



## Disability Inclusion Policy

### 1. COMPLIANCE OBLIGATIONS SUPPORTED

[Disability Discrimination Act 1992 \(Cth\)](#)

[Disability Services Act 1993 \(WA\)](#)

### 2. PURPOSE

To support the University in meeting its commitment of fostering and supporting disability access and inclusion, and to integrate equitable opportunity for people with disability into university policies, procedures, decisions, and operations.

### 3. POLICY STATEMENT

3.1 The University may refer to people with disability using person-first language and will be guided by respect and affirm each individual person with disability's language preference.

3.2 People with disability, and their carers, support workers, delegates or nominees, will have equitable access and practical support to participate fully in all aspects of university life, including:

- (a) access to services and events;
- (b) access to buildings and facilities;
- (c) information in accessible formats;
- (d) receiving a high-quality service;
- (e) opportunities to make complaints;
- (f) opportunities to participate in public consultation; and
- (g) employment at Curtin.

3.3 The Deputy Vice Chancellor, Academic will ensure that the University develops, maintains and implements a [Disability Access and Inclusion Plan](#) (DAIP) that supports and enables the purpose of this policy and meet the requirements of State and Commonwealth legislation.

3.4 The Vice Chancellor will ensure application of Universal Design principles to guide the design of the University's facilities, events, processes and services.

3.5 The Director, People and Culture and Deputy Vice Chancellor, Academic will foster positive, informed, unprejudiced and non-discriminatory attitudes from employees and students towards people with disability in accordance with Curtin's Values and Codes of Conduct.

3.6 The University will make reasonable adjustments to allow access for people with disability to the programs, services, events and facilities of the University on the same basis as others. The University may not be required to provide an adjustment where it is can be demonstrated that it imposes unjustifiable hardship, where it does not meet the inherent requirements for participation in employment or field of study, or where it may compromise the health and welfare of the individual or others.

3.7 People Wellness or AccessAbility Services, may request relevant information and documentation about the person's disability and individual requirements from a qualified health practitioner, with the individual's consent, to support provision of reasonable adjustments for that individual on an as-needs basis.

3.8 The University will provide support services to assist people with disability and will provide information to assist employess to meet their obligations under relevant disability legislation and the University's DAIP.

3.9 Where identified barriers exist for people trying to access services for purpose of obtaining diagnosis and/ or documentation (including delayed referral, lengthy wait for appointment, service cost, lack of access due to rural or regional location of work or study), the People Wellness Service or Student AccessAbility Service, in consultation with the individual, may make a determination of imputed disability for the purposes of the application of this policy.

#### 4. SCOPE OF POLICY

This policy applies to employees, students, adjuncts, University Associates, Council members, contractors and visitors in any location or campus within Australia.

The guiding principles of this policy will inform practices on the University's global campuses and locations.

#### 5. DEFINITIONS

(Note: Commonly defined terms are located in the [Curtin Common Definitions](#). Any defined terms below are specific to this document)

##### **Carer of a person with disability**

Carer is an individual as defined in the [Carer's Recognition Act 2010 \(Cth\)](#)

##### **Disability**

Any physical, sensory, neurological, intellectual, psychiatric, medical condition or learning impairment which in interaction with various social barriers may hinder a person's independent and effective participation in society on an equal basis with others.

##### **Disability discrimination**

When a person with disability is treated less favourably than a person without disability. Discrimination may be either **direct** or **indirect** (and otherwise, as defined in the *Disability Discrimination Act 1992*, Section 5).

*Direct discrimination:* When a person with disability is treated less favourably than a person without disability in similar circumstances (and otherwise, as defined in the *Disability Discrimination Act 1992*, Section 5).

*Indirect discrimination:* When a person with disability is expected to comply with a requirement or condition, however because of their disability, does not or is not able to comply. The requirement or condition will also be likely to have the effect of disadvantaging persons with disability in a way that is not reasonable (and otherwise as defined in the *Disability Discrimination Act 1992*, Section 6)

##### **Inherent requirements**

For employees: The individual capacity and capability requirements of the position or role in employment, and other requirements or components that are inherent in or essential to its nature.

For students: The academic requirements of the course or program, and other requirements or components that are inherent in or essential to successful progression and completion of the course.

(Defined per the Australian Human Rights Commission website and otherwise as defined in the *Disability Discrimination Act 1992* Section 21A).

##### **Imputed disability**

The reasoned belief, in the absence of medical or other documentation, based on reasonable grounds of assessment of the impact of disability on an individual's functioning, that an individual has or may have a disability.

##### **Person-first language**

Language that puts the person before their disability and is used to emphasise a person's right to an identity beyond their disability.

##### **Reasonable adjustment**

A measure or action taken to assist a person with disability to participate in employment or study on the same basis as others. An adjustment is reasonable if it achieves this purpose while considering the individual support needs and balancing the interests of all parties affected (and otherwise as defined in Disability Standards for Education Sections 3.3, 3.4).

##### **Universal Design**

The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design (and otherwise as defined by Dr. Sheryl Burgstahler, University of Washington ([Universal Design of Instruction \(UDI\): Definition, Principles, Guidelines and Examples](#))).

##### **Unjustifiable Hardship**

In determining whether 'unjustifiable hardship' applies, all relevant circumstances of the particular case will be taken into account, including: the nature of the benefit or detriment to all persons

concerned, the disability of the person and the financial circumstances of the provider (and otherwise as defined in the *Disability Discrimination Act 1992* Section 11).

## 6. SUPPORTING PROCEDURES

[Accessible Information Procedures](#)

[Students with Disability Procedures](#)

[Employees with Disability Procedures](#)

## 7. RELATED DOCUMENTS/ LINKS

### Internal

- [Compliance Procedures](#)
- [Curtin Disability Access and Inclusion Plan 2022-2030](#)
- [Diversity and Equity Policy](#)
- [Fieldwork \(Work Integrated Learning\) Policy](#)
- [Fieldwork \(Work Integrated Learning\) Procedures](#)
- [People Wellness \(Injury Management and Workers' Compensation\) Procedures](#)
- [Privacy Statement](#)
- [Travel Procedures](#)
- [Travel Procedures for Students](#)

### External

- [Carer Recognition Act 2010 \(Cth\)](#)
- [Disability \(Access to Premises – Buildings\) Standards 2010](#)
- [Disability Standards for Education 2005](#)
- [Equal Opportunity Act 1984 \(WA\)](#)
- [Privacy Act 1988 \(Cth\)](#)
- [Australian Human Rights Commission - disability rights](#)
- [United Nations Convention on the Rights of Persons with Disabilities](#)

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## REVISION HISTORY

Version	Approved/ Amended/ Rescinded	Date	Committee / Board / Executive Manager	Approval / Resolution Number	Key Changes Notes
New	Approved	02/03/2023	Senior Executive Team (SET)	SET 14/22	Attachment B to item 9.2