



## AFTRS Disability Policy

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| <b>Responsible Officer</b>  | Director, Corporate Services   |
| <b>Contact Officer</b>      | Head of Human Resources  |
| <b>Authorisation</b>        | AFTRS Executive  |
| <b>Effective Date</b>       | September 1999<br>Updated 6 <sup>th</sup> September 2011   |
| <b>Associated Documents</b> | <i>Disability Discrimination Act 1992</i><br><i>Disability Standards for Education 2005</i><br><i>Equal Employment Opportunity (Commonwealth Authorities) Act 1987</i><br>AFTRS Equal Employment Opportunity Policy<br>AFTRS Student Rules, Policies and Procedures<br>AFTRS Enterprise Agreement 2011<br>Workplace Harassment Policy<br>Grievance Procedures<br>Misconduct Procedures<br>Staff Selection Policy<br>Staff Training and Development Policy<br>Code of Conduct (Staff)<br>Code of Conduct (Students)<br>Information Privacy Principles |

### 1. Policy Name

The AFTRS Disability Policy.

### 2. Preamble

Staff and students with disabilities are an integral part of the diverse population at AFTRS and reflect the Australian population. This and other equity related policies and procedures were established to meet the School's legislative and Commonwealth policy requirements but also to confirm the School's commitment to providing equal opportunity for staff, students and applications through promoting inclusion and valuing diversity.

### 3. Policy Scope

This policy applies to all employees, contractors and students of AFTRS and to any individuals applying for employment or enrolment at AFTRS.

### 4. Definitions

**"Disability"** means:

- a) a total or partial loss of the person's bodily or mental functions; or
- b) a total or partial loss of a part of the body; or
- c) the presence in the body of organisms causing disease or illness; or
- d) the presence in the body of organisms capable of causing disease or illness; or
- e) the malfunction, malformation or disfigurement of a part of the person's body; or
- 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, perception of reality, emotions or judgment or that results in disturbed behaviour;

and includes a disability that:

- a) presently exists; or
- b) previously existed but no longer exists, or
- c) may exist in the future, or
- d) is imputed to a person.

(sub-section 4.1 of the *Disability Discrimination Act 1992*)

**"Reasonable Adjustment"** means changing some feature of the work or learning environment so that a person with a disability can operate effectively.

### 5. Policy Statement

AFTRS is committed to providing an effective and supportive learning and working environment, including for employees and students with a disability. This includes the integration of the principles of equity for people with disabilities in the School's policies, procedures, decisions and operations.

AFTRS is committed to:

- ensuring we reach the broadest possible field of applicants for staff and student vacancies, and
- ensuring that all courses and workplaces are accessible for applicants with disabilities.

## **6. Implementation**

### **I. Roles and responsibilities**

Every manager, employee and student is responsible for ensuring that there is no discrimination based on disability.

The Head of Human Resources and the Student Services Manager are responsible for reporting and preparing plans in relation to equity matters.

Administrative Managers, Department Heads and Section Supervisors are responsible for advising freelance contractors of AFTRS equity related policies and procedures.

### **II. Privacy**

Students and staff are not required to disclose their disability unless they are seeking accommodations or environment adjustments. AFTRS observes confidentiality in matters relating to disability.

Claims of discrimination on the grounds of disability will be investigated with as much privacy for all involved individuals as is possible. Information about the claim will only be given on a "need to know" basis.

### **III. Reasonable Adjustment**

Reasonable adjustment may vary from providing storage at reasonable heights for people in wheelchairs to providing interpreters for people with a hearing disability. Each type of adjustment is considered on its own merits and is related to the specific disability and to the essential requirements of the position or course of study. The adjustment will involve the prospective or current employee or student as one of the main sources of information about the adjustment needed.

It is not unlawful to discriminate against a person with a disability if the adjustment would impose unjustifiable hardship on AFTRS or if it would not be possible to make an adjustment without devaluing the Award course. However, the School must be able to prove that an adjustment would do this. Factors to be considered include the cost, any negative impact on other employees or students, and the benefit that the person with the disability and AFTRS would gain from the service of facility that would be provided by the adjustment.

The principle of reasonable adjustment affects decisions in all areas of employment and education. It encourages more flexible and creative ways of working and teaching and may assist in improving conditions for everyone by, for example. Improving access to buildings and rooms.

#### **IV. Complaints (Misconduct and Grievance Procedures)**

Employees and students are expected to comply with AFTRS policies and refrain from engaging in any discriminatory or harassing behaviour. Discrimination and harassment will not be tolerated.

Employees, students and applicants who believe they have been treated unfairly on the grounds of disability are encouraged to discuss the matter with the Head of Human Resources, the Student Services Manager, or the Director of Education. Any complaints will be investigated in a confidential manner. If found to have grounds, remedial or disciplinary action will be taken. In serious cases this may involve expulsion or dismissal. Normal disciplinary review procedures apply.

If complainants prefer they may lodge the complaint directly with the Australian Human Rights Commission.

#### **7. Review**

This policy will be reviewed when there are relevant changes in legislation, regulations, Australian Government Policy or at AFTRS.