with disability across the University.

5.2 An person with a disability is not obliged to disclose their disability at any time.

5.3. An person with a disability who requires an accommodation or adjustment is encouraged to disclose the required adjustment to the University as soon as possible. This includes:

1. applicants for work or study;
2. existing students; and
3. existing staff.

5.4. Information regarding any adjustments needed may only be disclosed on a need-to-know basis, or with the consent of the person requesting the adjustment. This may include disclosure to any person who is required to implement the required adjustments. Everyone must treat as confidential and private any disclosure of information concerning a person’s disability or accessibility needs.

**Requesting and considering reasonable adjustments**

5.5. Reasonable adjustments are measures taken by the University to ensure that all people have an equal opportunity to participate in all aspects of University life. This is a mutual and ongoing process between the individual and the University. Generally speaking, a person who needs an adjustment is the best judge of their needs.

5.6 Reasonable adjustments may be requested to any aspect of a person’s work or study with the University. This includes, but is not limited to:

1. recruitment processes;
2. definition and performance of duties;
3. physical access to facilities;
4. access to relevant information;
5. access to employment benefits and conditions;
6. performance management;
7. access to assistive technologies and equipment in work and study;
8. freedom to use assistance animals on University premises;
9. the timing and nature of assessments; and
10. any other aspect of a person’s work or study experience.

5.7 Adjustments may include, but are not limited to:

1. creation of accessible classrooms and office areas;
2. alterations to premises;
3. modification to equipment or the supply of specialised equipment or furniture;
4. provision of relevant adaptive equipment or software (including flexible learning environments);
5. providing essential information in suitable formats;
6. flexible work arrangements (flexible hours, days and working from home);
7. reasonable adjustment of job duties to make best use of people’s strengths;
8. changes to study and work practices;
9. adjustments to assessments (e.g. alternative assessment tasks, extended time periods for completing assessments), which must be approved and implemented in a timely manner
10. the creation of appropriate numbers of accessible designated parking spots; and
11. short term or interim strategies to address temporary disabilities (e.g. temporary car parking permits or short-term classroom or office relocation to enable physical access to workplace and support for performance of duties).

5.8 Reasonable adjustments approved for students with permanent disabilities are available for the entire course of study, unless there is a compelling reason why the adjustment is not suitable or available for a particular unit. Students do not need to apply for the same adjustment for each unit.

5.9 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 the unit of study.

5.10 Evidence of the requirement for a particular accommodation may be requested for appropriate adjustments to be provided.

5.11 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:

1. in a study context, will rest with Academic Registrar; and
2. in an employment context, will rest with the Executive Director, People and Culture.

### Where adjustments cannot be made

### 5.12 While the University will endeavour to make all adjustments that are reasonably possible, there may be some circumstances where adjustments cannot be made if they constitute an unjustifiable hardships.

### 5.13 It is incumbent on the University to provide accessible workplace environments wherever possible. For this reason, financial cost alone is not generally considered an unjustifiable hardship if the adjustment will have ongoing accessibility benefits for others (eg ramp access to buildings). However:

1. the University will not make an adjustment where to do so would mean failing to fulfil occupational health and safety requirements;
2. the University may be challenged by other regulatory restrictions from making a particular adjustment (e.g. heritage-listed buildings); however all efforts should be made to find a suitable and dignified solution; and
3. the University may not be able to accommodate a student or employee who is unable to fulfil the inherent requirements of study or the role, even with reasonable adjustments.

## 6. Roles and responsibilities

|  |  |  |
| --- | --- | --- |
| **Role/Decision/Action** | **Responsibility** | **Conditions and Limitations** |
| *<to be completed >* |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

## 7. Definitions

**Disability** is as defined under Australian laws. As at the date of this policy, under the Disability Discrimination Act (Cth), disability is defined as:

1. total or partial loss of the person’s bodily or mental functions; or
2. total or partial loss of a part of the body; or
3. the presence in the body of organisms causing disease or illness; or
4. the presence in the body of organisms capable of causing disease or illness; or
5. the malfunction, malformation or disfigurement of a part of the person’s body; or
6. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
7. 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 a disability that:

1. presently exists; or
2. previously existed but no longer exists; or
3. may exist in the future (including because of a genetic predisposition to that disability); or
4. is imputed to a person.

**Persons with disability** include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

**Reasonable adjustment** is any adjustment required unless making the adjustment would impose an unjustifiable hardship on the person or organisation.

**University community** means:

* enrolled students, including cross-institutional students and students on exchange from another institution
* employees and exchange staff
* employees of controlled entities, Centres and Institutes,
* contractors and consultants performing work on University sites or on behalf of the University
* honorary, visiting or adjunct appointees
* the University Council and its committees; and
* any volunteer in the workplace and study environment.

**Universal design** means the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability. By considering the diverse needs and abilities of all throughout the design process, universal design creates programs, services and environments that meet peoples' needs.

**Unjustifiable hardship:** 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:

1. the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned, including any wider community benefit
2. the effect of the disability of any person concerned, and
3. the financial circumstances, and the estimated amount of expenditure required to be made.

The burden of proving that something would impose unjustifiable hardship lies on the person or organisation claiming unjustifiable hardship.

**Inclusion** is the way an organisation’s culture, values, workplaces and behaviours make a person feel valued, included and able to participate fully. It relates to a work environment where all people are treated fairly and respectfully, with equality of opportunity.

## POLICY APPROVER

## Vice-President Strategy and Culture

## POLICY STEWARD

## Executive Director, Human Resources

## Academic Registrar

## REVIEW

This policy is to be reviewed by XX.

## VERSION HISTORY

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Version** | **Approved By** | **Approval Date** | **Effective Date** | **Sections Modified** |
| 0.1 |  |  |  | First draft |
| 0.2 |  |  |  | Redraft based on key stakeholder feedback |