



Purpose

1. The University of South Australia recognises disability is part of human diversity and aspires to create an inclusive and equitable environment that supports full access and participation in all aspects of the work environment. This Policy outlines the University's commitment to supporting prospective and existing staff with disability, in line with equal opportunity and social justice principles.

Scope

2. This Policy applies to all prospective and existing staff members of the University of South Australia (the University).
3. This Policy does not apply to students of the University, who are included in the scope of the [Students with disabilities](#) Policy (C-7.5).

Responsibilities

4. All staff covered by this Policy are responsible for adhering to and acting in a manner consistent with this Policy and Workplace Adjustment Procedure.
5. The responsibilities of specific staff members and staff groups are detailed within the Workplace Adjustment Procedure.

Policy Statement

6. The University is committed to:
 - 6.1. implementing processes that enable prospective and existing staff with disability to feel valued, supported, and enabled to carry out their roles and to participate in all aspects of the work environment.
 - 6.2. complying with all relevant legislation regarding access and equity for staff with disability.
 - 6.3. providing an inclusive and equitable work environment through the development and implementation of an organisation-wide Disability Access and Inclusion Action Plan.

Policy Principles

7. The following principles underpin the Policy, consistent with the University's legislative responsibilities and commitment to equality of access and outcomes for all prospective and existing staff. The University:
 - 7.1. Acknowledges that disadvantage and exclusion faced by staff with disability can arise from environmental, social, and attitudinal barriers, and institutional practices rather than disability.
 - 7.2. Recognises the views of Aboriginal and Torres Strait Islander People who may have their own definition and understanding of 'disability'. For the purpose of this Policy, the University uses the federal disability legislation (Disability Discrimination Act 1992) definition which covers a wide range of circumstances that can affect daily life.
 - 7.3. Recognises that disability is one part of a person's identity and may intersect with other attributes to magnify the barriers the person might experience.
 - 7.4. Will act wherever possible to remove barriers so that staff with disability can fully and actively participate in all aspects of the work environment.

- 7.5. Supports equal opportunity and the right of staff with disability to work, participate, and apply for employment with the University in an environment free from discrimination.
- 7.6. Does not tolerate harassment, discrimination or bullying of staff on the basis of disability. This includes the victimisation of staff who make, or propose to make, a complaint about disability discrimination or harassment.
- 7.7. Recognises that staff with disability are best placed to understand their own needs and commits to developing supports and removing barriers in partnership with staff with disability.
- 7.8. Provides the opportunity, and support for, staff with disability to participate in decision-making and consultation, especially in matters specific to the needs of staff with disability.
- 7.9. Is committed to a program of continuous improvement to ensure our physical, digital, and social infrastructure is accessible to staff with disability.
- 7.10. Will ensure that all University procedures and processes enable staff with disability to effectively contribute in the workplace.
- 7.11. Is committed to upholding the [United Nations Convention on the Rights of Persons with Disabilities \(UNCRPD\)](#) and to meeting its obligations under the [Disability Discrimination Act 1992 \(Cth\)](#) and the [Disability Standards for Education 2005](#).

Sharing Disability Status

8. Staff are encouraged to share their disability status with the University to support an open, trusting, and supportive work environment for people with disability.
9. Staff with disability are only obliged to share their disability status if it affects their ability to undertake a particular position or work activity, or to work safely, and to ensure the safety of others.
10. The University may seek information about a staff member's disability to ensure adjustments enable the safe completion of the inherent requirements of a position.
11. Information regarding a staff member's health is personal and private. Disability status and access to related information is managed under the University's [Privacy Policy](#). Disability status and information concerning this status is confidential and private.

Definitions

12. **Disability**, is defined in the [Disability Discrimination Act 1992 \(Cth\)](#) in relation to a person as:
 - 12.1. total or partial loss of the person's bodily or mental functions; or
 - 12.2. total or partial loss of a part of the body; or
 - 12.3. the presence in the body of organisms causing disease or illness; or
 - 12.4. the presence in the body of organisms capable of causing disease or illness; or
 - 12.5. the malfunction, malformation, or disfigurement of a part of the person's body; or
 - 12.6. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
 - 12.7. 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:
 - 12.8. presently exists; or
 - 12.9. previously existed but no longer exists; or
 - 12.10. may exist in the future (including because of a genetic predisposition to that disability); or
 - 12.11. is imputed to a person.

13. The **Disability Access and Inclusion Action Plan** will provide the commitments which comprise the University's approach to meeting its obligations and responsibilities under Part 3 of the [Disability Discrimination Act \(Cth\) 1992](#).
 14. **Discrimination** occurs when a person, or a group of people, is treated less favourably than another person or group because of their disability or certain personal characteristics. This is known as 'direct discrimination'. It is also discrimination when an unreasonable requirement or condition applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share. This is known as 'indirect discrimination'.
 15. **Inherent requirements** are defined by the [Australian Human Rights Commission \(AHRC\)](#) as the tasks or activities that need to be completed to perform a job productively and to the required quality.
 16. **Workplace Adjustments** or 'Reasonable adjustments' are adjustments to the workplace or work activities intended to remove barriers a person living with disability may encounter in fulfilling the inherent requirements of a position. Workplace adjustments must not cause unjustifiable hardship to any party impacted by such adjustments.
 17. **Staff Member** is a prospective or existing University of South Australia staff member employed by the University under its Enterprise Agreement or Collective Agreement (as amended or replaced), adjuncts, visiting academics and guest lecturers, and volunteers, whether paid or unpaid.
 18. **Unjustifiable hardship** is defined by the [Disability Discrimination Act \(Cth\) 1992](#) as being determined by taking all relevant circumstances into account, including but not limited to:
 - 18.1. Financial or operational impact of implementing an adjustment.
 - 18.2. The availability of financial and other assistance to implement an adjustment.
 - 18.3. The nature of the benefit and detriment likely to accrue or be suffered by any person involved.
 - 18.4. What is fair and reasonable in the circumstances.
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Related Documentation

- > [Workplace Adjustment Request](#)
- > [United Nations Convention on the Rights of Persons with Disabilities](#)
- > [Disability Discrimination Act 1992 \(Cth\)](#)
- > [Disability Standards for Education 2005](#)
- > [South Australian Equal Opportunity Act 1984 \(SA\)](#)
- > [University of South Australia Act 1990](#)
- > [University of South Australia Health Safety and Injury Management Policy](#)
- > [University of South Australia Privacy Policy](#)
- > [University of South Australia Students with Disabilities Policy](#)
- > [Workplace Adjustments Procedure](#)
- > [Equal Opportunity Policy](#)

Responsible Officer: Executive Director: PTC

Approving Authority: Council

Commencement Date: TBD

Review Date: TBD

History: This is a new policy