

# Practice Illustration

## Reasonable Adjustments – Workplace Supports

### Practice scenario

A trade student has a physical disability and uses a wheelchair for their mobility. They have enrolled in the Light Vehicle Mechanical Technology course. The student is under a contract of training and has an apprenticeship with an employer. The student arrives for orientation.

When chatting, the student explains that they have a supportive employer and shares that their family has always been into motor mechanics and car racing. They say they have many ways to manage in a mechanical workshop. The student says he does not see any barriers but will need some reasonable adjustments. These will help ensure he can access equipment and tools and have enough space to move around in the workshop.

Registered training organisation (RTO) staff members express concerns. They worry about work health and safety (WHS) and the student's suitability.

### Better practice response

An RTO staff member meets with the student to discuss requirements. The student indicates that they have been receiving support through the Disabled Australian Apprentice Wage Support (DAAWS) program. The employer receives a wage subsidy. The student will receive some extra support with their study. The student has also received support through the Employment Assistance Fund (EAF). They have provided some adjustments for the student in the workplace.

The RTO staff member arranges to meet with the student and employer. They view the workshop adjustments and adaptations made for the student. Discussions occur between the student, employer, DAAWS representative and EAF consultant. This provides the RTO staff member with a range of suggested modifications and adjustments for their own training workshop. The employer highlights how they assess and address WHS requirements. The student also shows how they manage in the workshop setting.

This consultation with the student, employer and specialised services was valuable.

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The RTO was able to make some modifications to the training workshop and conduct WHS assessments. As a result, a few processes and procedures are altered to ensure the student's safety.

Additionally, the RTO staff member reviews the training and assessment requirements to identify assessments that are best conducted in the workplace or in the training workshop.

The student commences their course.

## Action and Evidence

With the employer and specialised services, the RTO staff member provided the relevant supports. This meant they were responsive and met both the student's and employer's needs. Strong industry relationships can support the RTO to meet their obligations. Reasonable adjustments can be a collaboration between all parties, including the student, industry, specialist services and the RTO. Document this consultation and collaboration in the Student Support/Individual Learning Plan. It can also be evidence of industry engagement. RTOs should have student-related WHS policies, procedures and training, and these should be relevant to the range of training requirements and settings.

**Please note:** Every student's particular circumstance will be unique, and the illustration of practice is indicative and offered as guidance only.

[Australian Skills Quality Authority - Self-assurance \(examples of actions and evidence\)](#)

## Links to the relevant legislation and standards to meet RTO obligations

[Disability Discrimination Act 1992 \(Cth\) \(DDA\)](#) and WHS legislation

Educational providers are required by law to protect all staff, students and visitors from injuries and illness as per work, health and safety laws in each state and territory in Australia. The DDA does not set out explicitly how it relates to health and safety; however, the ability to work safely (i.e. without reasonable risk to others) is identified by the Australian Human Rights Commission as a requirement. The DDA does, however, identify that education and training providers are liable for the actions of employees and agents. Clear policies and effective staff training are key risk-minimisation strategies to reduce discrimination and harassment.

[Disability Standards for Education 2005 \(Cth\) \(DSE\)](#)

**Making reasonable adjustments – Part 3:** The Standards require education providers to make reasonable adjustments where necessary. There is no requirement to make unreasonable adjustments. A reasonable adjustment is a measure or action taken by an education provider in relation to applying for enrolment, participating in the course or

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program, or accessing services and facilities. The education provider must ensure the student with disability can access, use and participate on the same basis as a student without disability.

**Standards for Participation – Part 5:** The education provider must take reasonable steps to ensure that the student is able to participate in the course or program provided by the educational institution, and use the facilities and services provided by it, on the same basis as a student without disability, and without experiencing discrimination.

**Standards for curriculum development, accreditation and delivery – Part 6:** The education provider must take reasonable steps to ensure that the course or program is designed in such a way that the student is, or any student with disability is, able to participate in the learning experiences (including the assessment and certification requirements) of the course or program, and any relevant supplementary course or program, on the same basis as a student without disability, and without experiencing discrimination.

#### [Standards for Registered Training Organisations \(RTOs\) 2015 \(Cth\)](#)

**Standard 1:** The RTO's training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses. The RTO must support students and respond to individual learner needs.

**Standard 5:** Each learner is properly informed and protected. The RTO must ensure learners are adequately informed about the services they are to receive, their rights and obligations, and the RTO's responsibilities under the RTO Standards.

**Please note:** RTOs registered by the *Victorian Registration and Qualifications Authority* or the *Training Accreditation Council Western Australia* may refer to the following websites for requirements specific to you.

[Victorian Registration and Qualifications Authority](#)

[Training Accreditation Council Western Australia](#)

#### **Disclaimer**

The 'supporting students with disability resources' provide guidance on legislation and policy for Registered Training Organisations (RTOs) regarding vocational education and training for students with disability, but they should not be considered legal advice or impose additional legal obligations. RTOs should seek tailored legal advice to understand their specific obligations. More information on this disclaimer can be found at [adcet.edu.au/vet/disclaimer](http://adcet.edu.au/vet/disclaimer) or by contacting the [Department of Employment and Workplace Relations](#).