

UNIVERSITY OF WESTERN SYDNEY 2007 DISABILITY REVIEW REPORT

December 2007

**Equity and Diversity
University of Western Sydney**

“...discrimination against any person on the basis of disability is a violation of the inherent dignity and worth of the human person...”

**UN Convention on the Rights of
Persons with Disabilities, Preamble**

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Forward

Ensuring equality of opportunity for students and staff with disabilities is both an important objective and challenge for many Australian universities.

Most people with disabilities want to work or study, if they have capacity to do so. The University of Western Sydney (UWS) has a responsibility to remove barriers faced by people with disabilities so they can compete on an equal footing to those without disabilities. This means that UWS must take all the necessary action to remove any discrimination faced by students and employees with disabilities. It means that UWS must continue to provide them with accessible information, advice and support.

So far UWS has shown considerable leadership in Australian universities overcoming barriers faced by people with disabilities and aspires to be a “best practice” employer and education provider.

The purpose of this report is to focus UWS continuing to identify practical ways of ensuring greater student participation and more employment opportunities for people with disabilities living in Greater Western Sydney.

This Report is a reflection of the work of many people representing different views and I hope it does justice to their contributions. In particular, I would like to thank the many people in the UWS disability community who have participated in this 2007 Review. Without their involvement and support this project would not have been completed.

My warm thanks also go to the UWS officials who offered their time and ideas, in particular to John Bonanno, Director, Capital Works and Facilities, Ellen Brackenreg, Director, Student Support Services, Dr Mike Clear, Adjunct Senior Fellow, School of Social Sciences and to the members of the RDLO Advisory Committee and the Disability Review Advisory Committee.

Finally, I would like to thank the Equity and Diversity staff who has made an enormous effort for this report to be completed on time. My sincere thanks go to Dr Debra Keenahan for designing the structure of the review and collection of empirical data that was used in developing this report. Many thanks go also to Tim Sanderson who assisted with review methodology, Ms Tatiana Lozano and Ms Leanne Kent who drafted key sections of the report and to Ms Diane Le Huray, Ms Debbie Mey and Mrs Brenda Burnard for assistance with research and editing.

I recommend this Report to the Vice-Chancellor and UWS Management Team for its early and vigorous implementation.



Dr Sev Ozdowski OAM
Director Equity and Diversity
University of Western Sydney

3 December 2007

Executive Summary

This report deals with the outcomes of the review conducted throughout 2007 by UWS of its disability policies, procedures and programs. The report is based on the review of relevant documents, submissions received and consultations with the stakeholders and other UWS staff.

The report starts with the review of relevant disability legislation which outlines UWS responsibilities towards its employees and students. In particular it examines in detail the Commonwealth *Disability Discrimination Act 1992* and the associated 2005 *Disability Standards for Education*. It deals with key concepts, such as the definition of disability discrimination, inherent requirements and reasonable adjustment in the context of UWS' responsibilities as an employer and education provider.

The report then documents UWS responses to the requirements of the legislation. It maps all the policies and structures that were put in place to comply with the legislation and deliver a non-discriminatory environment for employees and students with disabilities. It also maps the complex structure of inter-relationships between policies, structures and people with disabilities at UWS.

Section 5 deals with the findings of the report. It describes and analyses the information that was gathered during the review. This section looks both at the individual measures and systems that were put in place to protect the rights of people with disabilities and it assesses how well they work in practice.

The report suggests where further improvements could be made to the efficiency and effectiveness of both individual measures and the system as a whole. The report makes recommendations, of a systemic nature, as to possible future improvements, recognising that operational recommendations will be considered in the development of the Disability Action Plan (2008-2012).

Recommendations

UWS 2007 Disability Review recommends that UWS Management give priority to:

General

1. Develop a five year Disability Action Plan (2008-2012) to provide strategic guidance and a program of action for implementation of this review
2. Establish a whole of university consultative structure to provide oversight of the development of the Disability Action Plan
3. Apply, where practicable, the principles for Universal Design to the physical and learning environments
4. Emphasise inclusiveness as a University norm

Communications

5. Ensure that UWS website content is compliant with the Web Content Access Guidelines, Level 2 or AA accessibility standards
6. Install assistive technology and software in existing UWS computer laboratories

Education & Training

7. Improve participation in education/training for UWS staff on legal requirements under the Disability *Discrimination Act 1992* and in particular the 2005 *Disability Standards for Education*
8. Provide compulsory disability related training for academic staff responsible for implementing academic integration plans
9. Include as compulsory the Equity and Diversity modules on Harassment and Discrimination, including disability disclosure, into the induction program for all new staff
10. Develop specific training to eliminate harassment and victimisation based on disability
11. Develop promotional materials for incoming staff about services provided for staff with disabilities

Funding

12. Establish a centralised Disability Fund to provide resources for minor capital works, additional staffing and assistive equipment required to implement reasonable adjustments for staff

Management

13. Improve communication systems involved in the development and implementation of academic integration plans
14. Establish a register of non-accessible buildings and a list of priority work to be undertaken to improve access to such buildings
15. Develop a Register of Access Resources available to effect “reasonable adjustment” for use by UWS staff
16. Develop a strategy targeted at improving the transition support and retention rates of students with disabilities at UWS

Teaching

17. Ensure that academic staff understand and implement inclusive teaching practises
18. Define and publicise explicit “Inherent Requirements” for all units and courses

Abbreviations and Acronyms

AIP	Academic Integration Plan
AUQA	Australian University Quality Audit
CDS	Counselling and Disability Services
CWF	Capital Works and Facilities
DDA	Commonwealth <i>Disability Discrimination Act 1992</i>
DEST	Department of Education, Science and Training
DiSPM	Disability Professional Management System
E&D	Equity and Diversity
HREOC	Human Rights and Equal Opportunity Commission
NTEU	National Tertiary Education Union
ODEOPE	Office of the Director of Equal Opportunity in Employment
OHS	Occupational Health and Safety
PDU	Professional Development Unit
OPQ	Office of Planning and Quality
PWD	People with Disabilities
RAP	Reasonable Adjustment Plan
RDLO	Regional Disability Liaison Program
Standards	Commonwealth <i>Disability Standards for Education 2005</i>
TDU	Teaching Development Unit
UWS	University of Western Sydney
WCAG	Web Content Access Guidelines

Section 1 Introduction

1.1 The University of Western Sydney

The University of Western Sydney (UWS) is located in Greater Western Sydney, which encompasses Australia's largest urban area and is the third fastest growing economic region after Sydney CBD and Melbourne.

UWS comprises three colleges, consisting of sixteen schools, The Sydney Graduate School of Management and eight research centres. In 2006 student enrolments totalled 35,061, with 27,524 undergraduates and 7,537 postgraduates. Staffing numbers, excluding casuals, were 1,192 academic and 1,273 general in full time equivalents. The University is spread over six campuses with a total of 515 buildings.

Organisational structure

UWS was established as a federated network university in 1989 consisting of what were formerly Hawkesbury Agricultural College, Nepean College of Advanced Education and the Macarthur Institute of Higher Education. Each member functioned autonomously in the areas of course development and delivery; student admissions; research; staffing; consultancies and entrepreneurial activities; and the development and maintenance of buildings and facilities.

In 1999 the Vice Chancellor proposed a major restructure of the University which came to fruition at the beginning of 2001. This organisational change resulted in UWS moving from the federated system to operate as a multi-campus university with a single administration and academic structure.

UWS values

Whilst the core business of the University is teaching and research, engagement with the diverse community of the Greater Western Sydney region is central to UWS vision, values and goals. As a consequence, 'social justice' became a theme both explicit and implicit in many of the activities in the core business of the University. One of UWS strategic objectives is to improve participation of People with Disabilities (PWD) in higher education.

1.2 People with disabilities at UWS

PWD constitute an integral part of the diverse community of UWS. The current participation rates of both students and staff with a disabilities within the University is 5% and 8% respectively, although not all people with disabilities has disclosed the disability and registered for adjustment.

It is important to note that in recent years there has been a significant increase in the numbers of enrolments of students with disabilities. For example, in 2002 UWS participation rate¹ of students with disabilities was 2.69% (National 3.41%); while in 2005 the percentage had increased to 4.94% (National 3.96%).

¹ Participation Rate is the indicator for all enrolments of students with a disability and the percentage value is that group's share of the general state population aged between 15-64.

It is envisaged that in the years to come the number of people with disabilities will continue to grow because of continuous improvements in accessibility, mainly due to advancement in assistive technologies and improvement in the retention rates. For example, the retention rate for UWS students with disabilities has increased from 74.01% (National 77.10%) in 2002 to 78.60% (National 77.73%) in 2004.

1.3 Need for a disability review

Responsible organisations conduct from time to time evaluation of their performance in selected program areas to monitor and improve their effectiveness and efficiency. UWS decided to undertake its current Review of Policies, Procedures and Services for People with Disabilities to:

- take stock of and assess the effectiveness of the existing policies, procedures and policies;
- identify existing systemic barriers to access and participation; and
- propose further improvements.

Furthermore this review was undertaken to inform the development of a future UWS Disability Action Plan. UWS does not have a current Disability Action Plan. The previous Disability Action Plan set a program of changes to be implemented by the year 2000. The new Plan is essential for UWS to comply with national standards and legislation for this particular equity target group. It is also required to meet reporting requirements of the AUQA Audit.

Section 2 Methodology

The methodology of the Review of UWS Policies, Procedures and Services for People with Disabilities aimed to be inclusive of people with disabilities and other important stakeholders. One of its objectives was to encourage a transparent process of change to take place during the evaluation that would deliver practical and deliverable outcomes that would benefit people with disabilities. The Review process represents the first step toward the development of a UWS Disability Action Plan (2008-2012), which is envisioned for 2008.

2.1 Terms of Reference

The Terms of Reference for the Review (Appendix 1) were developed by the Equity and Diversity Unit and approved by the Deputy Vice Chancellor, Corporate Services. A project officer was appointed in February 2007 to work on the project two days a week. A completion date was set for December 2007.

2.2 Advisory Group

In the formation of the Advisory Group, involvement was sought from senior management, a broad cross-section of university stakeholders and student representatives, through personal invitations sent out on 19th March 2007. The Disability Review Advisory Group (Appendix 2) was formed by those who responded to invitations and attended the inaugural meeting held on the 10th April 2007.

At this meeting, Equity and Diversity proposed that the group form working parties to work on relevant areas of the Review. This idea was not supported and instead it was agreed that in addition to the examination of relevant documents, the review process should include an open invitation to UWS staff and students for submissions as well as interviews with key stakeholders. It was decided that such a methodology would best elicit the most accurate and detailed information about the provision of services to people with disabilities across UWS.

The time line for the project was discussed at this meeting and it was decided that a second meeting of the Advisory Group would be held in June or July 2007. On 13 June an invitation was emailed to the Advisory Group for attendance of a second meeting on 18 July 2007. The Equity and Diversity Unit only received three responses, one of which was an inability to attend. As such, the meeting was cancelled and it was proposed that the Advisory Group communicate via email. There was no objection to this proposal.

In lieu of the meeting, on 18 July 2007 the project officer emailed a progress report and policy diagrams to the Advisory Group for comment. On 25 July 2007, the project officer sought comment by email from the Advisory Group on the UWS Disability Action Plan (1998-2000). On 10 September 2007, the project officer informed the Advisory group of the commencement of the writing of the Disability Review Report and included a draft report structure for comment.

On 16th November 2007, the Equity and Diversity Unit distributed the Draft Disability Review Report for comment to the Advisory Group, other relevant stakeholders,

interviewees and respondents to the Review. Comments were sought by the 23rd November 2007, with the aim of launching the Review Report on 3rd December 2007, the International Day of People with Disabilities. Eleven interested parties provided comments to the Draft Report.

2.3 Consultation process

2.3.1 Submissions

Following the Terms of Reference agreed upon by the Advisory Group, invitations for submissions were sent on 6th June 2007 to all UWS staff via email by Equity and Diversity. Particular attention was paid to include carers of people with disabilities.

UWS Counselling and Disability Services agreed to collate information contained on the discussion boards of WebCT students with disabilities regarding issues that students voiced during second half of 2006 and make the invitation for student submissions. The latter was activated on WebCT on 13 June 2007. The invitation to students (both undergraduate and postgraduate) targeted those who disclosed as having a disabilities and an academic integration plan.

Respondents were requested to address:

- Positive aspects of the policies, procedures and services currently implemented at UWS to assist people with a disabilities.
- Problems with the policies, procedures and services currently being provided to people with disabilities.
- Policies, procedures and services that are not currently being provided by the University but that would assist both people with disabilities and those who implement the policies and procedures and deliver the services.
- Need for training and information on the management of issues associated with disability.
- Any other matters deemed important.

The Review has received a total of 23 submissions consisting of 3 oral from staff members, 20 written submissions (4 student and 16 staff)². Each Respondent was asked if they wanted to be listed under 'submission provided' or whether they wanted their submission to be confidential.

2.3.2 Stakeholder Interviews

As per the Terms of Reference, the project officer undertook face-to-face interviews with 13 relevant stakeholders (Appendix 3)³. The interviewees were provided with a summary of

² This number of submission is high compared to the number of submissions received by other Australian Universities conducting similar reviews. For example, ANU called from submissions from students, staff and the public seeking suggestions, ideas or proposals for inclusion in their Disability Plan and the received a total of 8 submissions. (ANU Disability Action Plan 2005-2008, p. 11). In the review process undertaken by Charles Sturt University only a small number of staff participated in the survey of all staff who had identified as having a disability, organised by the Equal Opportunity Officer (CSU Disability Action Plan, p.7).

³ A second interview was conducted upon the request of the interviewee or if the project officer required further information. (Kerri Heaves and Sandra Norris from UWS Disability Services, and Mark Cartwright from Audit and Risk, were each interviewed twice).

the purpose of the Review and were requested to address the same points outlined above for submissions and in particular as they related to their area of work.

The project officer asked all interviewees if their comments could be recorded through note taking. All interviewees had an opportunity to revise and make comment, by email, on the notes taken during the interview. Confidentiality was offered to all interviewees.

2.3.3 Meetings

The project officer attended several meetings to promote the Review and to gain relevant information. These include:

- Meeting at School of Social Sciences on 2nd April 2007
- Meeting with Disability Services on 15th April 2007
- Meetings with Capital Works and Facilities on 24th September and on 3rd October 2007

2.3.4 Email communication

The project officer engaged in regular email communication with members of the Advisory Group and other relevant stakeholders throughout the entire Review process. This provided an invaluable source of empirical data and an opportunity for the clarification of a complex system of service provision for people with disabilities at UWS.

Section 3 UWS responsibilities towards people with disabilities

3.1 The legislation

The responsibilities of UWS towards its employees and students are outlined in a range of legislative instruments and standards.

The Commonwealth *Disability Discrimination Act 1992 (DDA)* is the key instrument which outlines the responsibilities of UWS towards its employees and students with disabilities. The *DDA* prohibits discrimination in a number of specifically defined “areas of life”, such as employment or education.

Even though the *DDA* is complaints-based (as opposed to compliance-based) legislation, it obliges UWS to act appropriately to eliminate discrimination against people with disabilities or their associates in employment, the provision of education services, in access to university premises and information, and in a range of other areas.

Furthermore, the *DDA* requires UWS to actively promote acceptance of the principle that people with disabilities have the same fundamental rights as all other members of the UWS community. Under the *DDA*, UWS is also obliged to put in place policies and programs to prevent harassment and victimisation of people with disabilities.

Other legal instruments relevant to people with disabilities include: the Commonwealth *Disability Standards for Education 2005*, the Commonwealth *Privacy Act 1988* and relevant NSW legislation, such as the *Anti-Discrimination Act 1977*.

The *Disability Standards for Education 2005* or the Standards are of particular relevance to the adherence to disability discrimination laws by UWS. The Standards were developed to clarify the obligations of education and training service providers, and to better define the rights and responsibilities of people with disabilities at educational institutions. They set out:

- the obligations of education providers in relation to the education of students with disabilities,
- how those obligations can be met; and
- what students with disabilities can reasonably expect when participating in education.

Unlike the accessible public transport standards, the Disability Standards do not set out time-lines and specifications for making facilities and systems accessible. The Standards are accompanied by *Guidance Notes* to further enhance understanding of the scope and practical application of the Standards.

Last but not least, under *Section 123 of the DDA*, UWS is liable for unlawful conduct by the provider's employees or agents unless the provider can establish that it took reasonable precautions and exercised due diligence to avoid the unlawful conduct. This includes instances where employees or agents of a provider fail to comply with the Standards. In such cases, UWS bears the onus of demonstrating that reasonable precautions had been taken and due diligence has been exercised.

The *DDA* does not define due diligence or reasonable precautions. However, the Guidance Notes recommend consideration of the following elements of an effective strategy:

- making all relevant staff aware of the need to avoid discrimination. This might include issuing a formal policy statement on compliance with the *DDA* and the Standards and more direct advice to staff;
- taking reasonable measures to ensure that staff has sufficient information and expertise concerning non-discriminatory methods of service delivery. This may include the provision of formal training;
- establishing or using and promoting existing complaint procedures in relation to discrimination;
- ensuring that complaints are properly and effectively dealt with; and
- implementing other reasonably available monitoring strategies, additional to complaint mechanisms, including internal monitoring through supervisory and management responsibilities and external monitoring through customer reference groups.

3.2 Key Definitions

3.2.1 Definition of disability

The definition of disability under the *DDA* is very broad and encompasses physical, sensory, mental and intellectual disability. It includes any UWS staff or student with physical, intellectual, psychiatric, sensory, neurological, learning disabilities, physical disfigurement, and/or a person with the presence in the body of disease-causing organisms, such as the HIV virus.

The *DDA* covers people with disabilities:

- now,
- in the past (for example: a past episode of mental illness),
- in the future (for example: a family history of a disability which a person may also develop), or
- are believed to have disabilities (for example: if people think someone has a disability or illness because they are a career for someone who has that disability or illness).

The *DDA* covers people with disabilities who may be discriminated against because they:

- are accompanied by an assistant, interpreter or reader,
- are accompanied by a trained animal, such as a guide or hearing dog, or
- use equipment or an aid, such as a wheelchair or a hearing aid.

The *DDA* protects associates of people with a disability such as family, friends, carers and co-workers if they are discriminated against because of that relationship.

3.2.2 What is unlawful discrimination?

Unlawful discrimination occurs when UWS treats an employee or student with disabilities less fairly than an employee or student without disabilities. Under the *DDA*, discrimination can be either direct or indirect, and both are unlawful.

Direct discrimination occurs when a person with disabilities is treated less favourably than a person without disabilities in similar circumstances.

Indirect discrimination is where a policy, practice or requirement is applied equally but has a discriminatory outcome for people with disabilities. This form of discrimination happens when a one size fits all rule or situation actually excludes or disadvantages people with disabilities. For example, a university, which provides course information only in one format such as print, discriminates indirectly against students who cannot use that format. A building with the entrance only by steps indirectly discriminates against people who use wheelchairs or have other mobility impairments.

3.2.3 What are inherent requirements?

The *DDA* only applies to employees or students with disabilities who are able to undertake the inherent requirements, or main activities, of a job or course of study. Inherent requirements of a job are those tasks or skills that cannot reasonably be allocated elsewhere but are a substantial proportion of the job or have significant consequences if they are not performed. Within the context of education provision, inherent requirements are the fundamental, essential elements to the learning and assessment requirements of the particular course or the performance of the role and tasks of the position.

For example, an essential activity or "inherent requirement" of telephonists' work is the ability to communicate by telephone. But it is not an "inherent requirement" of the work that the telephone must be held in the hand. An example of an "inherent requirement" for a primary education student undertaking a practicum is that the student facilitate learning for students in a range of accessible formats (such as using overheads or PowerPoint presentations) not that they hand write on a white board.

The inherent requirements for jobs or courses are determined by identifying the work required in the positions or courses, and whether these can be met if some reasonable adjustment are made, including adjustments to facilities, equipment, work or study practices or training.

UWS must offer equal opportunity to everyone, so that if people with disabilities can do the inherent requirements of the jobs or courses of study, those person should have just as much chance to do those job or course as anyone else.

(For more information see the HREOC website at:
http://www.hreoc.gov.au/disability_rights/dda_guide/earning/earning.html)

3.2.4 What is reasonable adjustment?

In circumstances, where employees or students with disabilities meet inherent requirements, UWS may be required to provide reasonable or fair adjustments to the workplace or courses of study to facilitate their participation in employment or education, on the same basis as other people. Examples of reasonable adjustments for employees and students include: providing an enlarged computer screen, installing a ramp, providing a note taker, or extending the time for submission of assessments. Any reasonable adjustments needs to take into account the particular work or study related needs and balance the interests of all parties affected, including those of the students with disabilities, the education provider, staff and other students.

3.2.5 Unjustifiable hardship defence

The *DDA* does not require changes to be made if this would impose unjustifiable hardship to a person or organisation. For example, UWS is not required to make an adjustment, if the change would cause major difficulties or unreasonable disruption or costs. Considering, however, the size of the UWS budget, not many study or workplace adjustments would be ruled by courts as constituting “unjustified hardship” for UWS.

3.3 UWS responsibilities as an employer

As an employer, UWS is obliged under the *DDA* to conduct its operations in a way that does not discriminate against employees or potential employees with disabilities in recruitment processes; terms and conditions of employment; promotion, transfer, training, or other employee benefits; or in dismissal or any other detriment.

In other words, people with disabilities have a right to the same employment opportunities as a people without disabilities. This means if people with disabilities can do the essential activity or “inherent requirement” of a job, those people should have the same chance to do that job as anyone else. Assumptions should not be made about what people can or cannot do because of their disabilities.

3.3.1 Reasonable adjustments in the workplace

If a person with a disability is the best person for the job then the employer must make reasonable workplace changes or “reasonable workplace adjustments” if that person needs them to perform the inherent requirements of the job. The legislation does not specify the types of adjustments required to prevent discrimination, as each case needs to be considered in its own circumstances.

Work related adjustments might include:

- modifications to work premises such as ensuring that work areas and facilities are accessible to a worker with a mobility impairment
- changes to job design, work schedules or other work practices such as providing flexibility with leave arrangements to enable a worker to attend occasional medical appointments
- modifications to such as the fitment of visual fire alarms for deaf workers
- the provision of additional training or other assistance such as extending training time for workers with a learning disability
- modifying communication systems or information provision such as having information available in written format and not just spoken at meetings

- flexibility around hours of work such as starting and finishing work later to enable a worker to work at their optimum time to suit medication routines.

3.3.2 Refusing workplace adjustment because of hardship

Under the anti-discrimination legislation, employers are legally required to provide reasonable adjustments for an employee with a disability provided it does not create undue hardship.

Unjustifiable hardship occurs when reasonable adjustments cannot be implemented by an employer for a person with disabilities because it would place hardship on the employer which would be unreasonable.

Unjustifiable hardship depends on the circumstances, including:

- what adjustment is required or being sought;
- what detriment would be caused by making the adjustment;
- the costs of making the adjustment;
- the financial situation of the employer (for example, requiring a small employer to install a lift at a cost of \$50,000 may be unjustifiable, while requiring this of a large employer may not).

If adjustments cause hardship it is the responsibility of UWS as the employer to show those adjustments are unjustified.

As the employer UWS is responsible for thoroughly assessing all requests for work related adjustments before claiming 'unjustifiable hardship'. This includes assessing:

- direct costs
- any offsetting tax, subsidy or other financial benefits available in relation to the adjustment or in relation to your employment
- indirect costs and/or benefits, including in relation to productivity of the position concerned, other employees and the enterprise
- any increase or decrease in sales, revenue or effectiveness of customer service
- what the additional cost is above the normal cost of equipment or facilities for employees without a disability
- to what extent an adjustment is required in any case by other applicable laws, standards or agreements
- your relevant skills, abilities, training and experience (4).

3.4 UWS responsibilities as an education provider

As an education provider, UWS is responsible for ensuring that students with disabilities are protected against discrimination in the admission processes, whilst studying and residing at UWS.

If people with disabilities meet the essential entry requirements, UWS must offer those people who become students the same educational opportunities as students without disabilities. This includes the right to comparable access, services and facilities, and the right to participate in education without discrimination. Such rights are not merely formal.

However, UWS would not breach anti-discriminatory provisions of the *DDA* if it refuses to admit a person who failed to meet essential entry or course requirements or if the adjustment needed would cause UWS unjustified hardship.

3.4.1 Reasonable adjustments for students

Education providers have a positive obligation to make changes to reasonably accommodate the needs of students with disabilities, if such changes are needed for the students to perform the inherent requirements of their course.

The *Disability Standards for Education 2005* place an important obligation on students and prospective students with disabilities to disclose their disabilities to UWS if they wish to activate their right to reasonable adjustment. Education providers will only be held responsible for making adjustments where they are informed of the need for adjustment or should reasonably have ascertained this need, within sufficient time for the adjustment to be made. What is reasonable notice is likely to depend on the particular circumstances.

In some circumstances, an education provider might reasonably be expected to be aware of and accept the need for an adjustment without a specific request or without detailed independent evidence of this need. For example, a large university ought to expect that some students will require wheelchair access. In other circumstances, it may be reasonable to require that a request for adjustment be made in advance or that it be supported by medical or other expert evidence.

Examples of reasonable adjustments include: provision of a sign language interpreter to a deaf person, modifying educational premises; modifying or providing equipment; changing assessment procedures; changing course delivery or accommodation of vision impairment in university tests.

However, changes, which involve lowering academic standards, or changes in what the assessment is designed to measure, are not required. For example, if a course is designed to teach and test abilities which are based on the entry requirements for a profession, the *DDA* does not require changes to the course requirements, even though a less professionally focussed course might have been open to a wider range of students with disabilities. Some adjustments - such as provision of course materials in alternative formats - would not appear to raise any issues of academic standards. Others, however (such as being excused from performing a practical task) could well call into question whether the student has mastered and demonstrated the skills which the course is designed to teach and test, depending on the nature of the course.

Consistent with the *DDA*, when assessing the need for adjustment, UWS may consider all costs and benefits, both direct and indirect, that are likely to result for the provider, the student and any associates of the student, and any other persons in the learning or wider community, including:

- costs associated with additional staffing, the provision of special resources or modification of the curriculum
- costs resulting from the student's participation in the learning environment, including any adverse impact on learning and social outcomes for the student, other students and teachers, and

- benefits deriving from the student's participation in the learning environment, including positive learning and social outcomes for the student, other students and teachers, and
- any financial incentives, such as subsidies or grants, available to the provider as a result of the student's participation.

The *Disability Standards for Education 2005* also emphasise that universities are responsible for making reasonable adjustments and the importance of consultation with the individual employees and students to get the required adjustment right. But these individual adjustment processes should also be seen in a broader context of inclusive approaches and universal design of facilities and systems.

3.4.2 When adjustment could be denied?

In determining whether a requirement would cause 'unjustifiable hardship', the guidance notes indicate that it is good practice for an education provider to:

- take into account information about the nature of the student's disability, his or her preferred adjustment, any adjustments that have been provided previously, and any recommended or alternative adjustments. This information may be provided by the student, an associate of the student or independent experts (or a combination of those persons)
- ensure that timely information is available to the student, or an associate of the student about the processes for determining whether the proposed adjustment would cause unjustifiable hardship to the provider; and
- ensure that these processes maintain the dignity, respect, privacy and confidentiality of the student and the associates of the student, consistent with the rights of the rest of the community.

3.4.3 Ensuring inclusive curriculum

To comply with the *Disability Standards for Education 2005*, UWS must ensure that curriculum development, accreditation and delivery, provide equal access to students with disabilities. The learning experiences provided by UWS must enable students with disabilities to be able to participate on the same basis as students without disabilities.

Measures that ensure equal participation in learning experiences are:

- Inclusive content of curriculum – teaching materials, assessment and certification requirements
- Inclusive program delivery modes
- Inclusive study materials
- Inclusive teaching strategies
- Inclusive activities conducted outside of the classroom
- Inclusive assessment procedures and methodology

Each of these measures needs to be fair, flexible, logical, and understandable, tolerate differences, straightforward in use, and physically accessible to adhere to the principles of Universal Design.

3.5 Ensuring access to premises

The *DDA* is also of high relevance regarding access to premises owned or managed by UWS. Section 23 of the Act makes it unlawful to discriminate on the grounds of disability in providing access to or use of premises that the public can enter or use. Thus, UWS is obliged to provide non-discriminatory access to its public premises such as libraries, lecture theatres, offices, sporting ovals or swimming pools.

Key documents that define technical requirements of access and assist with interpretation of *DDA* are: the *Building Code of Australia, Draft Disability Standards on Access to Premises* and *Human Rights and Equal Opportunity Guidelines on access to buildings and services (July 2007)*

3.6 Ensuring access to information

The World Wide Web is now one of the primary sources of information and mode of communication for staff, students and the wider university community at UWS. The university has a legal responsibility under the *DDA* to ensure that university web based services are accessible to people with disabilities.

The key to enabling equality of access to websites is the implementation of accessible web design. Accessible web design means designing web pages that can be accessed by anyone regardless of location, ability, or the type of computer technology used.

The recognized web accessibility standards, which have been endorsed by the Human Rights and Equal Opportunity Commission (HREOC) in *World Wide Web Access: Disability Discrimination Act Advisory Notes Version 3.2, August 2002*, are the *Web Content Accessibility Guidelines (WCAG)* which have been developed by the World Wide Web Consortium (W3C)

The *WCAG Guidelines* contain checkpoints which are grouped into priority levels.

- Priority 1 or A level checkpoints are “must do”. If these requirements are not met, websites will present significant barriers to some users.
- Priority 2 or AA level checkpoints are “should dos”. If these requirements are met barriers to access will be significantly reduced.
- Priority 3 or AAA level checkpoints are “may dos.” Meeting these checkpoints will further enhance accessibility.

Appropriate and equal access to information also requires in the educational context that texts, course reading material and information are made available to students with disabilities in an appropriate format in a timely fashion, and that information about organisational services is accessible.

3.7 Eliminating discrimination in other “areas of life”

Other areas requiring compliance with the *DDA* include activities of UWS clubs or associations; bus or other transport provided for students and staff; in provision of accommodation in student colleges or through the Hawkesbury Conference Centre; and in sporting activities.

3.8 Eliminating harassment and victimisation

The *DDA* and *NSW Anti-Discrimination Act 1977* also deem harassment based on disability, unlawful. According to the *DDA*, harassment of a person with disabilities (or a person who has an associate with disabilities), includes action taken because of a person's disabilities that is reasonably likely, in all the circumstances, to humiliate, offend, intimidate or distress the person.

Actions that are considered harassment include:

- physical abuse
- verbal abuse, whether face-to-face or written, which may include notes, e-mail or graffiti
- threats
- intentionally demeaning comments or behaviour
- intentional exclusion from work related activities
- actions that could be reasonably foreseen to cause humiliation, offence, intimidation or distress
- unnecessarily intrusive personal inquiries in reference to a person's disability

UWS is obliged to put in place strategies and programs to prevent harassment and victimisation of persons with a disability or their associates. In particular, UWS is obliged to ensure that staff and students are aware of the obligation not to harass or victimise students with disabilities or students who have associates with disabilities, or to victimise students who make a complaint of harassment on the grounds of disability.

The Standards further require UWS to take reasonable steps to ensure that staff and students are aware of appropriate actions to be taken if harassment or victimisation occurs.

Section 4 Providing for people with disabilities

4.1 Introduction

This section deals with the policy and structural responses by UWS to comply with both federal and state disability legislation. It describes the disability compliance model adopted by UWS, including policies, procedures and organisational structures that are in place. The effectiveness of these institutional responses is evaluated in Section 5.

There are two key UWS policies dealing exclusively with disability, namely the:

- *Disability Policy*⁴ and the
- *Reasonable Adjustment in the Workplace for People with Disabilities Policy*⁵

The University's *Disability Policy* applies to both staff and students and outlines the University's obligations under the *Disability Discrimination Act, 1992*. The policy explicitly makes provision for disclosure, physical access, library and information technology access, training and education, complaints and budget allocation for provision of services and support to eliminate barriers to access and inclusion for staff and students with a disability.

The *Reasonable Adjustment in the Workplace Policy for People with Disabilities Policy* outlines the obligations which the University has as an employer to make adjustments to assist staff with disabilities to meet the inherent requirements of their job, and the processes in place to facilitate reasonable adjustment in employment.

In addition, there are a number of other UWS policies (available on the website) that relate to disability matters:

- *Equal Opportunity*
- *Harassment, Vilification and Bullying Prevention*
- *Inclusive Curriculum*
- *Inclusive Language*
- *Privacy*
- *Disclosure and Use of Student Personal Information*
- *Carer's Responsibilities in the Workplace*
- *Infectious Diseases*
- *Posthumous Awards and Aegrotat Grades*
- *Recruitment and Selection*
- *Complaint Handling and Resolution*
- *Code of Conduct*

Other instruments and guidelines include:

⁴ See Appendix 4

⁵ See Appendix 5

- *Student Disabilities Principles and Procedures*
- *Academic Integration Plan: Glossary of Terms (GOT)*
- *UWS Disability Students Handbook*

The relevant industrial instruments are:

- *UWS Academic Staff Agreement 2006-2008*
- *UWS General Staff Agreement 2006-2008*

These Agreements provide the industrial frame for UWS policy and practice in providing a workplace consistent with EEO and accessibility needs, including disability adjustment or rehabilitation plans. They provide for consideration of disability needs in the process of organisational change and govern the University's process for flexible working arrangements, in terms of where and when work is performed, to assist in supporting staff to manage their disability and health needs.

The compliance model adopted by UWS is very complex, as it attempts to deal with a range of different situations and involves many players. The diagrams that follow were produced to map this complexity and provide ease of presentation for the reader.

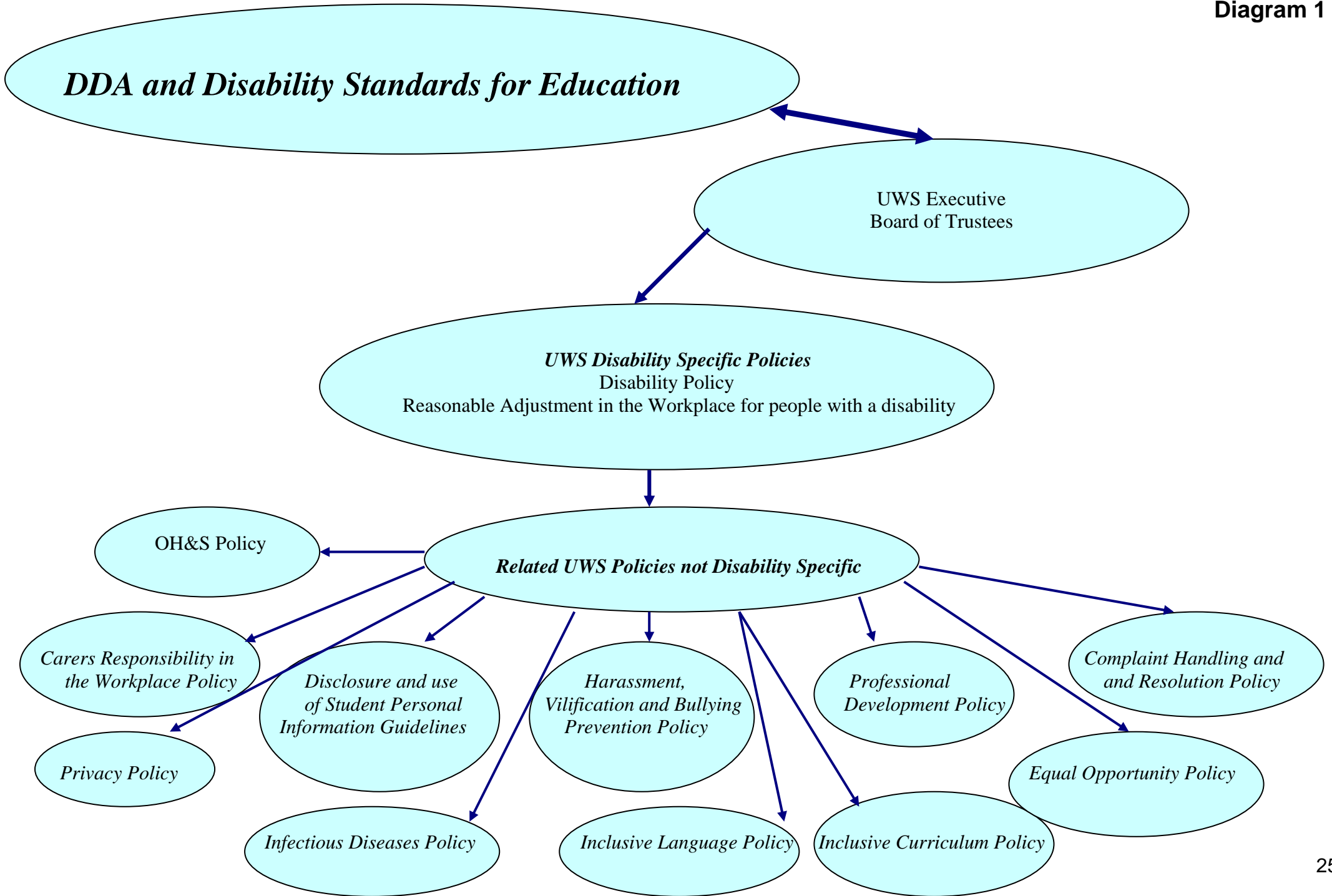
Diagrams

Diagram 1 represents the policy response by UWS to the Commonwealth *Disability Discrimination Act 1992* and *Disability Standards for Education 2005*

Diagram 2 represents UWS stakeholders involved in general disability matters

Diagram 3 represents UWS stakeholders involved in staff disability matters

Diagram 4 represents UWS stakeholders involved in student disability matters



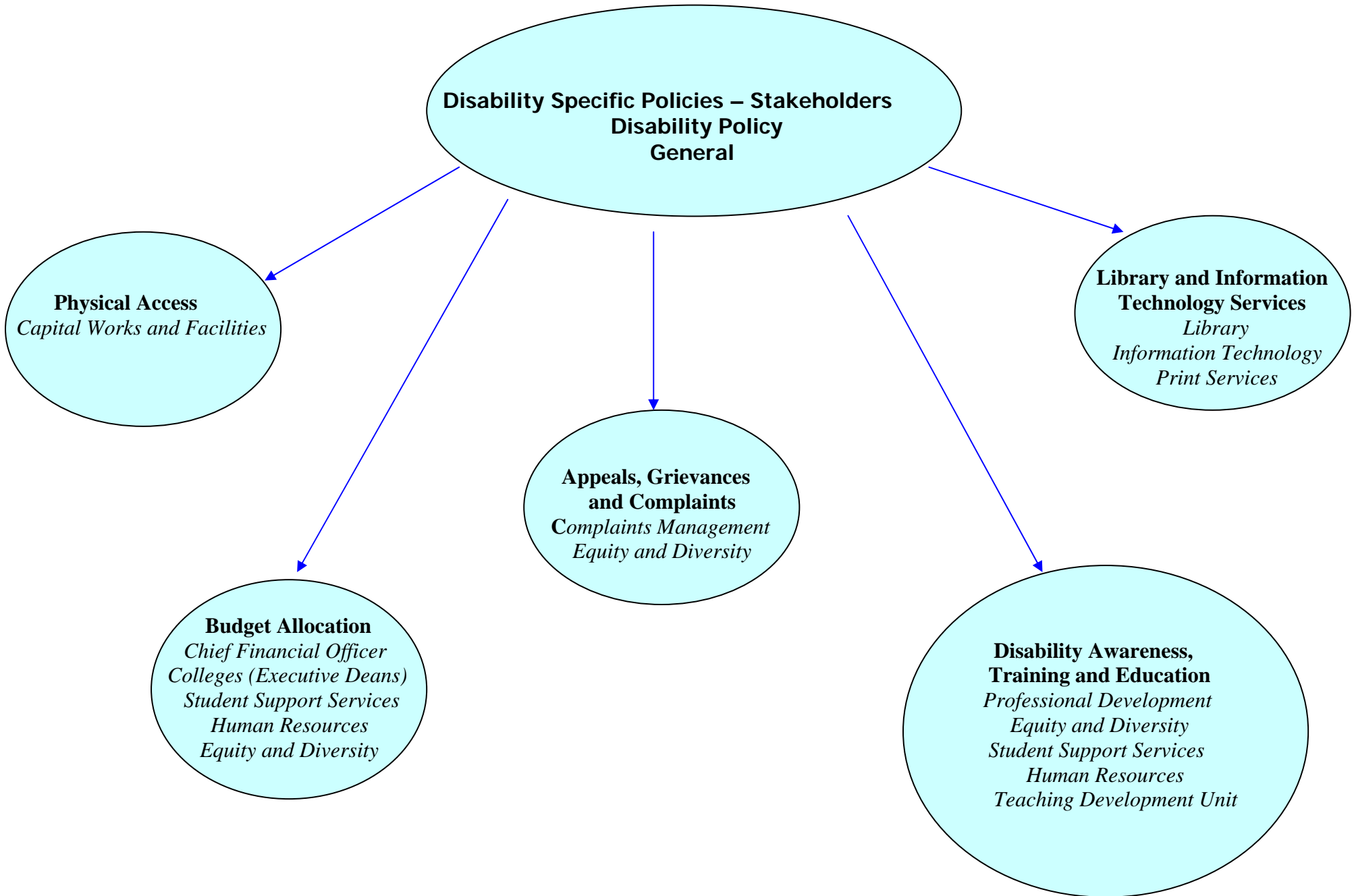
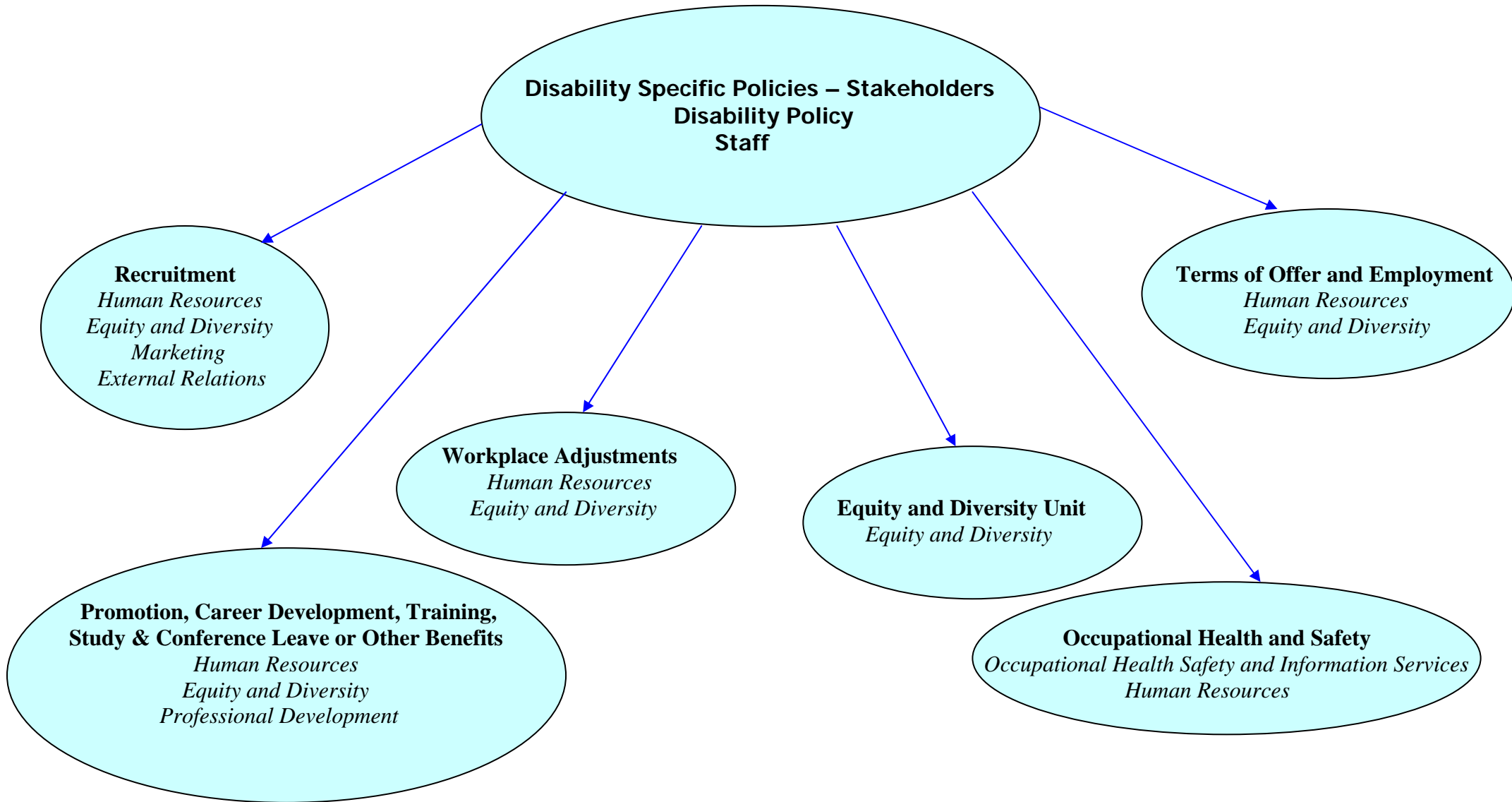
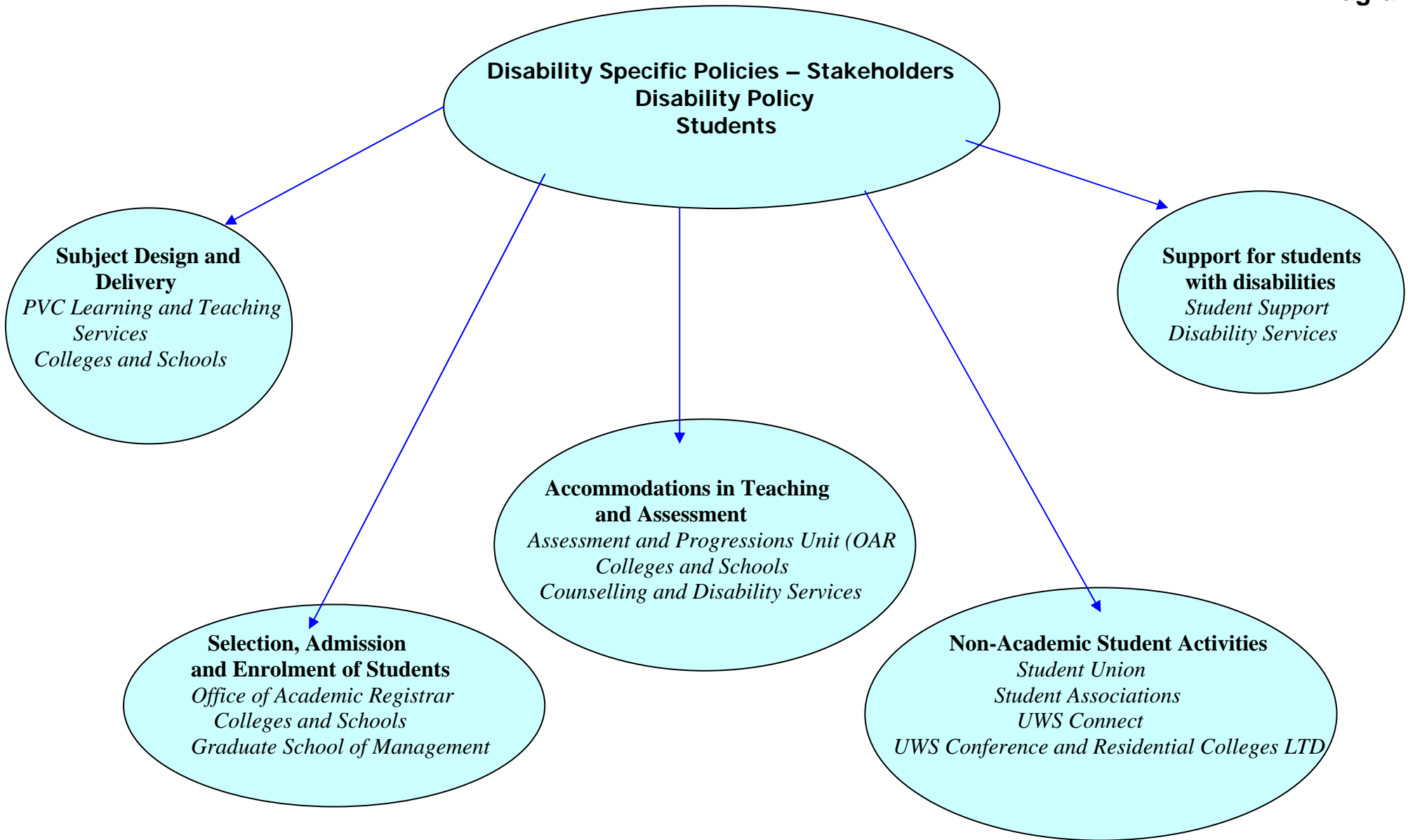


Diagram 3





4. 2 UWS as an employer

UWS currently employees 2565 people⁶, 7.5% of whom identify as having disabilities, with 3% requiring a reasonable adjustment plan to accommodate their disabilities.⁷

EEO Target Group	% of Total Staff ⁸				
Academic Staff	Benchmark or Target	2004	2005	2006	2007
People with a disability	12%	6%	6%	7%	7%
People with a disability requiring work-related adjustment	7%	2%	2%	2%	3%

EEO Target Group	% of Total Staff ⁹				
General Staff	Benchmark or Target	2004	2005	2006	2007
People with a disability	12%	8%	8%	9%	8%
People with a disability requiring work-related adjustment	7%	2%	3%	3%	2%

The University's commitment to providing a flexible work place and ongoing improvements in employment conditions has been identified as a sub-project in the University's Human Resources Strategic Plan "Our People 2015". This is a major University initiative over the next eight years. The Office of Human Resources is currently conducting a tender process to identify preferred employment agencies specialising in employment for people with disabilities to assist in the University's strategy to increase the number of staff with disabilities.

The UWS *Disability Policy* outlines provisions for equitable access and inclusion of staff with disabilities in relation to recruitment, promotion, career development, training, study and conference leave and other benefits.

4.2.1 Disclosure by employees

UWS employees may disclose their disabilities during appointment or whilst working at UWS.

Upon appointment UWS asks all new employees about their health status through the following question which is included in the letter of offer:

I certify that:

a) to the best of my knowledge there are no health reasons which would prevent me carrying out the duties of this position or condition which might be aggravated by my acceptance of this position;

OR

b) I will discuss my health status with the Director, HR on a confidential basis.

⁶ Effective full-time staff, 2006, Office of Planning Quality (OPQ) data.

⁷ UWS ODEOPE Report 2006/7.

⁸ Excludes casual staff.

⁹ Excludes casual staff.

Once an employee has commenced work at UWS, Equity and Diversity sends them an email of welcome requesting the completion of an Equal Opportunity Survey. This survey provides an opportunity for employees to disclose their disability and their need for accommodation and adjustment, and for UWS to collect de-identified aggregate data. The current response rate to the EO Survey is 78%.

The survey explains the purpose for which the information is collected, and that the Commonwealth *Privacy Act 1998* protects the data collected through the survey, which is at all times confidential.

4.2.2 Reasonable adjustment plans

Formalising and documenting the adjustment needs of staff with disabilities requiring adjustment is the responsibility of Equity and Diversity staff.

According to the UWS *Reasonable Adjustment in the Workplace for People with Disabilities Policy*, reasonable adjustment plans (RAPs) are available to employees who disclose their disability and require adjustment in the workplace to remove barriers to their performance of the inherent requirements of the job.

Equity and Diversity staff administer reasonable adjustment plans, except where a Worker's Compensation rehabilitation or return-to-work program is required after workplace injury. In this case, the university's Occupational Health and Safety Unit is responsible, together with relevant line managers, for ensuring the workplace adjustment needs of staff members are met upon return to work.

Presently there are 53 RAPs registered with Equity and Diversity. In 2007, 27 staff have undertaken adjustment plans, compared with 16 RAPs completed in 2006.

RAPs are facilitated by Equity and Diversity staff and negotiated between the employee with disabilities and their supervisor. Equity and Diversity staff also educate the parties involved in the process, develop documentation, provide guidance in assessment and adjustment options and facilitate the implementation of the adjustment provisions. This might include liaison with supervisors about modifications to how where and when work is performed, with CWF for building modifications and external providers for purchase of assistive technologies, as well as training and education of fellow staff within the work environment. Equity and Diversity review the plans at least annually and monitor them on a needs basis.

According to Part H of the *Reasonable Adjustment in the Workplace for People with Disabilities Policy*, the College or Division of a staff member is responsible for the costs associated with making reasonable adjustments that are under \$10,000. Costs above \$10,000 are met centrally.

The cost of adjustments, which are most often assistive technologies, are met from general School or Unit budgets on an ad hoc basis. The School or Unit then assumes ownership of the relevant equipment, unlike that purchased under Worker's Compensation arrangements, which is attached to the individual employee. Capital Works and Facilities meet the cost of major capital infrastructure and building works of more than \$10 000, such as modification of doorways, lifts, ramps and garavantors for wheelchair access to flights of stairs.

However, the largest cost associated with reasonable adjustments for individuals is usually the staff salary costs associated with residual duties where staff members are temporarily unable to undertake face-to-face teaching and/or are supplementing their restricted working hours with sick leave. The present policy's funding quantum does not make provision for the cost of salaries in these circumstances.

4.2.3 Staff development and training

Induction training for new staff involves a two-hour seminar, at which staff are directed to complete the online modules on *Workplace Harassment and Discrimination* in the first six months of their employment at UWS. This course covers disability discrimination and has links to UWS disability related policies.

In addition there is a range of staff development modules, such as training for Recruitment and Selection or Student Misconduct Committees, which include consideration of equity and access issues, including the needs of staff and students with disabilities.

Training for academic and general staff is regularly provided by Counselling and Disability Services on the University's obligations under the *Disability Discrimination Act, 1992* and the *Disability Education Standards (2005)*. It demonstrates the relevance and impact of the legislation on teaching practices, ancillary services and the learning environment. Counselling and Disability Services also provide an information package and training sessions on mental health issues.

These programs are offered both through the Professional Development Unit and directly to groups upon request within Schools and Divisions. The recently completed Counselling and Disabilities Services work plan for 2008 includes the conversion of the DDA and Education Standard modules to an online format and a new module on Academic Integration Plans.

The Teaching Development Unit (TDU) is responsible for providing programs and services to academic staff to enhance teaching and learning. It makes information available via its website on student diversity, inclusive teaching practice and e-learning, which has the capacity to provide more accessible learning options for students with disabilities.

However, the only training which all staff are expected to complete is the *Induction* training and online modules for *Workplace Harassment and Discrimination*.

4. 3 UWS as an education service provider

There are currently 35 061 students at UWS¹⁰, 4.9% (1 377) of whom identify as having disabilities, compared with a national average of 3.9% domestic students with a disability.¹¹ (see Appendix 7)

4.3.1 Disclosure by students

Students may choose to disclose or not at any time of their study. They initially apply for university entrance via a University Admissions Centre (UAC) application that allows them

¹⁰ UWS data 2006, Office of Planning and Quality. This figure includes domestic and international students.

¹¹ DEST National Stats Publication. Figures for off-shore students are not available

to self-identify any disability, whether related to vision, hearing or speech impairment; learning disability; physical disability; psychiatric disability; severe long-term or recurrent medical conditions and short-term medical conditions.

When a student self identifies on the UAC form, this information is sent directly to the UWS Counselling and Disability Service which then sends these identified students a letter of welcome that actively encourages them to present for an interview. If the student does not disclose on the UAC form, the CDS does not know about the student. Further, students who disclose their disabilities through UAC may not require or choose an AIP and, hence, will not register with Disability Services.

Students with disabilities may also disclose their disability to UWS during the enrolment period, just prior to commencement. However, this information is not automatically provided to the Counselling and Disability Service, but is only provided on request.

Students may also disclose at any time during their course of study at UWS, either because they are forced to by need and circumstance, or as a result of increased confidence and comfort to disclose in the University environment.

In 2007, 278 new students disclosed their disability to Disability Services within Counselling and Disability Services to obtain an AIP.¹²

4.3.2 Student data collection

Presently are three sources of data collection on the number of students with disabilities at UWS. Firstly, UAC provides data to UWS on the number of students who disclose their disability during admission. Secondly, Disability Services collate information on the number of students with a disability at UWS according to the registration of academic integration plans (AIPs). Thirdly, the Office of Academic Registrar collects data on the number of students with disabilities during the enrolment process.

Consequently, there is no single source of data about the number of students with disabilities at UWS in any given year, due to different collection methods and different decisions being taken by students about disclosing at any given time or circumstance.

4.3.3 Academic integration plans

UWS Disability Services within Counselling and Disability Services is responsible for the development and management of student academic integration plans (AIPs), once a student has disclosed their disabilities. AIPs formally establish the adjustment requirements of the student's disability, to ensure that they can meet the inherent requirements of the unit.

Some examples of the kinds of adjustments that might be made to ensure students with disabilities can access educational and related University services include:

- Course materials may need to be modified by, for example, offering them in Braille, large print, online or on audio tape.

¹² Counselling and Disability Services database 2007.

- Written examinations may need to be adjusted for some students with disabilities by, for example, providing a reader or scribe, or allowing extra time for students who have dyslexia or have difficulty writing.
- Reasonable adjustments to coursework may include providing extensions on assignments, presenting assignments on audio tape, provision of alternate formatted materials, oral (tutorial) presentations may be changed to meet the adjustment needs of the student (example may present by Power Point or by using speech software).
- The central services provided may need to be adjusted to ensure that there is level access, that good lighting and colour contrasts to aid orientation that acoustics are appropriate for hearing-aid users, and that loop systems are installed at reception desks and lecture theatres.
- Reasonable adjustments to teaching delivery may include allowing students to tape lectures or classes, using note takers and ensuring that reading material presented visually is read out for those unable to see.¹³

Counselling and Disability Services assists students with adjustments based on the medical and/or educational information provided, but does not assess the appropriateness or otherwise of the student's course/unit choice with regard to their capacity to complete the course or unit.

A team of three Disability Advisers currently manage approximately 500 active AIPs each year.

	2003	2004	2005	2006
Students having registered AIPs with Disability Service	299	349	513	497

Disability Advisers develop individualised AIPs in consultation with the student, the treating doctor and/or educational psychologist and the relevant academic staff member. The assessment will be underpinned by the *Disability Discrimination Act 1992*, *Educational Standards 2005*, the *UWS Disability Policy 1997* and the *Australian Vice-Chancellors' Guidelines*. This assessment forms the basis of the Academic Integration Plan. The plan sets out the academic, practicum, examination, library, security and information technology requirements the student will need whilst studying at UWS.

Counselling and Disability Services send the AIPs to the relevant Unit Coordinators each semester, for distribution to unit lecturers, tutors and practicum supervisors and it is the responsibility of academic staff members to implement the requirements of the AIP.¹⁴ School Disability Coordinators (SDCs) have been established to provide additional assistance to academic staff in implementing AIPs.

Meetings and negotiation between the School Disability Coordinator, lecturer and/or Unit Coordinator, the Disability Adviser and the student may be required to resolve difficulties if

¹³ Martin Crick, Equity and Human Rights Commission, UK, *The Times Literary Supplement*, 19 Oct 2007

¹⁴ Should the Unit Coordinator disagree with any of the reasonable adjustments set out in the AIP, he/she must contact the relevant Disability Adviser within ten working days of receipt of the plan

academic staff have any objections or concerns about the requirements outlined in the AIP. Relevant medical and educational documentation is required within 4 weeks of registration of an AIP, and must be updated by the student at least every two years.

A student undertaking a professional placement may require the development of an additional AIP that includes adjustments recommended by an independent workplace risk assessment.

AIPs will sometimes require on-going case management to reflect the changing health status and unit adjustment requirements of each individual student.

Other services provided by the Disability Service are:

- Pre-enrolment counselling
- Employment and training of note takers, scribes, readers and sign interpreters
- Organisation of end of semester examinations support
- Establishing and maintaining the Access Rooms
- Equipment purchase and loan scheme
- Computer training in use of hardware and appropriate software;
- Liaison with the Royal Blind Society, Deaf Society and specialist agencies;
- Referrals to external agencies for assessment and follow up as required;
- Working in partnership with the Equity & Diversity Unit and Capital Works & Facilities to improve physical access to the buildings and grounds on all campuses
- Organising and facilitating training workshops for students and staff on disability related issues
- Student advocacy, and
- Research which aims to enable new or improved services to be establish and secondly to make a contribution to the professional body of knowledge on disabilities in the educational environment.¹⁵

The Examinations Unit within Office of Academic Registrar works in partnership with the Counselling and Disability Service to ensure that all examination adjustments, as set out in Academic Integration Plans, are appropriately implemented. This includes the provision of scribes, readers, computer disks, separate room, extended time, rest breaks, examination spread, alternative formats, large print, coloured paper and Brailed examination papers.

Responsibility for alternative assessments for in-class tests or examinations, including oral-to-examiner, oral to-audiotape or dictaphone, is determined via consultation and agreement between the Counselling and Disability Service, the Unit Coordinator and the Examination Unit.¹⁶ The relevant unit Coordinator is responsible for organising all adjustments for mid-semester tests and the Counselling and Disability Service will assist with the provision of note-takers, scribes etc provided requests are made in a timely manner.

¹⁵ UWS Disability Service – Student Handbook 2007

¹⁶ UWS Disability Service – Student Handbook 2007

4.4 Regional Disability Liaison Officer (RDLO) Programme

The University hosts the Regional Disability Liaison Officer Program for the Greater Western Sydney region to improve transition and participation outcomes for school leavers, post-secondary students, apprentices, trainees and employees with disability across Western Sydney. UWS Equity and Diversity provides supervisory and administrative support to the RDLO program.

The RDLO program delivers a range of outcomes relevant to UWS students and staff with disability. In the past year the program has produced 2 new websites, called the '*Education to Employment Package: A Website for Graduates and Employers*'; and (to be officially launched 3 December 2007) the '*Get Ready for Uni: For Students with Disability considering University*'. The program also co-hosted a major event about Assistive Technology in education and workplace settings, called the '*Accessing the Future Forum*'

4.5 Access to premises

UWS has 515 buildings, the majority of which were built prior to 1970 and include a significant number of heritage buildings. Planning of all new buildings in UWS adhere to the *Building Code of Australia*, and the *Draft Disability Standards on Access to Premises* to ensure disability access. Hearing loops are standard fit-out in lecture theatres, as are mobile control units for audiovisual projection systems, combined with radio and lapel microphones for use by lecturers with mobility limitations.

The system used by UWS Capital Works and Facilities (CWF) to address disability physical access includes the following:

- A CWF Disabilities Budget of \$250,000 per year that is used by CWF to respond to access requests on a needs basis
- A capital plan that incorporates work required to ensure disability physical access
- A maintenance and refurbishment plan which takes account of disability physical access issues per project

UWS allocates funding to Capital Works and Facilities for the physical accommodation of both staff and students to address access barriers.

An independent audit of physical accessibility was undertaken in 2005 and the implementation of this upgrade work is being implemented according to priority assessment.

Capital Works and Facilities also meet the cost of major capital infrastructure and building works of more than \$10 000 where those modifications are required by a staff member as part of a RAP. They most often involve modification of doorways, lifts, ramps etc.

4.6 Access to information

UWS provides information to students, employees and the public, which according to the DDA should be accessible to all users, including people with disabilities.

4.6.1 Web based information

The World Wide Web is now one of the primary modes of communication for staff, students and the wider university community and UWS has a legal responsibility under the DDA to ensure that university web based services are accessible to people with disabilities. UWS is committed to meeting the WCAG Level 2 or AA accessibility standards.

The UWS web presence is undergoing some major changes this year and accessibility has been a significant criterion in selecting a new University-wide web content management system.

Counselling and Disability Services has an informative web presence, including a *Student Handbook* and *Student Disability - Principles and Procedures* publication providing students with a disability or chronic health condition with information about their legal rights; university facilities; academic advice; service and assistance available on campus and other information that the student may find useful.

The Academic Integration Plan: Glossary of Terms (GOT) provides academics and general staff with a concise explanation of what each reasonable adjustment stipulated in the AIP means for implementation purposes. In addition the website contains a number of online resources for teaching staff working with students with disabilities.

The UWS-hosted RDLO program has developed a number of websites to assist people with disability about transition and participation at work and/or education settings. Websites include 'Get Ready for Uni' (due to go live December 2007), designed for Years 9-12 students with disability considering going to university; 'Education to Employment Packages II' website is for graduates of TAFE and university and their employers. The website advises graduates about how to seek graduate level employment; types of assistance to help graduates seek and retain graduate employment; and the rights and responsibilities at work; and 'Choosing Your Path: Disclosure It's a Personal Decision' website is targeted at students and employees with disabilities as well as employers, teaching staff and support services.

Other RDLO information resources which are available electronically include:

- *Education to Employment Packages II* outlines legislation relating to privacy; occupational health and safety; anti-discrimination; and the most recent Industrial Relations federal legislation changes; (2007)
- *Out Of Harm's Way* Discussion Paper specifically deals with the intersections of the OH&S and anti-discrimination legislations; (2005) and
- *Disclosure: It's Your Choice* website explains rights and responsibilities according to privacy and anti-discrimination laws (2003).

4.7 Access rooms

Access Rooms are rooms that provide a quiet space for students with disabilities, registered with Disability Services, to study and access technology and software or to rest. The Access Rooms are located situated in the campus libraries, except for Penrith where the room is situated in Building P, Kingswood campus, and are open during library hours. Access Rooms are maintained by the Counselling and Disability Service and where necessary by Information Technology staff. They are wheel chair accessible, equipped with appropriate computer hardware, specialised software and ergonomic furniture. Large

desks for large print materials, magnifiers and brailers are also available. Access Rooms also provide print enlargement, voice-activated software, text scanners, larger computer monitors and associated software.

The Counselling and Disability Service is responsible for organising the training of students to use the specialised software located in the Access Room. On-going support of students in the use of specialised software is provided by the Disability Service's Practical Technical Assistant, who provides intensive one-on-one training. Hardware support is maintained by Information Technology. Students are required to report any computer problems to the Help Desk or the Counselling and Disability Service.¹⁷

4.8 Library services

UWS libraries ensure access to library resources through special library loan conditions for students with disabilities. Library staff are available to assist students with general queries and support in accessing library materials, including inter-library loans for large print materials.

4.9 Adaptive technology

The Disability Service also maintains a limited pool of specialised equipment for use by students with a disability or chronic health condition registered with the Disability Service. The equipment in this registered pool is available to students on a loan basis. Generally loans are short term. This enables students to trial specialised software/equipment before purchasing. If during the trial loan period the equipment is found by the student to be appropriate to their needs, they are encouraged to plan to purchase. This specialised equipment/technology will be of assistance in their entry to paid employment.

4.10 Support programs for students

The Counselling and Disability Service coordinates a student tutor program called "Bright Sparks" for students who have a disability and are experiencing difficulties in one or more of their units. Tutors assist students in understanding their current unit by explanations demonstrations of lecture notes, text book readings and tutorial work.

In addition the Disability Service assesses students overall support needs and makes appropriate referrals, both internal and external. Other support services available for students with disabilities include:

- Counselling through the UWS Counselling Service
- Support programs (educational, developmental and academic) provided by the Student Learning Unit and/or Counselling and Disability Services.
- Peer Mentoring (and other mentoring) programs
- 24/7 Chat group available on the Disability Services' Web CE site specifically to facilitate support and connection between students with disabilities.
- Specialist preparation programs (eg Getting Started, modules within Acprep)
- Individualised/tailored tuition in use of appropriate adaptive software
- Willing and Able Mentoring (WAM) programs that facilitate transition to employment

¹⁷ UWS Student Disability Handbook, 2007

- Specialised career development program (coordinated by the Disability Service in conjunction with Careers Advisers and external employment agencies)
- *Access News* which provides updated links to services, activities and social events relevant to students with disabilities

4.11 Other areas of life – transport, accommodation & sport

The Disability Policy commits the University to provide assistance to autonomous and semi-autonomous bodies associated with UWS (eg student associations, student accommodation and child care services) to ensure continuous improvement in disability access.

The University of Western Sydney provides student accommodation, both on and off campus. The residences also have facilities which cater for students with disabilities. This includes ramps, larger than average rooms, wheelchair accessible on-suites, emergency press alarms, audio and visual fire alarms and emergency phones connected to the Campus Security. Where appropriate, the Disability Service recommends to the Residential Colleges, the additional specific adjustments required by a student with a disability or chronic health condition entering university.¹⁸

The Hawkesbury Conference Centre on Hawkesbury Campus is also accessible.

4.11.1 Transport Access

A campus bus runs between Kingswood and Werrington North via the Ward library. The buses run approximately every 10 minutes during semester and are free. All buses are disabled accessible. Once on the bus, the first four seats can be folded up to allow a wheelchair to be safely positioned for the trip.¹⁹

Disabled parking bays are available on each campus for staff and students displaying an RTA disabled sticker. Blue parking bays are available when no disabled parking bays are available. The Disability Service, where appropriate, authorises the use of a 'reserved' parking bay for students with a temporary mobility condition. Equity and Diversity arrange additional access spaces adjacent to staff member's primary place of work, as required.

¹⁸ UWS Student Disability Handbook 2007

¹⁹ UWS Student Disability Handbook 2007

Section 5 Findings

This section assesses the effectiveness of the policies and procedures developed and implemented by UWS to protect the rights of people with disabilities at the university.

These findings describe and analyse the empirical information gathered during the Review, by way of staff and student submissions and stakeholder interviews. The submissions provide evidence of the main issues identified by the Review:

- UWS has developed and implemented a range of policies and procedures to meet its legal obligations towards staff and students with disabilities.
- There is a need for further education and training on disability issues for both staff and students at UWS.
- There is a need for improved services provided to staff and students with disabilities at UWS.
- There is a need for improved communication and support for UWS academic staff responsible for the implementation of academic integration plans.
- There is a need for a system to adequately deal with physical and information accessibility at UWS.
- There is a need for centralised funding provision for staff adjustment processes and a central register of assistive equipment.

This section has been organised along the function specific themes developed in earlier sections. The findings suggest where further improvements could be made to the efficiency and effectiveness of both individual measures and the system as a whole, and are used to inform the formal Recommendations presented on pages 6-7 of the Report.

5.1 UWS as an employer

5.1.1 Employees disclosing disability

The number of UWS employees identifying as having disabilities is lower than expected. Presently, 7.5% of UWS employees identify as having disabilities, with 3% indicating that they require a workplace adjustment to accommodate their disability²⁰. However, the targets used by the Office of the Director of Equal Opportunity in Public Employment are 12% and 7% respectively. The low number of UWS staff with disabilities may be the result of the complex issues around non-disclosure, and/or to systemic barriers to employment and staff retention at UWS.

According to the evidence obtained by the Review, non-disclosure of disability by UWS employees may occur because of the following factors:

²⁰ These figures are based on the data collected via the voluntary EO Staff Survey.

- **No obligation to disclose**

There is no legal obligation for employees to disclose their disability to their employer unless it is likely to affect their ability to perform the inherent requirements of their job or they have a need for reasonable adjustment.

- **Disclosure inadequately facilitated during the application process**

Applicants for UWS positions are currently not asked about their access needs, as part of the application process. There have been occasions when applicants with mobility issues have arrived for interview and not been able to access the interview room. Whilst the opportunity for disclosure in the context of the employment process may not be embraced by all, or even many job-applicants, the merit-selection process would be strengthened by providing the opportunity to do so.

The provisions in the *Recruitment and Selection Policy* allow rather than prescribe the inclusion of members from equity target groups on the selection committee. This could be a reflection of UWS culture being inclusive on the exception rather than as a norm. However, as commented by the Director of Human Resources, having a member from equity target groups in every selection committee could be onerous on these representatives. More specific training for committee members may assist in addressing this concern.

- **Lack of information on disability issues for staff**

UWS does not provide information about disclosure or the disability rights and responsibilities of employees and the university, to potential employees considering disclosure of their disabilities through the health question in the letter of offer. The Director of Human Resources supports the development of a brochure on disclosure and disability related issues to be sent out with the letter of offer.

The EO survey also lacks information about disability disclosure, disability rights and responsibilities, or UWS services and policies available for employees with disabilities.

The UWS website does not have a designated site with information for employees with disabilities, nor is there information available for employees, in various formats, on disability issues including disclosure. However, the RDLO website contains an existing UWS leading resource on disability disclosure that could be used be made available to staff under a section on UWS employees with disabilities and used in the provision of training.

- **Lack of training on disclosure for staff**

The employee induction training does not specifically address the issues of disability disclosure, disability related rights and responsibilities, or the services available to employees with disabilities, including reasonable adjustment plans for existing or future disabilities.

- **Concerns about confidentiality**

There are concerns amongst staff about the confidentiality of disability disclosure arising from the EO Survey even though it explains that the Commonwealth *Privacy Act 1998* protects the data collected and is at all times confidential.

There is a lack of clarity about disclosure and confidentiality issues arising from the provisions in clause 7 of the *Reasonable Adjustment in the Workplace for People with Disabilities Policy*. This clause allows a staff member who requires workplace adjustments to disclose to the Equity and Diversity Unit, Human Resources Unit, or their supervisor. The current practice is that reasonable adjustment plans and accompanying medical documentation are kept by Equity and Diversity, with Human Resources and new line managers often being unaware of their existence. However, it may be necessary for these units and the employees' supervisor to discuss the RAP with each other to adequately address the needs of the employee.

- **Fear of discrimination**

Employees may be fearful of possible discriminatory implications of disclosing their disabilities. The Review found that some UWS employees avoid disclosure of their disabilities due to fear of retribution from senior staff and other colleagues, and concerns about medical assessment resulting in medical retirement (see section on Attitudinal Barriers).

- **Organisational change**

Disclosure of disability often occurs when organisational change threatens the status quo. Staff members choose not to disclose their disability status preferring to manage their needs invisibly, such as residing within close proximity of their campus location, and working flexibly within normal organisational policy and practice. Organisational change may force staff to disclose their disability and request reasonable adjustment in order to meet the inherent requirements of their position and maintain their employment.

The above barriers to disclosure identified by the evidence provided to the Review highlight the need for systemic and cultural change at UWS. Addressing these barriers will assist the university to create a more inclusive and diverse place of work and study, particularly for people with disabilities.

In order to address these barriers UWS needs to disseminate accessible information (in various formats) more widely, amongst UWS employees, about disability issues such as responsibilities under the DDA, disclosure, and reasonable adjustments. This may occur through the provision of information to employees at every possible point of disclosure, education and training, and web based knowledge sharing.

Some of the solutions proposed by stakeholders include the Director of the Professional Development Unit, suggest that Equity and Diversity training modules be compulsory for all new appointees to UWS. Further, two senior UWS executives interviewed for the Review, identified the need for the induction process to cover issues pertaining to disability including disclosure, to address the general lack of understanding about disability issues, such as disclosure, reasonable adjustments, and who is covered by the DDA. The Director of

Human Resources suggested that awareness training on disability issues be targeted, and include team leaders/managers at UWS.

5.1.2 Employee reasonable adjustment plans

UWS has an existing practice and underlying policy concerning employee disability adjustment. However, the Review has found there are several barriers to UWS employees acquiring reasonable adjustment plans in order to accommodate their disability and perform the inherent requirements of their job.

These include:

- **Lack of clear procedure**

The *Reasonable Adjustment in the Workplace for People with Disabilities Policy*, which is currently under review by Equity and Diversity, lacks a clear process for employees to commence or initiate the process of acquiring a reasonable adjustment plan. Anecdotal evidence suggests there is confusion amongst employees about where and how to obtain assistance on reasonable adjustment. Referral of staff who potentially require a RAP to Equity and Diversity often relies on informal relationships and networks.

There is a lack of adequate pathways and mechanisms for the referral of disability adjustment matters. For example, it is unclear how to manage a matter involving a work-based injury resulting in on-going disability. For the purpose of the Review, the Complaint Resolution Unit raised concerns about the lack of policy guidance on appropriate referral of employee and student adjustment matters.

- **Lack of information**

Apart from the *Reasonable Adjustment in the Workplace for People with Disabilities Policy*, there is a lack of information available to UWS employees on reasonable adjustments in the workplace. The UWS website does not have a designated site for employees with disabilities, nor is any detailed information provided during the appointment or induction process.

- **Lack of identified resources**

The *Reasonable Adjustment in the Workplace for People with Disabilities Policy* currently identifies Equity and Diversity as responsible for the co-ordination, development, monitoring, and review of employee reasonable adjustment plans. However, there is a lack of an identified position responsible for reasonable adjustment plans within Equity and Diversity, who currently manage 53 reasonable adjustment files.

- **Characterisation of matters**

There is a lack of policy guidance about the characterisation of matters that may fall within the workers compensation jurisdiction and disability adjustment area. This can result in the inefficient use of resources with both OHS and Equity and Diversity being involved in these matters.

- **Funding issues**

Despite the specific funding provisions of the *Reasonable Adjustment in the Workplace for People with Disabilities Policy*, there is no specific line item for the provision of reasonable adjustments by UWS Divisions/Colleges, for the tracking of expenditure or monitoring and assessment of the funding process. In effect funds are found on an ad hoc basis to support adjustments for staff with disabilities, but lack of identified source of funds contributes to some resistance in making reasonable adjustments, especially where additional salary costs are involved. In tight budgetary climates, failure to fund salaries to take up residual duties has negative impacts on the willingness of staff to disclose disability, and resentment from colleagues of staff with disabilities about the impact that some RAPs can have on their workload. Short-term cost impacts can lead line managers to view disclosure of disability as burdensome or even as 'precedents' for other staff with disabilities who have not disclosed their needs.

Funding for reasonable adjustments should be readily available to all staff who need them, in order to ensure that they can meet the inherent requirements of their positions, and continue to contribute to UWS regardless of where they are employed. Centralised funding would remove any disincentive to disability adjustment based on the financial position of individual Schools or Units, and eliminate disproportionate impacts on different parts of the University where staffing profiles demonstrate greater, or potentially greater numbers of staff with disabilities due, for example to age profiles. Adjustments that are funded without penalty to work units are likely to improve the attitudes of staff to disclosure and disability in general.

- **Registry of assistive technology and aids**

Equipment purchased by Colleges and Divisions is not registered centrally, nor can it presently be tracked in the absence of budgetary line items or cost codes. Consequently, expensive equipment such as voice-activated software may be purchased by a School or Unit, and may only be required on a short-term basis. Having met the cost, a School or Unit may then retain the equipment, despite the fact that it is no longer in use. Equity and Diversity and Occupational Health and safety may be aware of the presence of unused assistive technologies in Colleges and Divisions.

A central registry, combined with centralised adjustment funding, would ensure a more cost-efficient approach, in that purchases are not duplicated and that equipment can be utilised on a needs basis across UWS. A Register may also include equipment purchased on the advice of the Occupational Health and Safety Unit to assist staff members in return to work programs, in those circumstances where the purchase is not tied to an individual employee by way of a Worker's Compensation payment.

UWS is under a legal obligation to provide reasonable adjustments to employees with disabilities. However, the systemic issues outlined above are currently undermining the efforts by UWS to do so. The university needs to continue to address these issues through education and resourcing of initiatives, so that it can better meet its legal obligations under the DDA and provide employees with the accommodation required to perform the inherent requirements of their jobs.

5.1.3 Data collection

Although, UWS collects data on the number of employees with disabilities, there are some problems with these figures.

Firstly, the completion of the EO Survey is voluntary and employees may choose not to disclose their disabilities or their need for adjustment. Secondly, there is a discrepancy between the number of employees who disclose their disabilities through the EO Survey, and those who obtain a reasonable adjustment plan. This mismatch may be due to issues surrounding disability disclosure such as its voluntary nature, reluctance by employees to disclose until the need for adjustment arises, and instances where staff acquire a disability whilst working at UWS.

The data on the number of employees with disabilities at UWS has resource implications, such as the need to provide information to employees who disclose their disability through the EO survey and the management of reasonable adjustment plans. For example, the number of new RAPs developed by Equity and Diversity increased from 16 to 27 in 2007 without any extra resource allocation.

Whilst the Review acknowledges the complex issues pertaining to disclosure, it concludes that reliable systems and adequate resources need to be in place for reliable data collection and follow-up.

5.2 UWS as an education service provider

5.2.1 Inherent requirements

Currently, UWS does not explicitly outline in writing the inherent requirements of all its courses and units, possibly undermining the ability of students with disabilities to self-select courses that match their capacities. The Review has found that the progression of students with disabilities could be affected by their inability to meet the inherent requirements of their chosen course and units.

In order to complete any given course of study, students need to meet the inherent requirements of the course and units. Some students with disabilities require an AIP to fulfil the inherent requirements of their chosen course. However, some views expressed to the Review suggest that some students with disabilities are experiencing difficulties progressing in their chosen courses despite having an AIP. This might be due to students not meeting the implicit inherent requirements of the course, despite having an AIP. However it is impossible to make any assessment of this kind in the absence of any identified and established inherent requirements for individual units or courses of study. Some comments made to the Review point to the need for UWS to support and educate academic staff in identifying the inherent requirements of the course in order to make an assessment on this issue.

”At times, the nature and severity of the student’s disability makes it difficult for them to achieve the competencies required for professional courses. On occasion academic staff have expressed concern that specific students may not have the skills or abilities to ever work within a specific professional discipline, based on their experience of working in that capacity. It remains an ethical dilemma about whether it is ok for staff concerns to be voiced to the student (and risk discrimination) or to say nothing and risk the student ending up with a large HECS debt and inability to work in the field.” Submission 14.

“Assessing the ability of students to perform technical functions – What does it mean if a student cannot carry out a practical task with respect for their educational outcome for the unit/degree? In addition just because an integration plan was sufficient for one type of laboratory class, it does not mean that it is OK for all. Eg A slight sight impairment maybe managed OK in first year biology but not in Molecular Biology.” Submission 2.

Further, academic staff expressed concerns about their difficulty in assessing performance in the context of disability related adjustment, with some academics expressing a view that the accommodation of disability necessarily lowers academic standards. The Review found that significant misunderstanding of these complex issues can lead to negative attitudes towards students with disabilities:

“...stop coming up with fanciful and creative disability integration plans with involve so many concessions that academic integrity is undermined and for which they, and hence, Schools do not have the resources to implement.” Submission 5.

The expressions of some submissions points to an urgent need for an organisational approach to more effective and extensive education and awareness training in the University’s obligations under the legislation. A need for engagement with academic staff in assisting an understanding of the issues of inherent requirements of courses and the ways in which academic rigour is maintained in the context of adjustments, including alternative assessments is highlighted by some submissions.

The evidence supports that a clear articulation of the *inherent requirements* for all courses and units would clearly assist students to decide if they have the capacities required for completion prior to enrolment. It would also facilitate the identification of reasonable adjustments required to meet inherent requirements. An explication of these requisites for all courses and units, would enable students to self-select the courses and units most compatible with their capacities, thus increasing progression and completion rates.

The Review concluded that students with disabilities and academic staff would benefit if the inherent requirements for all UWS courses and units were established. These inherent requirements should be clearly and explicitly articulated and made available to students prior to enrolment.

Counselling and Disability Services have commenced a project with cross-institutional support to address the issue of ‘inherent requirements’. A working party has been established with key UWS stakeholders to commence work in early 2008.

5.2.2 Retention of students with disability

The retention rate of students with disabilities indicates that additional effort, including resource allocation, needs to be made by UWS management to deliver better support for students with disabilities.

The Department of Education, Science and Training’s (DEST) retention rate for students with disabilities who have self-identified measures the number of students who continue their studies from the previous year, minus those who complete their course.

The retention ratio is an indicator expressed as the retention rate divided by a reference value for that indicator. The reference value for students with a disability is the retention

rate for all other students in the same cohort. Ratios of less than 1.00 indicate poor performance, while ratios of 1.00 and greater indicate good performance. The retention ratios for students with a disability at UWS have varied since 2002 as follows²¹:

2002 - 0.97
2003 – 0.95
2004 – 1.01
2005 – 0.94

Except for 2004, these results indicate that UWS needs to improve its performance on the retention of students with disabilities. A Senior Lecturer interviewed for the Review notes that the problems with retention are larger amongst Indigenous students at UWS:

“At the time of my commencement [1991] there was a lot of support work that went on with the students ... that support has now gone specially for indigenous students causing a lot of stress and increasing problems with their disabilities ... 49% failure rate that can be attributed to a lack of support” Submission 8

Evidence to the Review by students supports issues identified by the Review about the services available for students with disabilities.

“Unfortunately, I found myself facing a personal crisis this semester and it was necessary for me to utilise UWS Disability Services. A process that was extremely frustrating and unhelpful during most of semester while studying a BA. /.../ I found this side of Student [Disability] Services to be lacking in staff, lacking in communication, unproductive, inefficient, and erroneous, confusing to deal with, and frustrating. Basically all the outcomes a person experiencing some form of disability does not want to experience in a time of crisis when they are in need of service and assistance.” Submission 21.

UWS Disability Services explained to the Review that staffing problems, including, the lack of available appropriate casual staff, contribute to difficulties in meeting the service demands by students with disabilities. To address the problem, Counselling and Disability Services have sought additional funding for an extra Disability Adviser position.

According to DEST, the access rate (commencement) and participation rate (percentage of general state population aged between 15 and 64) for students with a disability at UWS have consistently risen since 2002, and have been above both state and national rates since 2004. The percentage of students with disabilities at UWS was 4.9% in 2005. This percentage places UWS in sixth position in the list of NSW institutions and highest out of Sydney based universities.

These figures indicate that UWS has had an above average number (compared to state and national figures) of students with disabilities commencing at the university, but a poor retention rate of these students.

In order to improve the retention rates of students with disabilities at UWS, the university needs to adopt and implement universal design principles as well as improve its services to students with disabilities, particularly in the area of learning support and the implementation of academic adjustment.

²¹ DEST Equity Indicators – Students with a Disability.

The implementation of universal design principles should in the medium to longer term have the effect of reducing the requirement for specialist services for students and staff with disabilities, as well as enhancing the learning and working environment for all students and staff. The whole-of-organisation consultative structure which needs to be established to oversee the development of new Disability Action Plan should provide a vehicle for a rigorous evaluation of the application of universal design principles across the University.

5.2.3 Students disclosing disability

Students with disabilities do not have to disclose their disabilities unless they wish to access reasonable adjustment. UWS students who disclose their disabilities during the admission process or whilst studying at UWS, can apply for academic integration plans through Counselling and Disability Services²².

Students do not disclose for a variety of reasons, many similar to those described earlier in the section dealing with employee disclosure.²³ Some students are simply worried that disclosure will result in disadvantage.

“I have always been afraid to speak about my disability, I feared I would be looked at differently, judged negatively and would never really fit in if other knew about my condition. For years, I kept it quite and when I first commenced my degree I didn’t take advantage of the services offered straight away because of these pre-disposed beliefs I had. This decision was wrong and eventually my grades were begun to suffer.” Submission 22.

“I have disclosed my disability far beyond any requirements that the University of Western Sydney stipulate (General Principles 2). I have experienced many layers of exclusionary practice due to failures to follow standard principles and procedures /.../ and the breach of confidentiality in regard to my situation and my grievances.” Submission 20.

The Review has found that some students may not be disclosing their disabilities because they have concerns about confidentiality of their disability disclosure. A student interviewed for the Review identified a breach of confidentiality when an academic informed other students in the classroom environment about the student’s disability. Counselling and Disability Services is aware of students’ concerns about confidentiality and ensures privacy of disclosure by not outlining the nature of a student’s disability on their AIP.

Nonetheless, academic staff have perceived difficulties with the implementation of AIPs when the nature of the student’s disability is not disclosed.

“It is difficult for academic staff to make adjustments to units to meet the needs of students with disabilities when the disability is not disclosed. Examples include:

- Staff have been requested (on AIPs) to complete a ‘risk assessment’ of the teaching room but this assessment would need to be very different for someone with a visual deficit as opposed to a mental health problem.
- Sometimes the nature of unit content can be of a sensitive nature – so disclosure may be beneficial at times to avoid students becoming upset at content when academic staff may be able to present the information in another format if aware of the students experience.” Submission 11.

²² Counselling and Disability Services commented that students who disclose at the enrolment process often believe that they will automatically receive ‘special consideration’.

²³ Unlike the provision of information on disability issues to staff, Counselling and Disability Services has a range of specific promotional material for students with disabilities that is regularly updated and distributed at all relevant opportunities.

This situation reflects the need to protect the right to privacy of students and the difficult issues faced by academic staff during the implementation of AIPs. The implementation of universal design principles and further training for academic staff on AIPs would assist to address some of these complex issues.

5.2.4 Data collection

The issue of student data collection in the context of disability disclosure is discussed at page 32. There is a discrepancy between data provided by UAC on the number of students who disclose their disabilities during admission and the number of students reported as having AIPs with Disability Services. The UAC figures are generally higher.

The Review concludes that the system of student disability data collection requires further explanation and improvement, and notes suggestions made for centralisation of data collection. However, the Review notes the comments by Counselling and Disability Services that differences in disclosure decisions and the range of different services required, mean that a centralised system of data collection would not necessarily provide more reliable statistics on the number of students with disabilities at UWS. No one data set will meet all of the service provision needs of students.

5.2.5 Academic integration plans (AIPs)

UWS Counselling and Disability Services is responsible for the development of AIPs and, as such, has implemented a range of structures that facilitate student disability adjustment. The main concerns identified by the Review about AIPs are the lack of trust and poor communication systems between academic staff and Disability Services. Such relationship problems affect the effectiveness of the structures developed and implemented to facilitate the teaching and learning of students with disabilities at UWS.

There were a significant number of people who provided evidence to the Review praising the work of Counselling and Disability Services.

“I have experienced no problem with what is in place. On the contrary, I have found all staff involved with student disability most caring and compassionate. The teaching staff too have behaved towards me in a similar fashion. I can think of no instance where a member of staff has behaved inappropriately and I have been thus suitably impressed.” Submission 19.

“On a positive note, staff involved in disability services do respond quickly to academic staff enquiries.” Submission 21.

“Extra provisions during exam time, adjustments for my assessments and my note takers are just some of the provisions which have helped me go from just passing my subjects to getting credits and distinctions. I started to enjoy learning again and I am now even considering applying to do an honours degree. I can’t even begin to express how thankful I am to the staff at Student support services ... for changing my life.” Submission 22.

“For me the systems in place that deliver the best outcome are peer note takers and being given extra time in exams. I think it would be physically impossible for me to complete exams without the extra time.” Submission 19.

A number of students and academic staff were also critical of the service. The Review heard that services are not always available when needed by students with disabilities²⁴, that it takes a long time to process an AIP²⁵, and that there are sometimes unintended consequences.

“Disability support officers are only available on Campbelltown campus on Monday Wednesday & Friday. On those days medical students are based at Liverpool TAFE and have a full day. It was only possible for one of our students to see the disability officer during the mid-semester break and by the time everything was finalised this was after the date for notification of the Examinations Centre. We are supervising special examinations for this student. The lead times imposed seem overly long. Previous experience suggests that it is possible to respond to disabled students much more quickly and efficiently. Submission 13.

“Dealing with Disability Services was like “getting lost in the system and not existing”. For starters between Bankstown and Campbelltown Campus there was no Disability Officer at the time available to see me. A new Disability Officer was due to start, however there was no official date of when this person would begin – so I was in “limbo”. Submission 21.

“Relying heavily on my Lecturers and putting undue pressure on them which at times led to conflict and unprofessional behaviour from myself due to stress and frustration.” Submission 21.

Although the majority of evidence from academics obtained for the Review is supportive of students with disabilities, some expressed negative attitudes towards accommodating their needs because of what they perceived as the lack of support in carrying out their responsibilities and some unrecognised workload implications of AIPs.

“We started out with a few disability students who were given an extra 10-20 minutes to complete an exam. Now however, staff in the Disabilities Unit, come up with outrageous disability integration plans that they themselves haven't the resources to implement and then drop them on the academic staff to implement, when academic staff don't have the resources either.” Submission 5.

The Review found a perception amongst academics of a lack of consultation and directive nature of some advice from Counselling and Disability Services staff. A number of submissions indicated the need for more education amongst academic staff, both in terms of statutory obligations and understanding of the issues of academic integrity in the context of disability adjustment, including alternative assessment, accreditation etc.

“Lack of consultation with staff affected by integration plans. The integration plans are sent electronically (which is great!!) but even though there is a contact person for discussion, the academic staff view them as if they are finalised. Questioning or adapting them is difficult as the staff member feels threatened by the legislative requirements which maybe be at odds with the educational outcome sort.’ Submission 2.

“On occasions academic staff have received emails (which were cc'd to students) specifying that the student **should** receive an extension. This can appear undermining towards academic staff who are usually responsible for negotiating this with students directly. Instead, the

²⁴ UWS Disability Services informed the Review that the situation outlined in the quotes from submission 10 and 14 arose from staff shortages at Campbelltown campus.

²⁵ UWS Disability Services have informed the Review that they have instituted an industry best practice professional data management system (DiPSM) which will significantly assist with workflow during peak times. Disability Services estimate that the time necessary for an AIP to be developed, from assessment interview to distribution to relevant academics, is 48 hours. However, the student experience differs and raises questions about process and communication.

recommendation should be presented as a 'suggestion'. It would be appropriate for the student support staff to contact the academic staff member personally to discuss the matter." Submission 14.

"At times AIPs advise that students may need to miss classes due to illness – this becomes an issue when attendance is compulsory in units to ensure a certain level of professional competence. There have been times where staff have questioned components of the AIP and these have been removed quite easily – this questions the legitimacy of some of the recommendations made by the AIP". Submission 14.

Submissions were also received indicating the difficulty in ascertaining whether AIPs are current²⁶.

"A student integration plan issued during semester (March 5) which was really intensive. When the academic approached the student about implementing the plan, the comment was that the plan was for last year when the student had an injury. That injury has now resolved itself and she needed none of the plan. In the next week (13th March) I received the same integration plan for this student." Submission 2.

Some academics simply had difficulty with the issues of uncertainty and delay that is sometimes involved in disability adjustment provision.

"In other examples, paperwork has taken lengthy periods of time to arrive (not necessarily because of poor management from disability services) but it makes it hard for academic staff to make decisions about student needs". Submission 14.

The Review found a lack of understanding amongst academics about the role and responsibilities of students in the AIP process, and the reasonable limits of CDS in facilitating the academic integration process. Three academics interviewed for the Review, including a senior lecturer, identified a lack of training and resources to support the implementation of AIPs as a significant problem in accommodating the needs of students with disabilities.

"I commend the university for accommodating students with disabilities. HOWEVER, those that are to teach them must have proper briefing and be provided with appropriate training and this equitably realised in their workload." Submission 15.

One academic stated that many staff members are unaware of their responsibilities under the DDA.

The Head of Counselling and Disability Services noted that despite the offering of training on the legal requirements on the DDA and the *2005 Disability Standards for Education*, it is difficult to encourage staff to attend this training. It is hoped that greater requirement for academic staff to undertake training and the availability of modules in an online format will increase the use of this educational opportunity.

A School Administrative Coordinator identified that AIPs significantly increase the administrative workload for schools, which is not recognised, and a senior lecturer

²⁶ UWS Disability Services has noted that all AIPs are routinely and systematically reviewed, but are reliant on students to inform them in writing that the AIP is no longer required.

expressed concern about the lack of communication between unit coordinators and disability staff about the implications of implementing AIPs.

The need for greater understanding of disability adjustment amongst teaching staff and a recognition of the resource implications of meeting student's needs effectively extends beyond the lecture theatre. A member of the Complaints Resolution Unit highlighted the difficulties encountered with the implementation of AIPs in clinical settings, as external service providers are not informed about these plans, which are in turn not implemented.

Further, anecdotal evidence highlights that academic staff are unclear about the operation of AIPs and the provisions of the *Special Consideration Policy* where disclosure is not being chosen by students until some way into the unit or course.

The School Disability Coordinator for the School of Accounting informed the Review that the school has properly resourced and informed its staff about dealing with students with disabilities, according to UWS policy and practices, which suggests that the experiences and perceptions of staff vary widely across the University. This was by no means a widespread view amongst those who made submissions, with many commenting on the additional time required of academic staff in meeting the needs of students with disabilities, and that fact that this is not acknowledged by Workload policies or agreements processes.

A range of proposals were made on how to improve the student disability adjustment system. It was suggested that there is a need to increase and improve training about DDA obligations and to produce a range of pamphlets, helpful hints, instructions/directions that UWS staff can use and provide to students, or such that students can readily access. In particular, communication systems and relationship between academics and Counselling and Disability staff should be improved around the implementation of AIPs.

It was further suggested that procedural improvements would result in more of a customer and solution focus. The establishment of a progressive student tracking system within Disability Services, such as the DiSPM, was also recommended to avoid students being lost in the system. This should occur from the time a student makes contact with Counselling and Disability Services.

The Review has found systemic and attitudinal barriers to the implementation of academic integration plans for students with disabilities at UWS, which undermine the University's ability to comply with disability discrimination legislation. In order to remove these barriers UWS needs to:

1. acknowledge the workload implications for academic staff arising from AIPs through workload agreements
2. allocate the appropriate resources to address the extra workload demands and so encourage better communication and understanding around the process; and
3. facilitate more training and support available to academic staff on issues pertaining to disability adjustment.

5.2.6 Other support measures

5.2.6.1 School Disability Coordinators

The Review found a significant lack of awareness and confusion around the position of School Disability Coordinators. A senior lecturer interviewed by the Review expressed concern at not being aware of the role of Disability Coordinators in the School of Education. The Review interviewed a Disability Coordinator who was unaware that the position had changed from being College based to School based. The comments from this Disability Coordinator support the move from College based to School based Disability Coordinators and that should have workload allocation for the role they undertake. It was also proposed that Disability Coordinators report to CDS on the implementation and progression of AIPs and that they attend school meetings for information and education purposes. An NTEU representative interviewed for the Review suggested increased support and orientation for School Disability Coordinators.

The Review concludes that the Disability Coordinators Program needs to be further developed, in a working partnership with Schools, to ensure the presence of a Disability Coordinator in every School²⁷. The program needs to be effectively and clearly promoted to better facilitate the effective implementation of AIPs by academic staff.

5.2.6.2 Disability Advisers

Whilst the Review acknowledges the crucial role performed by Disability Advisers, the Review has found that there are some concerns from academic staff and students with their level of availability.

A Professor interviewed for the Review, expressed concern about the lack of Disability Advisers at every campus and various students noted problems accessing Disability Advisers.

The improvement of the availability and services provided by Disability Advisers is imperative to the accommodation of the needs of students with disabilities. This is, however, reliant on the provision of extra resources by UWS. The Review supports the application by Counselling and Disability Services for a further Disability Adviser.

5.2.6.3 Course design

The Review did not receive any evidence of inclusive course design despite clause 26 of the *Disability Policy* requiring Academic Senate to be satisfied that a subject meets reasonable requirements for students with disabilities, including curriculum, fieldwork, lab and prac work, teaching practices and assessment.

The adoption of the principles of Universal Design and inclusive curriculum practices will ensure that UWS complies with this clause. Further, the Head of Counselling and Disability Services noted that great gains can be made by embedding and actively applying universal

²⁷ The CDS has informed the Review that only 13 Schools have appointed School Disability Coordinators and that some Schools have nominated senior administrative officers to be School Disability Coordinators rather than academic staff.

design principles and makes reference to research that shows that many students with disabilities would prefer to have their needs met through universally available services and practices, rather than 'special services'. It was suggested that the adoption of principles of universal design could lead to fewer students needing to receive specialist disability related services, including academic integration plans.

5.2.6.4 Access rooms

Students with disabilities assessed positively the availability of Access Rooms at each of the six campuses, as well as provision of appropriate computer equipment and software.

However, the following concerns and suggestions for improvement were presented to the Review:

- **Restricted opening hours**

It was noted that most of the Access Rooms are situated in the campus libraries, except for Penrith, and that as a result these rooms are not open outside library hours. It was pointed out to the Review that this creates a discriminatory access barrier for students with disabilities, as other student computer labs are open for much longer hours.

A number of the stakeholders interviewed for the Review suggested the re-location of access rooms to a location that provides access at all hours. Counselling and Disability Services suggest that the access to equipment issue could be addressed through the installation of a range of specialist IT software in the UWS general computer labs so that this technology would be available to students with disabilities and supported, on a 24 hour basis. One of the 2008 projects for Counselling and Disability Services is the continuation of negotiations with IT as to the best way to facilitate this.

- **Lack of information on location**

Concern was expressed that the website promoting the access rooms does not contain information on the location of the rooms.

- **Resource support issues**

The Review identified some confusion over who is responsible for IT support and training in the Access Rooms, despite the fact that Disability Services employ a Practical IT Assistant who provides training and maintenance of computer equipment in Access Rooms.

The accessibility of Access Rooms would be improved by their relocation to premises that allow use on a 24 hours basis, and the establishment of assistive technology in UWS computer labs would increase the accessibility of computer technology and software for students with disabilities.

5.3 Access to premises

Physical Access

Ensuring proper access for people with disabilities to the older UWS building stock continues to be a challenge for Capital Works and Facilities (CWF).

For example, an employee with a disability provided a submission to the review identifying several physical access issues that have been reported but not attended to:

- a lack of parking at a new building;

“...the new building in ... is not disability friendly - there is no disability parking at all - those with disabilities are advised to fight for the limited blue parking spots (always full) rather than having their own spaces. To combat this security has allowed parking in the service road but this means either a very long haul around to the opposite side of the building to the ramp entrance or negotiating a flight of stairs.” Submission 17.

- inaccessibility to second floor rooms when lifts are inoperable for hours at a time; some buildings do not have lift access to upper levels at night causing a student who uses a wheelchair to leave the wheelchair at the bottom of the stairs and crawl to their class;
- disabled toilets not being fixed as a priority (3 months at a time) and they were the only accessible toilets in the area at night.

A library employee interviewed for the review identified that the Hawkesbury library is two-storey but does not have a lift, making the second floor inaccessible to students with mobility issues. A senior lecturer reported that:

“People with mobility disability haven’t been looked after very well. Many of the toilets are shocking. The only disability toilet for staff at Bankstown is near the Self Centre and is not really specifically designed toilet that has heavy doors, inadequate space and hard to access” Submission 8.

Further issues were identified by a submission about wheelchair access and safety at Kingswood campus.

“...I would like to make a submission to the Review of Disability Services at UWS, specifically in relation to the dangerous wheelchair access path between the Student Residences and Building X at Kingswood. The wheel chair access path consists of painted yellow lines on the roadway and across the courtyard adjacent to Building X, and was completed in late 2005 (refer to attached photographs). I believe that any users of the wheelchair access path would be at serious risk of injury due to collision with a motor vehicle. This narrow roadway has many blind corners, and there is frequent traffic of delivery trucks, forklift trucks and motor cars driven at excessive speed. There is no signage to warn approaching drivers of possible wheelchair traffic.

The wheelchair path crosses a number of stormwater grates, which have slots about the same width as a wheelchair tyre, creating another hazard. Also, the wheelchair path leads to a rear entry of Building X, which is not equipped with an automatic door (just a fairly heavy hinged door). “ Submission 7.

The Review understands that not all building stock could be made accessible overnight and that it requires significant resources. The Review also accepts that the current policy of immediate response where urgent need is identified represents a reasonable way of dealing with physical disability adjustment requests.

The Review notes that CWF is in the process of employing a project officer who will be responsible for the implementation of the work arising from the 2005 audit. However, it is

not clear what system of prioritisation this project officer will use for the purpose of implementation.

The Review concluded that there is a need to undertake a stock-take of UWS access deficient properties and develop a plan to prioritise building adjustments required.

Prior to 2005, CWF liaised with the then Social Justice Director or the equity and access committee on disability requirements for physical access. The benefits of this method of consultation included access to expert knowledge of disability issues and student representation in the committee. Such consultation is no longer in place and should be reinstated.

In order to adequately address the issues of disability access to UWS buildings and comply with anti-discrimination legislation, UWS needs to develop a system for the identification of access needs. A plan developed in consultation with key stakeholders would adequately address the concerns raised above.

5.4 Access to information

As discussed earlier, UWS has a responsibility to provide accessible information to the public, its students and employees. Much of this information is now available on the UWS website, which needs to be accessible and Web Content Accessibility Guidelines compliant. Further, for students and employees of UWS, the university has a responsibility to provide reasonable adjustments to facilitate access to UWS information.

Much progress has been made to facilitate access to information for people with disabilities. Some problems, however, persist.

For example, a general staff member made a submission to the Review expressed concern about the significant reliance of UWS on web-based information on enrolment and administration and through it unwittingly creating barriers to students with a disability. It was felt that students with a disability would be disadvantaged and alienated without accessible resources and assistance.

“I am becoming concerned at the reliance on web-based information and procedures for almost all aspects of university enrolment and administration. I feel that this withdrawal of traditional helpful human services can leave people with a disability (especially a visual disability) at a disadvantage, feeling alienated and without appropriate resources and assistance.” Submission 16.

Other stakeholders who were interviewed for the review identified the need to make all UWS information available in alternative formats, particularly that available to assist students with their academic studies.

Concerns were also raised about the small print size used as the official standard in UWS documents and websites.

5.4.1 Web accessibility

The highest benchmark for web accessibility is WCAG Priority 1 or Level A standard but UWS is committed to only providing web accessibility to the WCAG Level 2 or AA standard. The former UWS Web Manager has acknowledged and explained this discrepancy:

“There is agreement in principle that web accessibility being a “good thing” but it would be fair to say that there is often difficulty in translating this into concrete action.

Reasons for this, according to the former Web Manager would seem to be related to:

- “initial cost – developing to web standards costs more because there is a skill set required to produce work that is accessible, and there are fewer developers who can do it
- ongoing cost – some ‘checkpoints’ for accessibility standards are not technology-based and can’t be automated, and therefore rely on a human judgement
- reliance on vendor advice – vendors may not know there are accessibility standards; or their product would require significant re-engineering to accommodate them; or they advise the UWS staff member who is commissioning the web work that they aren’t necessary
- purchasing policy – many UWS web initiatives are conceived, developed and funded locally, and few staff involved in web decision-making want or have specific web accountabilities in their position descriptions. It is therefore quite common for external providers (e.g. delivering web design and development, web-based training, web-enabled corporate applications and transactional services) to be selected to deliver customised or off-the-shelf products without web accessibility standards being among the criteria for selection
- gap in availability of accessible web tools – e.g. it is possible that the new web content management system will not meet accessibility requirements because the market has yet to see a need. The impact will be that while the website itself will be accessible for visitors, the system that staff will use to create and update web pages may not be.” Submission 12₂

This commitment to meet the WCAG Level 2 or AA standard has been articulated in UWS design requirements and the UWS Tender Document for a new Web Content Management System (March 2007).

“The Web Management Unit has developed minimum design requirements (draft) for UWS web initiatives. These are based on industry standards, and they have been circulated to various groups for feedback. We have agreed in principle to work with Equity and Diversity to create a web accessibility section on the website.” Submission 12.

It is therefore anticipated that the new Content Management System, which is to be rolled out in 2008, will provide templates which are AA compliant and which will support the development of accessible content.

The former UWS Web Manager suggests that:

“Other [web accessibility] issues will require a more systemic framework (web governance, policy, resourcing, training) to ensure sufficient ‘top down’ support to enable UWS to be routinely closer to better practice in accessibility. It is expected the external web review currently under way will inform these approaches” Submission 12.

The next stage will involve the development of a web accessibility policy, standards for UWS, and the training and education regarding web accessibility for all relevant staff, such as, web authors, developers, designers, IT support staff, and academics. This could be implemented as part of a Web Accessibility Action Plan, recommended by HREOC.

This plan would detail strategies for ensuring web accessibility and cover:

- development and implementation of policies, procedures & standards for web pages and online courses
- establishment of a central web accessibility site where all information and requirements are published
- development of a web publishers/developers kit
- appropriate training of all web authors, web developers, designers and academics
- building accessibility requirements into all relevant IT Training

The review notes a positive change in UWS approach to web accessibility. It also notes that on-going commitment is required to secure meeting the WCAG Level 2 or AA accessibility standards in 2008 and the WCAG Level 1 or A standard in the future.

5.5 Other areas of life – transport, accommodation & sport

5.5.1 Transport

UWS students and staff use a range of transport options to access UWS campuses. This includes private buses, buses provided by UWS Student Association, and buses supplied by the university. The buses provided by UWS need to be accessible to be compliant with the DDA.

In particular, the Review noted that the bus service for Blacktown campus is not wheelchair accessible such that a student who uses a wheelchair needs to rely on public transport rather than that provided by UWS.

The review concludes that UWS needs to conduct an audit of the accessibility of its bus services in order to address the issues of transport accessibility.

The review did not consider disability access issues with regard to UWS sporting facilities, accommodation and clubs.

5.6 Access equipment

UWS allocates funding to Capital Works and Facilities for the purchase of equipment to assist both staff and students to overcome access barriers. According to Audit, Risk and Assessment, all assets over \$5,000 are registered with the Finance Office and individual units maintain their own asset register.

Despite clause 15 of the *Disability Policy* making provision for the pooling of technology equipment, a tracking system of the current pool of UWS resources available for use by staff and students with disabilities, is lacking. However, Counselling and Disability Services maintain a register of 'Access Resources' available for students requiring equipment as part of their AIPs. Funds to purchase equipment for students with disabilities come directly from DEST.

For the purpose of this Review, the Director of Audit, Risk and Assessment suggests that the Finance Office use a specific ledger account, with its own account and project number, to keep a track of expenditure on disability access equipment.

A further issues identified by the Review is the shortage of both resource allocation and policy guidance for access equipment. For example, a postdoctoral research fellow who provided a submission to the review described the difficulty faced at UWS when accommodation requiring assistive technology, which she had used at a previous university, to accommodate her disability. This postdoctoral research fellow explained that it took several months before anyone would agree that it was their responsibility to pay for it. As a new employee, they did not feel supported by the university. Additionally, there was no knowledge amongst the IT staff about the software and therefore no assistance available to troubleshoot it. It was suggested that training and information on assistive technologies be facilitated for relevant stakeholders.

“I had been using [assistive] software in my previous job When I applied for it at this university, it took several months, as e-mails flew back and forth, before anyone would agree that it was their responsibility to pay for it. As a new employee, I did not feel supported by the University.

Additionally, there was no knowledge among IT staff about the software, ... therefore no assistance available to troubleshoot it.” Submission 3

An academic staff member perceived the University to have been unresponsive when there was a need for adjustment requiring access equipment:

“I have lived and worked with this disability for four years now. In the light of my personal research and struggle to continue working as an academic with this physical constraint, I feel that the current attitude to the need for ergonomic workstations is inadequate. In my School, I have never had anyone address the ergonomics of my workstation at university. Because of the type of computer I have been given, I have had to organise to sit it on an old cardboard box so that it is at the right height for my eyes, and I use telephone books as a footrest to counter the fact that the desk is too high for me. The only address to ergonomics has come in the form of e-mails addressed specifically to those who work from home.

However, even the way ergonomics has been presented in these e-mails is inadequate, since there is no way to take account of the way any individual moves within their workstation context. Approaches to understanding the use of the body, such as Alexander Technique, would be extremely valuable here.” Submission 3

Submissions such as these highlight a lack of information amongst staff about the services available to them, and a need for more effective information available on reasonable adjustment and OHS issues.

5.6 Harassment & victimisation

The review has found that attitudes towards students and employees with a disability vary across UWS. Anecdotal evidence from employees and students, suggests that people with a disability at UWS experience varying levels of negative attitudes and resistance to the provision of ‘reasonable adjustments’.

Some of the attitudes encountered by the review include:

- people with a disability place a great burden on an already overtaxed system as regards use of resources and time commitments;
- if one staff member has a reasonable adjustment plan then other staff will ask for unjustifiable accommodation;
- disability is “used” as an excuse for little or no ability;
- some students and staff feel they would be punished if they complain;
- all reasonable adjustment plans are the same rather than developed on an individual basis;
- having a disability places greater demands on performance to equalise with performance of able-bodied peers;
- if you have a disability you have to work at 130% - not just 100%
- disclosure will result in medical assessment which may trigger the EBA provision for medical retirement;
- disclosure will result in retribution from colleagues and supervisors.

Numerous stakeholders interviewed for the Review identified extra workload and lack of resources and training as causal factors of the negative attitudes towards people with disabilities at UWS. Current UWS workload policies do not factor any additional time required for academic staff to implement AIPs. The system currently used to set workloads does not provide any flexibility for the implications of AIPs nor a procedure for re-assessing workload once academic staff receive AIPs.

A member of the NTEU commented on negative attitudes arising amongst academic staff from workload issues arising from AIPs and suggested that workloads be adjusted to reflect this extra work required. A law lecturer interviewed for the review identified negative attitudes arising from a lack of consultation by Disability Advisers with academic staff affected by AIPs. A student submission to the review suggested more proactive responses by academics, such as the distribution of pamphlets on AIPs at UWS.

Members of the Disability Services team recognised the small number of Disability Advisers available to resource academics on disability issues and proposed the consideration of a different approach to address the issue. It was also commented that it is very difficult to attract academic staff to training on disability issues, despite the regular availability of such training.

The provision of education and training, to general and academic staff, at UWS about the DDA and people with a disability will assist to address the attitudinal issues raised above.

Equally, the development and implementation of policies that address the issues faced by employees and students with a disability will create a non-discriminatory framework at UWS. In particular, the adoption of Universal Design principles and the use of inclusive

curriculum by UWS will create a systemic shift that will alleviate some of the workload issues raised by academic staff.

5.7 Conclusion

UWS has developed and implemented a range of measures and systems to address the needs of people with disabilities and be compliant with anti-discrimination legislation. The Review has received evidence that acknowledges and praises most of these initiatives. However, the Review has found that there are areas where improvement needs to be made by UWS to make it a more accessible and inclusive working and educational environment. These changes require commitment and prioritisation from UWS Management, and involve a systemic and cultural shift that promotes diversity as the norm rather than the exception.

As an employer, UWS needs to continually improve its services and the working culture of its employees, to facilitate the accommodation of disability and enhance the ability of employees to meet the inherent requirements of their jobs. This will create an environment where all employees will thrive and positively contribute to the mission and goals of UWS. It is only through the enhancement of these services that the UWS workplace will truly reflect the wider community of Greater Western Sydney.

Specifically, UWS needs to improve the accessibility and understanding of reasonable adjustment plans for employees through education, policy development and adequate allocation of resources. The data collection on the number of employees needs to be improved through a centralised system able to provide consistent and reliable data.

As an education provider, UWS needs to enhance its support of academic staff and those of the Counselling and Disability Services, to better accommodate the needs of students with disabilities and make UWS a university where all students can obtain academic achievements. In order to do this UWS needs to adopt the principles of Universal Design and clearly articulate the inherent requirements of its courses and units. Further, training and education is required on the responsibilities of university staff under anti-discrimination legislation to combat misunderstandings that create a non-inclusive learning environment. Finally, UWS needs to ensure that students with disabilities have access to all UWS premises and information so that they can fully participate as citizens of the university.

In order to meet its obligations as an employer, education service provider and public institution, UWS must ensure that its services and premises are compliant with accessibility standards. That includes having accessible buildings and information technologies such as websites, as well as systems that will promote sustainable access. With this level of accessibility, UWS can promote its self as the University of the People and achieve its aim of bringing knowledge to life in Greater Western Sydney.

Appendix 1

UWS Disability Review Terms of Reference

Objectives

- Comprehensive review and audit of policies, procedures and services across UWS for staff and students with disabilities.
- Development of a web-site of UWS policies, procedures and service delivery to staff and students with disabilities.
- Development of a Draft Disability Action Plan 2008-2012.

Timeframe

February – December 2007.

Methodology

- Data Collection and Consultative Process
- February – September
- Data Collection for profile of current constituency of staff and students with disabilities.
- Compilation of current UWS policies and procedures regarding staff and students with disabilities.
- Compilation of current services provided by UWS for staff and students with disabilities.
- February – December
- Development of Web site pertaining to disability policies, procedures and services across UWS.
- March – November
- Interviews with key stakeholders regarding effectiveness and proficiency of UWS policies, procedures and services for staff and students with disabilities.
- Formation of a UWS Steering Committee comprising staff and student representatives across UWS Schools and Divisions for 5 bi-monthly meetings and working parties for the provision of recommendations for change to disability policies, procedures and services.

Outcomes

- Audit documents of UWS policies, procedures and services for staff and student with disabilities.

Appendix 2

Advisory Group to the UWS Disability Review

Debra Keenahan	Chair, Advisory Group & Project Officer, UWS Disability Review
Ellen Brackenreg	Director, Student Support Services
Jan Brown	Head, HR Services, Office of Human Resources
Catherine Cook	Senior Lecturer, Occupational Therapy
Bruce Diggins	Lecturer, School of Accounting
Greg Hansen	Manager, HR Business Services, Office of Human Resources
Kerri Heavens	Disability Adviser, Counselling and Disability Services, Student Support Services
Mick Houlahan	Director, Information Technology,
Laurel Jackson	Associate Lecturer, School of Marketing
Leanne Kent	Senior Policy Officer, Equity and Diversity
Kathleen Kyle	Secretary, Community and Public Sector Union
Rob Muir	Manager, Capital Programs, Capital Works Facilities
Sandra Norris	Head, Counselling and Disability Services
Sev Ozdowski	Director, Equity & Diversity
Debra Steen	Injury Management Co-ordinator, OH&S
Lisa Tyson	Library Systems Manager, Library

Appendix 3

Stakeholder Interviews

Benjamin, R.	Associate Librarian, Corporate Services, Library
Brackenreg, E.	Director, Student support Services
Cartwright, M.	Director, Audit and Risk Assessment, Division Corporate Services
Griffin, T	Lecturer, School of Social Sciences, College Disability Coordinator, College of Arts
Grochowski, A.	Manager (Acting), Capital Program, Capital Works and Facilities
Heavens, K.	Disability Advisor, Counselling and Disability Services, Student Support Services
Holland, G.	Chief Financial Officer
Houlahan, M.	Director, Information Technology
Lim, A.	Director, Professional Development Unit
McDaniel, M	Dean, Indigenous Education
Norris, S.	Head, Counselling and Disability Services, Student Support Services
Stevens, J.	Manager, Support Services, Capital Works and Facilities
Watson, L.	Manager, Complaints Resolution, Office of Planning and Quality

Appendix 4

Comments on Draft Report

Allan, T	Head, Student Equity and Welfare Services
Brackenreg, E	Director, Student Services
Bonanno,J	Interim Director, Capital Works and Facilities
Clear, M	Chair, Regional Disability Liaison Officer (RDLO) Advisory Committee
Cook, C	Senior Lecturer, Occupational Therapy
Curach, L	University Librarian
Diggins,B	Lecturer, School of Accounting and School Disability Coordinator
Michelle Hayter	Regional Disability Liaison Officer (RDLO) Program
Kerri Heavens,	Disability Adviser
Lyons,H	Director, Human Services
Norris,S	Head, Counselling and Disability Services
Sanderson,T	Disability Adviser

Appendix 5

UWS Disability Policy

Section 1 - Purpose and Context

(1) Nil.

Section 2 - Definitions

(2) Nil.

Section 3 - Policy Statement

Part A - Access and Inclusion in University Policy

(3) Staff and students with disabilities are an integral part of the diverse population at the University of Western Sydney. The University of Western Sydney's [Equal Opportunity Policy](#) Statement confirms the University's commitment to providing equal opportunity for all staff and students and to promoting inclusion through valuing diversity.

(4) The University of Western Sydney is committed to continually review all policies and practices as they affect both staff and students with disabilities. This results in the integration of the principles of equal opportunity for people with disabilities in University policies, procedures, decisions and operations.

(5) The University of Western Sydney is also committed to redressing, through affirmative action, the past disadvantage experienced by people with disabilities. To achieve this objective, the University of Western Sydney has developed, and will continue to develop, a range of services and accommodations for staff and students who have a disability to ensure equal access to, and participation at, the University.

(6) The University of Western Sydney is committed to providing a learning and work environment free from discrimination and harassment on the grounds of a disability.

Part B - Disability Discrimination Act

(7) The University of Western Sydney is required to comply with the [Disability Discrimination Act 1992](#). The Act makes it unlawful for tertiary institutions to discriminate (in the provision of educational and employment opportunities, services and facilities) against people on the basis that they have, or may have, a disability. The University of Western Sydney defines 'disability' in accordance with the Act. This policy should be read in conjunction with the Act, and aims to give full effect to the objectives of the Act.

Part C - How The University of Western Sydney Implements Access and Inclusion

(8) The University of Western Sydney has in place a Disability Action Plan prepared in accordance with Section 61 of the [Disability Discrimination Act 1992](#) and the Human Rights and Equal Opportunity Commissions publication, 'A Guide to the Development of Disability Discrimination Act Action Plans for the Tertiary Education Sector'. This Plan is a working document which sets out the University's goals and strategies to achieve access and inclusion for people with a disability. The Disability Action Plan is available for viewing on the University of Western Sydney's Web site. The University of Western Sydney's Disability Committee ensures a consistent approach to policies and practices between Network Members at the University level. The Committee is responsible for the implementation and review of the University of Western Sydney's Disability Action Plan.

(9) Each Network Member will have a Disability Committee. This committee is responsible for providing advice on policy development and representing staff and students who have a disability on matters pertaining to access and inclusion. The Network Member Committees report to the University of Western Sydney's Disability Committee.

Part D - Disability and Disclosure

(10) Staff and students are not required to disclose their disability unless they are seeking accommodations or workplace adjustments. The University of Western Sydney observes confidentiality in matters relating to disabilities, and has procedures in place to ensure confidentiality.

Part E - Physical Access

(11) The University of Western Sydney is committed to ensuring that all University buildings and facilities are accessible to students, staff and the wider community. The University of Western Sydney will achieve this through an ongoing program of improvements to the physical access of existing buildings and facilities and ensuring that new buildings are accessible.

(12) The policy adopts a standard which goes beyond the minimum set by the Australian Standard AS 1428.1. The basic standard for all UWS developments (new and alterations) shall be Australian Standard 1428.2-1992 Design for Access and Mobility, Part 2: Enhanced and Additional Requirements - Buildings and Facilities, and related standards. The UWS standards will be the most current version of these Standards and be consistent with the requirements of the [Disability Discrimination Act 1992](#).

(13) The policy document Protocol on Access provides details of Standards and procedures for ensuring access across all UWS campuses.

Part F - Library and Information Technology Services

(14) The University of Western Sydney's Libraries and Information Technology Centres will make available resources, services and professional assistance to support the information and research requirements of students and staff. The University's Libraries and Information Technology Centres will assist students and staff with disabilities to ensure equitable access to contemporary information and technology services. This includes special loan conditions and the installation, maintenance and

upgrading of technology such as print enlargement, close-circuit televisions, voice activated/speaking computers and text scanners, large computer monitors and associated software programss.

(15) Wherever possible, technology equipment is pooled to ensure it can be made available across the Network to students and staff with disabilities at the appropriate campus.

Part G - Disability Awareness, Training and Education

(16) The University of Western Sydney aims to promote disability awareness through a range of programss including: a program of disability awareness training for students through student forums conducted by each Member; compulsory disability awareness programs and training in reasonable accommodations to teaching practices and assessment for academic staff; disability awareness training for all staff, particularly academic and administrative Heads of Units; and staff training on matters pertaining to the [Disability Discrimination Act](#) and the human resource policies of the University of Western Sydney.

Part H - Appeals, Grievances and Complaints

(17) Staff and students who believe they have been treated unfairly on the grounds of disability are encouraged to use the University procedures on appeals, grievances and complaints. The University of Western Sydney is committed to accessible, fair and confidential processes for the resolution of complaints based on allegations of discrimination on the grounds of disability.

(18) Any concerns on matters pertaining to disability discrimination may be referred to the EO/Equity Units.

Part I - Budget Allocation

(19) Annually, each University Member will, as part of its annual budget process, determine an appropriate allocation of funding to resource disability support services to students and staff of that Member. The funding will be allocated as a budget to the area within the Member responsible for administering disability policy and it will be the responsibility of that Unit to develop a detailed budget plan and to report on expenditure of funding against that budget plan, income performance, output and appropriate performance measures. In determining the annual allocation, the University Member needs to take into account the requirement that funding should be available for the provision of work place adjustment and assistance for conference and study leave of staff, and other reasonable workplace accommodations required by a person with a disability. The support needs of students with disabilities should also be accommodated within the budget allocation.

Part J - Students

Selection, Admission and Enrolment of Students

(20) Applicants with disabilities will be admitted as students to the University of Western Sydney subject to them meeting the entry requirements which apply to all students. Students with disabilities will also be able to apply for admission under the range of Special Admission Schemes available within the University. Such Schemes allow students to be considered for admission by the University where the student's disability has prevented them from meeting the usual academic requirements.

(21) To be approved for admission under this Scheme, the student has to have the ability to satisfactorily complete the chosen course of study, subject to the provision of any accommodations and support services required to eliminate barriers to access and inclusion.

(22) The University of Western Sydney offers all students an orientation program. This program includes information on available support services and policies relating to disabilities.

Support for Students with Disability

(23) A Disability Adviser is employed by each Network Member. The Disability Adviser is the nominated contact person responsible for ensuring students with a disability are provided with appropriate support and services. Students with disabilities are strongly encouraged to make contact with the Disability Adviser prior to enrolment or before the commencement of semester. This allows significant time to identify the students' needs and for the Adviser to organise appropriate accommodation.

(24) Students are required, at the time of registering with the Disability Adviser, to submit documentation of an assessment from a medical or other recognised professional specialist. This should include confirmation of the disability and recommendations on the type of accommodations required. Documentation is not acceptable if more than two years old. Students are required to also complete a 'Release of Information to UWS Disability Services' (available from the Disability Adviser) and submit this with the supporting documentation. In the event that appropriate documentation is not available at the time of registering, the Disability Adviser can accept an interim medical certificate or educational report. The interim certificate/report will be for a four week period, valid from the date of registering.

(25) As part of academic support services, each Network Member offers a range of specialised services and programs to students with disabilities. These include: pre-enrolment advice and assistance with enrolment; note-taking services; personal readers; sign interpreters; relocation of lectures where necessary for access; liaison with teaching staff in relation to reasonable accommodations. The University of Western Sydney will appoint Disability Academic Officers across the University. The Disability Academic Officers will be a contact point for the Disability Advisers, students with disabilities and teaching staff. Disability Academic Officers will act as a resource to other staff on appropriate accommodations in relation to teaching and assessment. They will assist with the organisation of individual examination arrangements and appropriate methods of assessment.

Subject Design and Delivery

(26) Before a subject is approved by a Member Academic Board it must be demonstrated that reasonable requirements of students with disabilities, in relation to curriculum, field work, laboratory work, practicum, teaching practices and assessment, have been taken into consideration in the course design.

Accommodations in Teaching and Assessment

(27) The University of Western Sydney will develop guidelines for the accommodations to be provided at the three Network Members in relation to teaching practices and assessment. Examples of appropriate accommodations include: lectures which make use of formats and approaches suitable for students with vision or hearing impairments; individual exam conditions such as scribes, extra

time or enlarged print papers; alternative forms of assessment such as oral exams; appropriate adjustments to field work, laboratory work and practicum according to the nature of the disability. While students are required to meet subject/course assessment requirements as determined by the University, provision will be made for reasonable variations in assessment in order to accommodate the students' disability. All subject outlines will contain a statement informing students that:

'Any student with a disability who may require reasonable accommodations in the subject are requested to seek advice and assistance at the commencement of the semester/session, or soon thereafter, from the Subject Coordinator, in conjunction with the Disability Adviser and/or Disability Academic Officer.'

Non-Academic Student Activities

(28) Autonomous and semi-autonomous bodies associated with the University of Western Sydney such as student unions/associations; student accommodation and child care services will be assisted by the University of Western Sydney to develop Action Plans of their own and to ensure continuous improvement in the area of disability access. The University of Western Sydney will aim to ensure consistency between these Action Plans and the UWS Disability Action Plan.

Part K - Staff

Recruitment

(29) All recruitment and selection processes accommodate the needs of people with a disability. This includes processes such as advertising, job design, interviewing and medical assessments.

(30) People with a disability will be encouraged to apply for positions at UWS. Targeted recruitment strategies will be developed and implemented to increase the opportunities of employment for people with a disability who require workplace adjustments.

Terms of Offer and Employment

(31) Persons with a disability will have the same terms and conditions by which employment is offered as persons without a disability (including all express terms of any contract of employment and any terms implied).

Promotion, Career Development, Training, Study and Conference Leave or Other Benefits

(32) Staff with a disability will have equal opportunities for promotion and career development. The University will provide appropriate assistance for staff with a disability to attend University approved work activities such as staff training, study and conference leave.

Workplace Adjustments

(33) Reasonable accommodations will be made for people with a disability who require workplace adjustments. Persons seeking workplace adjustments are required, at the time of registering with the EO/Equity Unit, to provide documentation of assessments from a medical or other recognised professional specialist, to confirm their disability and provide recommendations on the appropriate type of workplace adjustments. Documentation is not acceptable if more than two years old.

(34) The [Reasonable Adjustment in the Workplace for People with Disabilities Policy](#) provides more details on the provision of workplace adjustments. UWS is committed to ensuring that the workplace accommodates the needs of staff with a disability through the provision of adjustments, including: flexible work arrangements; modifications to work premises; changes to job design, work schedules or other work practices; modifications to equipment; provision of training or other assistance.

Occupational Health and Safety

(35) The University of Western Sydney recognises its obligations and responsibilities under the guidelines of the [Occupational Health and Safety Act](#) and associated Regulations and Codes of Practice. The University is committed to ensuring a safe work environment and to ensuring that Occupational Health and Safety planning and activities also incorporate the needs of people with disabilities.

Equity and Diversity Unit

(36) Staff and prospective staff with a disability are encouraged to seek advice and assistance from the Equity and Diversity Unit, who will assist supervisors and the person with a disability in determining reasonable accommodations in the workplace.

(37) Any concerns on matters pertaining to disability discrimination may be referred to the Equity and Diversity Unit.

Section 4 - Procedures

(38) Nil.

Section 5 - Guidelines

(39) Nil.

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Appendix 6

UWS Reasonable Adjustment in the Workplace for People with Disabilities Policy

Section 1 - Purpose and Context

(1) The [Disability Discrimination Act 1992](#) (DDA) makes it unlawful to discriminate in the provision of employment, services and facilities by tertiary education institutions against people on the basis that they have, or may have, a disability.

(2) One of the objects of the [Disability Discrimination Act, 1992](#) (DDA) is "to eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of work...". It is designed to ensure that people with disabilities are not deprived of equal opportunity in employment and occupation by prejudice, stereotypes, misconceptions or by unnecessary barriers. The Act requires that a person's disability should be taken into account only where it is relevant and fair. This may involve making some adjustments to accommodate the specific needs of a person with a disability in the workplace, unless it imposes unjustifiable hardship. Most workplace adjustments or changes to jobs are simple, cost nothing or are inexpensive, and frequently benefit all employees.

(3) The University of Western Sydney has affirmed its legislative and moral responsibility to providing an environment that offers equal employment opportunity for people with a disability through the development of a Disability Action Plan, in accordance with the DDA, and the adoption of a UWS [Disability Policy](#).

Section 2 - Definitions

(4) For the purposes of this policy the following definitions apply. Note that the definitions of disability, discrimination, associates, reasonable adjustments and unjustifiable hardship are either copied or based on the [Disability Discrimination Act 1992](#).

1. *Disability* - is defined by section 4(1) of the [Disability Discrimination Act 1992](#) (DDA)

" in relation to a person, to mean:

(a) total or partial loss of the person's bodily or mental functions;

(b) total or partial loss of a part of the body;

(c) the presence in the body of organisms causing disease or illness;

(d) the presence in the body of organisms capable of causing disease or illness;

(e) the malfunction, malformation or disfigurement of a part of the person's body;

(f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or

(g) a disorder, illness or disease that affects a person's thought processes, a perception of reality, emotions or judgement or that results in disturbed behaviour, and includes a disability that:

(h) presently exists;

(i) previously existed but no longer exists;

(j) may exist in the future; or

(k) is imputed to the person."

2. *Discrimination* - is defined as:

1. treating or proposing to treat a person with disability less favourably than a person without a disability in circumstances that are the same or not materially different (the circumstances cannot be considered materially different because of the fact that different accommodation or services may be required by the person with a disability); or
 2. requiring a person with a disability to comply with a requirement or condition with which they are unable to comply because of their disability which is not reasonable in the circumstances; or
 3. treating a person with a disability less favourably because they are accompanied by or possess a palliative or
 4. therapeutic device or an auxiliary aid, or an interpreter, reader assistant, carer or a guide dog.
3. *Associates* - includes people who are a partner, carer, friend, family member or work colleague. The DDA also makes it unlawful to discriminate against people on the basis that their associates have, or may have, a disability.
4. *Reasonable adjustments* - are the types of adjustments and alterations in the work situation which remove barriers for people with disabilities so that they can perform the inherent requirements of the job. Each situation must be considered in its own circumstances, when determining reasonable accommodation.
5. *Unjustifiable hardship* - is to be interpreted in terms of the objects of the DDA, with regards to removing discrimination on grounds of disability as far as possible. In determining whether an adjustment would involve unjustifiable hardship, all relevant circumstances of the situation must be taken into account. This includes costs and other disadvantages or difficulties of making the adjustment, and consideration of the benefits which may result to the person with disability, the University and the community.

Section 3 - Policy Statement

(5) The University of Western Sydney is committed to providing fair treatment for all people in employment. Reasonable adjustments in the workplace for people with disabilities will be implemented.

Part A - Disclosure

(6) A staff member, or potential staff member, has no obligation to disclose their disability unless it is likely to affect their performance in the inherent requirements of the position.

(7) If a staff member, or potential staff member, requires workplace adjustments, there is a requirement to disclose their disability. This disclosure can be to the Equity and Diversity Unit, Human Resources Unit, or their supervisor.

(8) Confidentiality regarding a person's disability will be provided.

Part B - Documentation

(9) Staff with disabilities who require adjustment in the workplace will be required to provide documentation of their disability from a recognised medical or other recognised professional specialist. The documentation is not acceptable if more than two years old.

(10) The documentation will include information on the disability and provide recommendations on the appropriate type of workplace adjustments.

(11) A staff member with a disability may request that the medical documentation is only submitted to the Equity and Diversity Unit or nominee, and that the information provided to supervisors is on the basis of the appropriate adjustments required in the workplace.

(12) The University reserves the right to seek an independent medical opinion.

Part C - Responsibilities

(13) Managers and Academic Supervisors will ensure that staff with disabilities are not discriminated against or harassed in the workplace. This includes ensuring that there are no attitudinal or other barriers which result in less favourable treatment of staff with disabilities. They will assist in the implementation of the Adjustment Plan, provide equal access in all areas of employment and any other employment benefits.

(14) Staff with disabilities will determine whether they disclose their disability and the degree of assistance or adjustment which is required.

(15) Equity and Diversity Unit staff will co-ordinate the development of an adjustment plan for staff with disabilities, where workplace adjustment is required. This Unit will monitor the implementation of workplace adjustment plans and review the appropriateness and effectiveness of these plans.

Part D - Assessment

(16) Employees with a disability who believe there is a need for adjustment or alterations at work will undertake an assessment by a Equity and Diversity officer.

(17) An assessment will involve a confidential interview where the staff member with a disability is required to:

1. identify the disability, with appropriate medical documentation provided; and
2. identify the type of adjustment required

(18) Where a Worker's Compensation Rehabilitation program is in place under the direction of the [Occupational Health, Safety and Information Services Unit](#), the Equity and Diversity Unit will not be required to provide the assessment. However when the Rehabilitation program ceases, the staff member with a disability may request an assessment from the Equity and Diversity Unit.

Part E - Unjustifiable Hardship

(19) Any determination of unjustifiable hardship will:

1. occur after an assessment of the person with a disability;
2. be considered in relation to the individual's situation;
3. include the advice of the Equity and Diversity Officer; and
4. will comply with Clause 10.

Part F - Adjustment Plan

(20) An adjustment plan will be prepared by a Equity and Diversity officer for any staff members with a disability who identify a need for adjustment at work.

(21) The adjustment plan will identify a responsible officer who will have primary responsibility for the implementation of the adjustment plan. The responsible officer may be the immediate supervisor or another manager in the work area.

(22) Staff members with disabilities will contribute to the development of the adjustment plan and liaise with the officer responsible for the implementation of the adjustment plan. The responsible officer will also contribute to the development of the plan.

(23) The adjustment plan will be provided to the staff member and the responsible officer.

(24) Monitoring of the plan will occur annually by the Equity and Diversity Unit unless the staff member identifies a need for other adjustments

Part G - Types of Adjustment

(25) Staff with a disability will identify their individual requirements for adjustment or alterations at work, in consultation with the Equity and Diversity Officer, to enable them to perform the inherent requirements of the job.

(26) Equity and Diversity Officers may consult with appropriate specialist agencies for advice and assistance on different adjustments and alterations in the workplace.

(27) Adjustments and alterations at work can include:

1. modifications to work premises;
2. changes to job design;
3. changes in work schedules and arrangements;

4. modifications to equipment;
5. provision of different work related communications methods;
6. changes in work practices; and
7. supply of specialised equipment.

(28) Adjustments and/or alterations are applicable in all areas of employment including:

1. selection processes;
2. attending employer-approved conferences and other professional development leave, both on and off campus; and
3. staff development and training.

Part H - Funding

(29) Except as provided in clause (35), where funding is required for a specific adjustment for an individual in the workplace, as indicated in clause (32), and the costs of the adjustment are \$10,000 or less, then the Division/College employing the staff member with a disability is required to fund the adjustment from their budget. Where funding in excess of \$10,000 is required, the Equity and Diversity Unit will seek to obtain approval to access the University's accumulated reserves or the UWS Initiatives Fund in order to fund the cost above \$10,000. In other words the Division/College budget covers the first \$10,000 of any adjustment cost and beyond that the costs are met centrally.

(30) Where funding is required for a physical adjustment of a capital works type nature, such as access to a building or other facility, the cost, irrespective of the amount, will be met from the annual budget provided for capital works and facilities maintenance.

(31) Review of expenditure arising from the application of this Policy will be undertaken by the Equity and Diversity Unit with a report provided annually to the University Management Committee, which will include recommendations on requirements to fulfil the policy.

Part I - Appeals and Grievances

(32) Staff who believe they have been treated unfairly on the grounds of disability are encouraged to use the University grievance procedures. Any concerns on matters pertaining to disability discrimination may be referred to the Equity and Diversity Unit.

Section 4 - Procedures

(33) Nil.

Section 5 - Guidelines

(34) Nil.

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Appendix 7

DEST Data Students with Disabilities

Domestic Students		In equity group - disability	
		2005	2006
Females	Less than 25	442	389
	25 - 29	113	115
	30 - 39	126	123
	40 and above	183	165
	Total Females	864	792
Males	Less than 25	362	363
	25 - 29	81	88
	30 - 39	90	64
	40 and above	81	79
	Total Males	614	594
Total		1478	1386
Total Domestic Students		29924	30393
Proportion		4.9%	4.6%

Domestic Students with a Disability by Age and Gender, 2005 and 2006

Domestic Students		In equity group - disability	
		2005	2006
COA	BANKSTOWN	259	254
	BLACKTOWN	8	6
	CAMPBELLTOWN	8	3
	HAWKESBURY	40	26
	PARRAMATTA	38	31
	PENRITH	234	226
	OTHER	1	0
	Total	588	546
COB	BANKSTOWN	4	4
	BLACKTOWN	84	75
	CAMPBELLTOWN	83	85
	HAWKESBURY	0	0
	PARRAMATTA	165	170
	PENRITH	16	10
	OTHER	12	10
	Total	364	354
COHS	BANKSTOWN	51	46
	BLACKTOWN	19	27
	CAMPBELLTOWN	125	118
	HAWKESBURY	110	107
	PARRAMATTA	59	66
	PENRITH	105	89
	OTHER	4	1
	Total	473	454
OTH	BANKSTOWN	3	7
	BLACKTOWN	3	0
	CAMPBELLTOWN	3	5
	HAWKESBURY	4	2
	PARRAMATTA	7	8
	PENRITH	26	10
	OTHER	7	0
	Total	53	32
UWS Total		1478	1386

Domestic Students with a Disability by College and Campus, 2005 and 2006

All Domestic Students by State, Institution and Equity Group, 2005

Source: DEST National Stats Publication

State/Institution	Students with a disability	Total Domestic Students	% of Total
New South Wales			
ACPE Limited	4	608	0.7%
Australian College of Applied Psychology Pty Ltd	13	754	1.7%
Australian Film, Television and Radio School	5	101	5.0%
Avondale College	25	829	3.0%
Charles Sturt University	965	26,013	3.7%
East Coast Gestalt Training	4	34	11.8%
KvB Visual Concepts Pty Ltd	1	29	3.4%
Macquarie University	631	20,148	3.1%
Moore Theological College	12	256	4.7%
National Institute of Dramatic Art	9	157	5.7%
Southern Cross University	441	10,524	4.2%
Sydney College of Divinity	15	969	1.5%
Sydney Institute of Business and Technology Pty Ltd	2	378	0.5%
Tabor College (NSW) Incorporated	1	69	1.4%
The Australian Institute of Music Limited	1	247	0.4%
The College of Law Pty Ltd.	16	281	5.7%
The University of New England	803	15,965	5.0%
The University of New South Wales	799	29,596	2.7%
The University of Newcastle	1042	20,346	5.1%
The University of Sydney	669	35,451	1.9%
University of Technology, Sydney	726	23,200	3.1%
University of Western Sydney*	1377	27,868	4.9%
University of Wollongong	1336	12,872	10.4%
Wesley Institute	0	178	0.0%
Total New South Wales	8,897	226,873	3.9%

*Please note that this varies from the number reported in our stats due to differences in calculating the number of enrolments, however the proportion is the same

Victoria			
Australian Institute of Public Safety Pty Ltd	3	187	1.6%
Deakin University	583	26,305	2.2%
Harvest Bible College	0	42	0.0%
Holmes Institute	0	50	0.0%
La Trobe University	874	22,359	3.9%
Marcus Oldham College	0	33	0.0%
Melbourne College of Divinity	27	603	4.5%
Melbourne Institute of Business and Technology Pty Ltd	0	69	0.0%
Monash International	1	30	3.3%
Monash University	1291	36,933	3.5%
Oceania Polytechnic Institute of Education Pty Ltd	0	31	0.0%
RMIT University	792	22,791	3.5%

Swinburne University of Technology	270	11,244	2.4%
Tabor College - Victoria	9	198	4.5%
The University of Melbourne	986	32,464	3.0%
University of Ballarat	153	4,628	3.3%
Victoria University	299	12,812	2.3%
Total Victoria	5,288	170,779	3.1%

Queensland

Bond University	54	1693	3.2%
Central Queensland University	748	11,457	6.5%
Christian Heritage College	11	755	1.5%
Griffith University	1166	26,217	4.4%
James Cook University	578	12,071	4.8%
Queensland Institute of Business and Technology Pty Ltd	1	62	1.6%
Queensland University of Technology	1394	32,936	4.2%
The University of Queensland	964	30,342	3.2%
University of Southern Queensland	556	14,477	3.8%
University of the Sunshine Coast	182	4,033	4.5%
Total Queensland	5,654	134,043	4.2%

Western Australia

Curtin University of Technology	557	22,204	2.5%
Edith Cowan University	396	19,120	2.1%
Murdoch University	637	10,881	5.9%
Perth Bible College	1	17	5.9%
The University of Notre Dame Australia	94	4,132	2.3%
The University of Western Australia	655	13,981	4.7%
Total Western Australia	2340	70,335	3.3%

South Australia

Adelaide College of Divinity	5	49	10.2%
Australian Lutheran College	6	80	7.5%
South Australian Institute of Business and Technology Pty Ltd	0	106	0.0%
Tabor College	0	642	0.0%
The Flinders University of South Australia	731	11,820	6.2%
The University of Adelaide	606	14,382	4.2%
University of South Australia	1404	21,953	6.4%
Total South Australia	2752	49,032	5.6%

Tasmania

Australian Maritime College	18	1002	1.8%
University of Tasmania	948	12,889	7.4%
Total Tasmania	966	13,891	7.0%

Northern Territory

Batchelor Institute of Indigenous Tertiary Education	61	593	10.3%
Charles Darwin University	233	5,069	4.6%
Total Northern Territory	294	5,662	5.2%

Australian Capital Territory			
Australian Defence Force Academy	11	1946	0.6%
Australian International Hotel School	0	17	0.0%
The Australian National University	741	11,005	6.7%
University of Canberra	321	8,883	3.6%
Total Australian Capital Territory	1073	21,851	4.9%
Multi-State			
Australian Catholic University	332	11073	3.0%
Australian College of Theology Council Incorporated	65	2223	2.9%
Total Multi-State	397	13,296	3.0%
TOTAL			
	27,661	705,762	3.9%