

REASONABLE ADJUSTMENT POLICY

Revision 1.2 Sept 2018

PURPOSE

The purpose of this policy is to provide a frame of reference to enable the delivery of programs in line with Access and Equity obligations and allows for the requirement for Reasonable Adjustment to programs to support those obligations.

SCOPE

This policy relates to the provision of all training and assessment activities offered by MiTraining.

POLICY PRINCIPLES

MiTraining delivers nationally recognised training programs in a fair and equitable manner.

MiTraining will ensure:

- a) There is an environment of support and care for students that encourages cultural understanding and sensitivity;
- b) That early identification and intervention is provided to students or clients requiring support;
- c) Access and equity regulations are considered when developing new products, policies, practices, systems and procedures;
- d) There are policies and procedures in place that support the principles of access and equity;
- e) There is an ongoing commitment to eliminate access and equity barriers identified within MiTraining's processes, practices and business decisions;
- f) There is liaison with disability support groups to ensure special needs can be provided in areas where the organisation has no knowledge or experience;
- g) That there is provision of support and assistance for any student that is encountering learning difficulties;
- h) There is regular reviews of access and equity policies and procedures to ensure they are:
 - a. Meeting legislative requirements;
 - b. Satisfying individual student/trainee needs;
 - c. Enabling participant outcomes to be met;
 - d. Addressing community needs;
- i) In addition to formal reviews, the policies and procedures will be reviewed whenever there is a change in legislation or if there are circumstances identified that are not covered by this policy.

MiTraining requests students declare if they are in need of specific assistance with regard to language, literacy and numeracy so that specific learning support may be provided.

MiTraining endeavours to identify learnings support needs at enrolment, but students are encouraged to identify any difficulties they are experiencing during training. Alternative learning and assessment strategies will be utilised by MiTraining staff to assist students with special needs.

LEGISLATIVE OBLIGATIONS

The Access and Equity Policy acknowledges MiTraining's legal obligations in relation to Access and Equity under relevant legislation, to ensure that the organisation's working and training practices are fair and equitable, and the working and learning environment is non-discriminatory. Australian federal and state legislation makes it unlawful for organisations to discriminate against individuals because of their age, gender, race, marital status, sexuality, or physical or intellectual disability.

REASONABLE ADJUSTMENT

A reasonable adjustment is a measure or action that will be taken to assist a student with a recognised disability to participate in training on the same basis as other students. An adjustment is reasonable if it takes into account the student's learning needs and balances of all parties affected – the student with the disability, MiTraining, organisation staff, employers in the case of work based training, and other students undertaking training.

MiTraining is aware that the training programs delivered by the organisation will sometimes need adjustments to ensure equal opportunity for students with disabilities. The nature of reasonable adjustments is such that they are designed to minimise the disadvantage experienced by learners with a disability, rather than provide learners with a competitive advantage. This can include administrative, physical or procedural modifications.

In cases of reasonable adjustment:

- a) A student with a recognised disability may not require adjustments in some circumstances or at all times;
- b) However, a student with a recognised disability may require multiple adjustments and may include multiple activities;
- c) At all times, the integrity of the training and the assessment requirements or processes must be maintained;
- d) MiTraining will be timely in investigating and implementing any adjustments while maintaining confidentiality in regard to the student with a recognised disability;
- e) Factors that will be taken into account when assessing for reasonable adjustment include:
 - a. The nature of the disability presented;
 - b. Information provided or accessed about a student's disability about how the disability will affect their ability to participate in training;
 - c. Clarifying the student's ability to comply with non-discriminatory requirements of a training program;
 - d. Seeking information from the student about their preferred adjustment, as the student may have a developed understanding of what may be suitable.

PROCEDURE

This procedure outlines the reasonable adjustments and facilities, services and learning/training support that will be provided to students in the following areas.

To ensure that the learning environment of MiTraining is free from harassment, discrimination and victimisation, the organisation will ensure:

- a) That staff and students are made aware of access and equity as part of enrolment;
- b) Adherence to privacy and confidentiality requirements;

- c) The development of products, policies, systems and procedures are informed by access and equity principles;
- d) The organisation has policies and procedures in place that support the principles of access and equity;
- e) Continuous improvement and review of policies and procedures to meet legislative changes and student.

RECRUITMENT, ADMISSIONS AND ENROLMENT

All recruitment, admissions and enrolment processes undertaken by MiTraining have been designed to be free from discrimination. There are identified entry criteria for all students for all programs offered by the organisation.

To ensure that the student recruitment and admission process is bias-free and non-discriminatory, MiTraining:

- a) Uses the same recruitment and enrolment processes for all applicants;
- b) Bases admission to courses and programs on availability of places and the applicant satisfying course/qualification and funding entry/eligibility requirements (where applicable);
- c) Provides applicants with adequate information and support for the individual to enable them to select the most suitable program for their training requirements.

ENROLMENT PROCEDURE

Where students indicate any type of disability and/or learning difficulty at their enrolment the following procedures will be applied:

- a) Any disabilities and/or learning difficulties indicated recorded in the Student Management System and notification will be provided to the relevant trainers;
- b) The CEO will be responsible for determining whether reasonable adjustments can be implemented to provide appropriate training for the student. The applicant will be advised of the decision concerning enrolment and any reasonable adjustment that will be provided;
- c) The details of reasonable adjustments will be recorded in the Student Management System and all details will be provided to the student in writing;
- d) If reasonable adjustments cannot be provided to accommodate the applicant this information will be recorded in the Student Management System;
- e) MiTraining will coordinate the implementation of agreed reasonable adjustments prior to the student's commencement of the training program.

COURSE DESIGN

Course design and assessment tools should be designed to be flexible and to be able to make reasonable adjustments if required. All training documents will be non-discriminatory and will avoid exclusive language and examples.

To ensure that all curriculum and training materials developed by MiTraining are inclusive of a range of student's needs, the organisation:

- a) Considers issues relating to access and equity when specifying course entry requirements and prerequisites;

- b) Offers flexible course and training materials designed to provide multiple entry and exit points or pathways through the course (if applicable), including credit transfer and recognition of prior learning;
- c) Takes into account the requirements of students with a range of disabilities when assessing courses for delivery;
- d) Provides inclusive and non-discriminatory learning and training materials;
- e) Will ensure that language, literacy and numeracy requirements are consistent with the vocational level of the qualification being considered or offered.

SUPPORT SERVICES FOR THOSE WITH SPECIAL NEEDS

MiTraining takes all reasonable steps to provide a student with a recognised disability all support services on the same basis as a student without a disability and without experiencing discrimination.

If a specialised support service is required for a student with a recognised disability to participate in the training and assessment activities required for the program they are enrolled in that is already provided by MiTraining, staff will take reasonable steps to ensure the student with a recognised disability has access to the support service/s.

If a specialised support service is required for a student with a recognised disability to participate in the training and assessment activities required for the program they are enrolled is not provided by MiTraining, the organisation will take reasonable steps to facilitate the provision of the service to the student by another agency. This will be undertaken in consultation with employers in cases where the student is undertaking workplace training.

In order to provide appropriate support services for a student with a recognised disability, MiTraining will:

- a) Consult with the enrolled student about the need for the student's requirements of access to specialised support services;
- b) Decide if an adjustment is justified so that the student can participate in the training and assessment activities for the program for which they are enrolled;
- c) Identify what an appropriate adjustment might include and make the necessary adjustment for the enrolled student.

MiTraining will provide training to all staff to make them aware of the support services available for the students with recognised disabilities to enable them to assist students to access support services required. MiTraining will also facilitate the provision of specialised services for the student where necessary including collaborative arrangements with specialised service providers.

MiTraining refer students to support services, or arrangement for services, for students with a recognised disability including:

- a) The use of adaptive/assistive technology;
- b) Training support;
- c) Alternative assessment methods;
- d) Extra time to complete a course or assessment;
- e) Learning support for basic literacy or numeracy difficulties.

ACADEMIC AND LEARNING SUPPORT

Reasonable adjustments can be made to accommodate students with a recognised disability requiring academic, learning and assessment support. Students should disclose any support

requirements as early as possible (preferably at interview) to allow reasonable adjustment to be provided. In relation to academic and learning support reasonable adjustment may include:

- a) Academic learning support for all students requiring assistance including the areas of literacy and numeracy support;
- b) Alternative methods of assessment where reasonable. This may include the use of oral assessments, changes to paper colour, font size or style where appropriate;
- c) An extension of time for completing assessment tasks.

Assessments are designed to be fair, reliable and consistent. All students are provided with the requirements of assessment for all units of competency at the beginning of study programs.

Assessments for units of competency delivered by online format will be adapted for flexible delivery and are provided to students in a relevant format.

Any adjustment to assessment for students with disabilities will be negotiated before the assessment task is required to be undertaken.

VISUAL IMPEDIMENTS AND READING IMPEDIMENTS

When required, reasonable adjustments may be made to accommodate students with visual and/or reading problems. This may include reading aids and adaptive technology products available on the market to assist when reading, either in hard copy or electronic forms including, but not limited to:

- a) Monitors with large display – suggested use;
- b) Large print materials or adaptive technology (such as Microsoft Magnifier);
- c) Digital talking and audio books;
- d) E-books with large format;
- e) Microsoft Narrator (text to speech);
- f) Acetate sheets –coloured (dyslexia).

ONLINE MATERIALS AND SERVICES

Students undertaking assessment tasks online will have equal access to training and assessment materials and support services.

Online assessment materials can be available in print for students who do not have reliable internet access. Adaptive technology is used where reasonable adjustment can be made.

COMPLAINTS AND APPEALS

Individuals who consider they have been treated unfairly in relation to access and equity or reasonable adjustment issues are encouraged to use MiTraining's Complaints and Grievance procedure.

COSTS AND BENEFITS OF MAKING ADJUSTMENTS

The effects of reasonable adjustment on the organisation, staff and students/trainees and direct and indirect costs will be considered by MiTraining including:

- a) The costs associated with staffing, special resources, and the modification of training materials and curriculum;

- b) The adverse impact on learning, occupational and social outcomes for the student, other students and training staff;
- c) Benefits that may be achieved to all people and the organisation from the student with a recognised disability's participation.

EXCEPTIONS

The Disability Discrimination Act Standards for Education 2005 do not render it unlawful for RTO's or education providers to not comply with requirements of the standards in the following circumstances:

- a) Where MiTraining claims that it would impose unjustifiable hardship;
- b) The student's disability is an infectious disease or other condition and it is reasonably necessary to isolate or discriminate to protect the health and welfare of the students and other students and staff;
- c) Where MiTraining is complying with courts orders, Human Rights and Equal Opportunity Commission decisions, prescribed law and regulations of the Commonwealth, State or Territory as Section 47 of the Disability Discrimination Act 1992.

UNJUSTIFIABLE HARDSHIP

When a reasonable adjustment is considered, balancing the interest of all parties concerned, deliberation on whether the adjustment will impose hardship on MiTraining.

If unjustifiable hardship is considered, MiTraining will consider all financial and other resources that are reasonably available for the purposes of making any necessary adjustments for the student, and the impact of those adjustments on the capacity to provide training programs of high quality to ALL students while remaining financially viable.

MiTraining will consider direct and indirect costs and benefits including:

- a) Costs associated with staffing, the provision of special resources, modifying training materials and curriculum;
- b) The adverse effects on learning, occupational and social outcomes of the student, other students and training staff;
- c) Identified benefits to all involved persons from the student's participation.

When MiTraining applies the principles of unjustifiable hardship, the organisation will:

- a) Ensure that the process for seeking the adjustment is accessible and transparent.
- b) Notify the student and employer in the case or work-based training regarding decisions made on reasonable adjustment and the reasons for the decision as soon as possible after the decision made. The RTO Training Manager will discuss the decision with the student and the outcomes will be recorded in the Student Management System.

HARASSMENT AND VICTIMISATION

Disability harassment is defined as an action taken in relation to an individual's disability that is reasonably likely to humiliate, offend, intimidate or distress the individual with a disability.

MiTraining takes all reasonable steps to ensure all staff and students are made aware of the responsibility for protection of all students against harassment or victimisation of students with a recognised disability and the actions that must be undertaken if harassment or victimisation occurs.

POLICY DOCUMENTATION

Policies and procedures applicable to students are accessible prior to enrolment and throughout the duration of their learning via the MiTraining website, and on request. All RTO policies and procedures are available to staff and relevant contractors via the MiTraining VET Hub.

NOTES

<i>Related Policies/Procedures:</i>	<i>Access and Equity Policy Complaints and Grievance Policy LLN Policy Student Learner Support Policy Enrolment Policy</i>
<i>Related Documents/Forms:</i>	<i>Complaints Form Student Handbook</i>
<i>Related Legislation:</i>	<i>As indicated in Access and Equity Policy</i>
<i>Guidelines:</i>	<i>N/A</i>
<i>Approved By:</i>	<i>Chief Executive Officer</i>
<i>Date of Next Review:</i>	