

# Practice Illustration

## Providing Support Services – Without Evidence of Disability

### Practice scenario

A student has enrolled in an Electro-technology course. On their enrolment form, they tick the box to indicate that they have a disability. A staff member from the registered training organisation (RTO) follows up with the student. They invite them to come in to discuss what supports and adjustments might be possible.

When asked about the decision to tick the box, the student says they have always had a hard time at school; learning has not been easy. They say that an education support officer often helped them, especially with their reading and writing, and they needed lots of help with maths.

The RTO staff member asks them about the types of issues and challenges they experienced. The student says it would often take a long time to get started with writing tasks. Maths was always confusing, and they never understood the formulas. They never did well in these areas. The student says they were great at computing and technology classes. They say they especially liked any classes where they created things and did tech tasks. They say they were great at fixing old radios and record players.

The student says they are not aware of having a specific disability and have not had any kind of assessment. The student says their parents always said they had learning problems, and that is why they ticked the box.

### Better practice response

The RTO staff member explains to the student the types of supports available. They talk about the difference between supports and reasonable adjustments. They outline the process for determining whether someone has needs based on a disability, and they outline how reasonable adjustments work.

This discussion includes:

- information about evidence of disability to develop a specific plan around reasonable adjustment

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- how this evidence shows the impact of someone's disability on their learning
  - the various ways people are assessed to identify their learning needs
  - whether the student has any interest in being assessed
  - the possibility of speaking to the student's parents for clarification
  - checking with the school for any information that can help.

The student indicated that they did not want to undergo assessment. They were also sure there was no relevant information available via the school.

The RTO staff member explained that without specific evidence they could not provide reasonable adjustments. They said they would provide general learner support. This would focus on the student's reading, writing and numeracy skills.

With the student, the RTO staff discusses the:

- training and assessment requirements of the Electro-technology course
- language, literacy, numeracy and digital (LLND) skill requirements,
- time, commitment and demands of the course.

The RTO staff member also asks the student about strategies that worked well for them when they were at school. The student says they would read their work out loud to hear mistakes. They also asked their parents and sister to check their work and give feedback.

The student says their friend helped with maths, but they stopped doing the subject as soon as they could. They say this is still tricky for them, but they use the calculator on their phone and an app to help with measurements.

The RTO staff member encourages the student to keep using these strategies. The RTO staff member explains there is an introductory maths course available to help students with similar needs. The course is an extra afternoon for the first four weeks. It is run at the RTO and is free.

The RTO staff member also offers the student some one-hour appointments for learning support. These will include a tutorial to show the student how to use the free online Microsoft Learning Tools. The other sessions will support them to plan and complete their first two assessment tasks.

## Action and Evidence

All RTOs must provide student supports and services responsive to the needs of learners. They must take reasonable steps to ensure these are accessible on the same basis for students with and without disability. A student may identify learning needs but have no evidence of a disability. The disability may be imputed.

In schools, under the Nationally Consistent Collection of Data on School Students with

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Disability, the term imputed disability is used to determine and provide support for students with disability in schools. An imputed disability is an undiagnosed disability the school team considers a student to have that has a functional impact on their learning. This has implications for RTOs because the school will have evidence as part of their reporting, but it will not necessarily be an independent assessment, or accessible to the RTO.

This means the RTO should, even in the absence of evidence of a disability, consider what the student has told them and develop a learning support strategy as best they can to ensure the learner is well supported. This helps ensure that the RTO does not discriminate against the student due to a lack of evidence. RTOs should document the assessment of the student's needs and their support response.

**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 \(Cth\) \(DDA\)](#)

The DDA makes it unlawful to discriminate against a person on the basis of disability in education, including a disability that a student is believed to have. This is an imputed disability.

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

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

**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 Student Support Services – Part 7:** The education provider must take reasonable steps to ensure that the student is able to use support services used by the students of the institution in general on the same basis as a student without disability, and without experiencing discrimination. This includes having available internal and external services and supports, informing students of what is available, and providing access to specialised services and supports as necessary.

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## [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](#).