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.

**UNIVERSITY**

**Social responsibility**

Universities are committed to increasing opportunities for people with disabilities to participate in all aspects of university life. This commitment is based on a philosophy of inclusion, which promotes strategies to develop an environment which is sufficiently flexible to accommodate the diversity of all users. Inherent in this statement is the expectation that all staff within the university will be responsive to the needs of people with disabilities.

**Legal obligations**

The University is required to comply with the Commonwealth Disability Discrimination Act 1992 and the NSW Anti-Discrimination Act 1977. These Acts make it unlawful for tertiary institutions to discriminate against people on the basis that they have, or may have a disability. Also, the University has its own internal policies which address equal opportunity and which aim to promote access and inclusion.

To comply with the disability legislation, universities must make reasonable accommodations to ensure that people with disabilities are able to participate in work and study and have the same opportunities for success as people who do not have a disability, unless to do so would cause unjustifiable hardship, or adversely affect the individual or other people.

**Making accountable decisions**

The key factor in deciding whether an adjustment is necessary or possible, is the effect of the disability on the individual and the impact of the adjustment or alteration on the particular situation. University Disability Advisers will be pleased to assist and give confidential advice on disability matters that are of concern to staff. The university is directly responsible for ensuring that the requirements of the Acts are fulfilled, and can also be held vicariously liable for discrimination or harassment against a person with a disability by a member of staff or one of its agents.

**ACADEMIC AND ADMINISTRATIVE STAFF**

All staff have a role to play in the support of students with mental illness. In general, all staff should:

- Exercise a duty of care in their dealings with all students. If a student shows signs of a mental health problem, staff should offer or seek appropriate assistance;
- Recognise the boundaries of their role and have a reasonable understanding of support services and how to access these;
- Balance the duty of care for one student with the duty owed to other students and staff;
- Treat each student with dignity;
- Uphold confidentiality and exercise responsibility regarding disclosure;
- Contribute towards building a non-stigmatising community;
- Make reasonable adjustments to support students with disabilities.
Duty of care
The ‘dual’ duty of care is often raised as an issue within academic environments. This is the dual responsibility of the academic institution both to ensure the professional standards (integrity) of its teaching and the need to support its students in attaining these standards.

There is no immediate solution to this issue, and much discourse between all stakeholders needs to occur. It has been suggested that rather than having a general rule to follow in cases where a conflict between the responsibility to provide professional standards and the responsibility to provide support for students with a psychiatric disability occur, each individual case should be assessed on its own merits.

A suggestion for staff faced with a situation where conflicts of responsibility occur is to discuss the issue with peers and course coordinators and consult with the professional staff at the University Counselling and Disability Services. This should be done in a manner that maintains the student’s confidentiality, and respects the needs of all parties.

STUDENTS ROLE
All students have a role in student mental health:

- All students should help towards creating a non-stigmatising environment;
- Students who might be supporting friends or peers experiencing mental health problems should understand their personal limitations and know when, where and how to refer the person for assistance;
- Students with mental health problems are encouraged to avail themselves of support services and to inform relevant academic staff if they are unable to fulfil academic requirements so that the university can provide them with appropriate academic and personal support.

Disclosure
Students are not required to disclose their disability unless they are seeking accommodations to assist with their study. However, students should be encouraged to meet with a Disability Adviser (DA) to discuss their support needs at the earliest opportunity. They should be advised that this is a positive action which will enable the provision of appropriate support. If students choose not to disclose their needs, it must be accepted that support may not be provided by the university.

Disclosure of a disability presents a number of challenges and choices for people with a disability, particularly those participating in education and employment. Choices may include “Do I need to disclose my disability”, “When do I disclose my disability”, “How to I disclose my disability”, “What are my rights”, “Do I have responsibilities when I disclose?”. Employers and educators may also be challenged in relation to their role and responsibilities when a person discloses their disability.

“Choosing your path—Disclosure: It’s a Personal Decision” is a newly developed website that addresses these challenges for people with disabilities, employers and educators. The website provides substantial information about options and pathways that people with disabilities can use in disclosing their disability in post secondary education and employment environments. The website also articulates the role and responsibilities of employers and educators in relation to disclosure.

www.uws.edu.au/rdlo/disclosure

Disability Advisers
A Disability Adviser is available on every campus and is the contact person responsible for ensuring students with a disability are provided with appropriate support and services. Students with a mental health disability are strongly encouraged to make contact with the Disability Adviser prior to enrolment or before the commencement of the semester. This allows sufficient time to identify the students’ needs and for the Adviser to organise appropriate accommodations.

“Just a note to say THANK YOU for all your efforts to help my daughter to keep going with her studies. It does make me happy to see her back enthusiastically studying this year. Next year she is intending to go full-time if she can manage it. I felt that I had to say a BIG THANKS to your service—people like you play a very important role in the life of a young person. I am very happy she has used your service”.

From the mother of a young woman (20) with a recent onset psychosis. This young woman had many problems and had to take time away from her course while she was hospitalised because of her illness. She is now managing with medication and the support of a psychiatrist, and plans to complete her studies next year.