

Workplace Adjustment Policy

Approved by: Chief People Officer

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Acknowledgement of Country

In the spirit of reconciliation, TAFE NSW acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of Country throughout Australia and their connections to land, sea, and community. We pay our respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

Table of contents

- Section 1. Purpose and commitment 2
- Section 2. Scope..... 2
- Section 3. Policy statements..... 3
 - 3.1 Workplace adjustment inclusions 3
- Section 4. Implementing Workplace Adjustment 3
 - 4.1 Asking employees about workplace adjustments 3
 - 4.2 Arranging workplace adjustments..... 4
 - 4.3 Funding 5
 - 4.4 Declining a workplace adjustment request 6
 - 4.5 Confidentiality 6
 - 4.6 Escalation process..... 7
- Section 5. Roles and responsibilities 7
 - 5.1 Managing Director, Chiefs, Executive Directors, Senior Leaders 7
 - 5.2 People managers 8
 - 5.3 Employees..... 8
 - 5.4 People Business Partners..... 8
 - 5.5 Infrastructure, accommodation and facilities 9
 - 5.6 Talent Acquisition 9
 - 5.7 Work, Health and Safety and Injury Management Teams 9
 - 5.8 Diversity and Inclusion..... 10
 - 5.9 Systems 10

Section 6. Moving to another role, department or agency.....	10
Section 7. Monitoring and evaluation	10
Section 8. Governance.....	11
Section 9. Definitions.....	12
Section 10. Document history	13

Section 1. Purpose and commitment

TAFE NSW is committed to building a workplace culture where people are encouraged to bring their full selves to work, creating an inclusive, safe and accessible workplace for everyone. Workplace adjustments are a key enabler for participation and performance.

This policy supports and implements processes for making workplace adjustments (also known as reasonable adjustments) to ensure that TAFE NSW complies with the [Disability Discrimination Act 1992](#) (Cth) and the [Anti-Discrimination Act 1977](#) (NSW), and does not discriminate based on a person’s disability in all aspects of their employment at TAFE NSW This policy reflects the directions set out by the NSW Office of the Public Service Commission.

Section 2. Scope

- a. The policy outlines the responsibilities of Senior Leaders and Managers to identify, assess and implement appropriate workplace adjustments.
- b. The policy outlines individual responsibilities for how workplace adjustments may be requested, considered and implemented across TAFE NSW.
- c. This policy focuses on supporting all TAFE NSW employees. Adjustments may be provided to any employee whose physical, psychological or personal circumstances affect their ability to fully engage in the workplace. The circumstances might be temporary or permanent.
- d. This Policy operates alongside the Workplace Adjustment Procedure and related guidance materials (including the [Workplace Adjustment Passport](#), manager and employee guides).
- e. The policy applies throughout the employee lifecycle. Workplace adjustments may be discussed and requested at any stage, including during the recruitment process, and at any time while employed at TAFE NSW.
- f. Employer obligations in relation to employees with a work-related injury or illness are covered under the *Workers Compensation Act 1987* (NSW) (WCA) or *Workplace Injury Management and Workers Compensation Act 1998* (NSW) (WIMA).

Section 3. Policy statements

3.1 Workplace adjustment inclusions

- TAFE NSW encourages and supports requests for workplace adjustments to enable employees to perform the inherent requirements of their role, participate on an equal basis with others, and work safely.
- Adjustments may relate to work practices, technology, equipment, the work environment, or recruitment processes.
- Decisions will be fair, proportionate, evidence-informed, and reviewed periodically to ensure continued suitability.
- Requests will be acknowledged within 2 business days. Decisions and implementation will occur as soon as reasonably practicable with an agreed timeframe appropriate to the nature of the adjustment. Reviews will occur at least annually, and sooner where circumstances change.
- After acknowledging receipt of the request, managers must review it within a reasonable period. Where delays are unavoidable, employees must be informed as soon as possible and advised of the revised timeframe.
- TAFE NSW will only collect, use and disclose personal or health information necessary to assess and implement adjustments, and will manage that information in line with privacy and confidentiality obligations.

Section 4. Implementing Workplace Adjustment

4.1 Asking employees about workplace adjustments

TAFE NSW is committed to creating an environment where managers and employees feel safe to discuss workplace adjustments openly.

Managers must ask all employees if they require any workplace adjustments, regardless of whether they have shared a disability or health condition. Managers should ask this question during the recruitment and onboarding process and then as part of regular ongoing conversations or after any known injury or illness. Managers may also identify workplace adjustments that may assist the employee and should discuss this with them, including when an employee has a known disability or injury.

Each employee is the expert in their own experience and best placed to identify the adjustments they need.

Employees are not required to share details of a disability or health condition unless this information is necessary to determine their ability to meet the inherent requirements of their role and to identify suitable adjustments. Only the information that is relevant, necessary, and reasonably required should be requested from an employee, ensuring their personal privacy is respected.

Any personal information is to be treated confidentially and collected, used and stored only in accordance with [Privacy and Personal Information Protection Act 1998](#)

4.2 Arranging workplace adjustments

4.2.1 Workplace adjustment requests

TAFE NSW employees can request a workplace adjustment at any time during recruitment or employment. In the first instance, employees should approach their manager and request the adjustment. However, requests can be made to any relevant manager, Diversity and Inclusion Officer, Work Health and Safety (WHS) Specialist, Injury Management case Specialist or People Business Partner.

The employee is responsible for requesting an adjustment including identifying where possible the types of adjustments they consider appropriate.

Where necessary, the employee may be required to provide medical information or supporting documentation relevant to the provision of an appropriate adjustment. Any information requested from an employee for this purpose must be relevant, not excessive and should not unreasonably intrude into the personal affairs of the employee. If an employee does provide this information to TAFE NSW, it will only be used for the purpose of handling workplace adjustment requests, and it will be managed in accordance with TAFE NSW's Privacy Policy and Privacy Management Plan.

Where a workplace adjustment is requested due to disability, it must be provided unless it would cause the TAFE NSW unjustifiable hardship (refer [section 4.4](#)).

4.2.2 Personal Emergency Evacuation Plan

A Personal Emergency Evacuation Plan (PEEP) is an individual emergency plan designed specifically for an individual with a disability or condition who requires assistance during an evacuation from the workplace in the event of an emergency.

A PEEP is to be developed in consultation with the employee, their manager and campus safety warden/s. It will be shared with the campus Emergency Management team and other staff members who are responsible for the safe evacuation of staff from the workplace. Refer to [Emergency Management and First Aid](#) for more information and resources in the event of an emergency.

4.2.3 TAFE NSW Workplace Adjustment Passport

The '[Workplace Adjustment Passport](#)' is a living document that records an employee's workplace adjustments. It is completed by the employee, shared with their manager and Diversity and Inclusion, and retained by all parties. The Passport is to be reviewed annually or whenever the employee's needs change.

Diversity and Inclusion will store the Workplace Adjustment Passport and supporting documentation in a confidential document storage system and will alert all parties when an annual review is due.

4.2.4 JobAccess assessment

TAFE NSW supports employees in accessing external funding for workplace adjustments, such as the [JobAccess Employment Assistance Fund \(EAF\)](#). The EAF is an Australian Government initiative that provides support for modifications, equipment, and services for employees with disability.

TAFE NSW will provide information and advice to assist employees and managers in accessing this important program. Employees can submit their own request to [JobAccess](#) to begin the process for assessment or seek support through the Diversity and Inclusion Officer.

Equipment funded through JobAccess is generally intended to move with the employee if they change roles or locations.

4.3 Funding

Workplace adjustments range from no cost solutions to those requiring significant investment.

TAFE NSW is committed to ensuring that agreed reasonable adjustments are appropriately funded. External funding, such as the [JobAccess Employment Assistance Fund \(EAF\)](#), will be utilised where eligible. Where external funding is not available or applicable, TAFE NSW will fund workplace adjustments, guided by principles of fairness, proportionality, and timeliness.

4.3.1 Workplace adjustment funding through workers compensation

Funding for workplace adjustments for employees with a workers compensation claim is managed and arranged by the insurer not by TAFE NSW. Any adjustments must meet prescribed legislative standards and be deemed reasonably necessary for the diagnosis in which liability for the workers compensation claim is accepted.

4.3.1.1 The Injury Management Case Specialist supporting your workers compensation claim can assist with enquiries relating to workplace adjustment in respect of your work-related injury.

4.3.2 Timeframe and review process

All workplace adjustments are different, reflecting the individual needs and circumstances of employees. TAFE NSW is committed to providing agreed workplace adjustments within a reasonable timeframe to meet individual needs, which will be communicated to the employee. Managers must initiate regular discussions with all staff about their needs and what adjustments they require in performing their role.

Once implemented, adjustments will be monitored and reviewed periodically by Managers to ensure they continue to meet the employee's needs and remain effective. Reviews will occur annually between the Manager and employee, or sooner if there are changes in the employee's circumstances, role, or work environment.

Employees should raise any concerns with their manager in the first instance. If this is not possible, they can discuss with the Diversity and Inclusion Officer, People Business Partner or WHS Specialist.

4.4 Declining a workplace adjustment request

TAFE NSW is committed to considering all reasonable workplace adjustment requests. In limited circumstances, it may be necessary to decline a request where:

- a. Providing the adjustment would impose unjustifiable hardship on TAFE NSW; or
- b. The employee cannot perform the inherent requirements of their role, even with adjustments in place.

Any decision to decline a request will be made with care and will be clearly documented, with reasons provided to the employee in plain and respectful language.

Before confirming such decisions, TAFE NSW will ensure that:

- All possible adjustments have been genuinely explored
- The matter has been discussed with the employee, and
- Relevant internal expertise has been consulted (e.g. Diversity and Inclusion, WHS, People, and/or Legal) to ensure the decision is fair, consistent and compliant with legislation.

4.5 Confidentiality

In order to make workplace adjustments, some personal health information may need to be shared. The nature of that information will depend on the circumstances, and the focus should be on the inherent requirements of the role and the employee's ability, offering workplace adjustments when needed.

If information is required, TAFE NSW will notify the employee as to:

- why information about their personal health is being collected
- how the information will be used and stored
- where the information will be stored
- who has access to this information
- how the information can be amended and updated
- who the information will be disclosed to
- how long it will be stored for
- how it will be destroyed.

All responsible parties should ensure they treat information about the disability or health condition of an individual confidentially.

TAFE NSW is responsible for ensuring all records in relation to a workplace adjustment are secured against loss, unauthorised access, modification or misuse and are otherwise held and dealt with in accordance with applicable legislative requirements under the [Privacy and Personal Information Protection Act 1998](#) (NSW) and the [Health Records and Information Privacy Act 2002](#) (NSW).

4.6 Escalation process

If an employee is not satisfied with the workplace adjustment process or decision, they can submit a complaint through the [Employee Complaints Resource Hub](#). From there, the complaint will be triaged to an independent team to investigate and provide expertise advice. With the employees' consent, an investigation will be conducted in a confidential, impartial, timely, fair and accessible manner.

The Employee can also report or make a complaint to an authority or regulator, such as [Anti-Discrimination NSW](#), [SafeWork NSW](#) or the [Australian Human Rights Commission](#).

4.6.1 Informal resolution

If the employee is not satisfied with the workplace adjustment process or decision, they should try to resolve the issue internally first, in accordance with the [Staff Complaints Policy](#).

4.6.2 Formal investigation

If an employee would like to lodge a formal complaint, they should make a report in accordance with the steps outlined in the [Staff Complaints Policy](#) and [Staff Complaints Procedure](#). Employees can also report or make a complaint to an authority or regulator, such as Anti-Discrimination NSW or the Australian Human Rights Commission.

Section 5. Roles and responsibilities

In an inclusive workplace culture, workplace adjustments are everyone's responsibility. This section describes responsibilities by TAFE NSW role type.

It is expected that leaders at all levels within TAFE NSW will uphold this policy in full and proactively encourage others to do so too.

5.1 Managing Director, Chiefs, Executive Directors, Senior Leaders

- Lead by example in promoting a culture that values workplace adjustments and supports equity across TAFE NSW.
- Monitor and reinforce the consistent application of this policy across all groups and throughout the employee lifecycle.
- Must encourage open, regular discussions between managers and employees regarding workplace adjustments.
- Must provide appropriate resources, systems, and training to enable managers to effectively support workplace adjustments.
- Ensure procurement, infrastructure, and organisational practices meet accessibility standards and remove barriers to participation.
- Ensure funding is available to support approved workplace adjustment requests.

5.2 People managers

- Must ensure consistent application of this policy across TAFE NSW and throughout the employee lifecycle.
- Do not require employees to share personal information unless necessary to implement a workplace adjustment. Evidence may be required if requesting Employment Assistance Fund (EAF) funding. See: JobAccess assessment.
- Where information from the employee is necessary to determine the request, ensure that it is relevant, not excessive and not unreasonably intrusive of the employee's affairs.
- Must seek to increase their understanding of available workplace adjustments to help with identifying the most suitable adjustments.
- Must participate in training to increase awareness and knowledge on Workplace Adjustments.
- Must understand legislative and confidentiality requirements, including:
 - a. that failure to provide a workplace adjustment could amount to disability discrimination.
 - b. the responsibility to manage risks and potential risks to health, safety and wellbeing of employees under the [WHS Act](#)
 - c. understand requirements of the [Privacy and Personal Information Protection Act 1998](#) (NSW) and [Health Records and Information Privacy Act 2002](#) (NSW).

5.3 Employees

- Raise workplace adjustment requests with their manager and/or recruitment in the first instance. The request can also be raised with designated contacts at TAFE NSW for additional support such as a relevant manager, Diversity and Inclusion Officer, WHS Specialist, Injury Management Case Specialist or People Business Partner.
- Participate and work with their manager to implement agreed adjustments.
- Where reasonably necessary, provide information that is relevant to assist in the determination of the request.
- Discuss any changes needed to existing workplace adjustments.
- Understand and respect that equity in employment is a right for all employees.

5.4 People Business Partners

- Help facilitate workplace adjustments. This may include liaison with the Diversity and Inclusion and Injury Management teams as necessary.
- Provide guidance to managers on inclusive practices and legal obligations related to adjustments.
- Support employees navigating the adjustment process, ensuring clarity and confidentiality.
- Collaborate with relevant stakeholders to review, recommend and implement appropriate adjustments.

- Must understand legislative and confidentiality requirements, including:
 - d. that failure to provide a workplace adjustment could amount to disability discrimination.
 - e. the responsibility to manage risks and potential risks to health, safety and wellbeing of employees under the [WHS Act](#)
 - f. understand requirements of the [Privacy and Personal Information Protection Act 1998](#) (NSW) and [Health Records and Information Privacy Act 2002](#) (NSW).
- Promote a culture of equity and accessibility.

5.5 Infrastructure, accommodation and facilities

- Provide expertise on accessible design and solutions for physical spaces, equipment and technology to meet individual adjustment needs.
- Evaluate requests for physical workplace adjustments (e.g., workstation modifications, environmental changes, facility access) and coordinate their timely and effective implementation.
- Collaborate with managers and specialist teams (e.g., Diversity and Inclusion, WHS) to assess the feasibility and impact of proposed physical adjustments
- Ensure the ongoing functionality and safety of physical adjustments and accessible infrastructure provided to support employees.

5.6 Talent Acquisition

- Must initiate discussions about workplace adjustments with candidates during recruitment and onboarding to ensure an upfront inclusive process.
- Embed inclusive language in job advertisements and recruitment materials to clearly signal TAFE NSW's commitment to providing adjustments.
- Collaborate with hiring managers to ensure workplace adjustments are considered and effectively implemented throughout the entire recruitment and selection process.
- Refer candidates to the Manager or Diversity and Inclusion Officer when support and advice is needed.
- Must maintain accessible recruitment platforms and processes and document adjustment requests to ensure consistency and effective follow-through.

5.7 Work, Health and Safety and Injury Management Teams

- Assess the safety implications of proposed workplace adjustments to ensure they align with health and safety standards.
- Collaborate with managers and employees to identify adjustments that enable safe work practices.
- Provide guidance and expertise on ergonomic, environmental, and physical modifications.
- Conduct risk assessments and document outcomes.
- Support return-to-work plans and rehabilitation processes where adjustments are required.
- Educate staff on safe work practices and how adjustments can support wellbeing.

5.8 Diversity and Inclusion

- Collaborate with People Group, Facilities and Digital Solutions Group to ensure workplace and system designs accommodate diverse needs.
- Develop and maintain resources, toolkits and communications to support awareness and uptake of adjustments.
- Monitor trends, feedback and data to continuously improve adjustment processes and outcomes.
- Support managers navigating complex adjustment requests with empathy and compliance.
- Provide support for staff in their JobAccess applications for funding.

5.9 Systems

- Collaborate with relevant teams to ensure digital content, platforms, and applications are accessible and compatible with assistive technologies.
- Procure, configure, and support specialised assistive technologies (e.g., screen readers, speech-to-text software, alternative input devices) as required for individual workplace adjustments.
- Ensure the ongoing functionality, security, and compatibility of all ICT-related adjustments and assistive technologies.
- Provide expert advice to managers and specialist teams (e.g, D and I, People Business Partners) on the feasibility, security, and implementation of ICT-related workplace adjustments.

Section 6. Moving to another role, department or agency

Where reasonable and practicable, workplace adjustments will move with an employee who changes role, location or agency, subject to consent and review against the inherent requirements of the new role. Adjustments may be varied following review.

If the adjustment relates to equipment that has been provided through the EAF scheme, ownership of the asset must be confirmed in writing as part of the approval process. This will determine who is responsible for maintenance or repairs and what will happen to equipment if the person with disability changes jobs. In most cases, any modification or equipment that is portable will move with the employee where practicable.

Section 7. Monitoring and evaluation

TAFE NSW is committed to effective monitoring, evaluation and organisational learning processes that will foster an inclusive work environment including but not limited to:

- [Online feedback](#) mechanism (with an anonymous option)
- Regular review of this policy and implementation of the Workplace Adjustment Passport
- Regularly collecting and assessing data for trends, patterns and lessons to drive continuous improvement
- Regularly consulting with employees and unions to share knowledge and understand issues relating to workplace adjustments from an employee perspective
- Actively promoting an inclusive workplace that encourages workplace adjustments.

Section 8. Governance

Governance	Details
Legislation, regulations, and standards	<p>This policy is governed by:</p> <ol style="list-style-type: none"> Anti-Discrimination Act 1977 (NSW) Disability Discrimination Act 1992 (Cth) Disability Inclusion Act 2014 (NSW) Government Sector Employment Act 2013 (NSW) Health Records and Information Privacy Act 2002 (NSW) Privacy and Personal Information Protection Act 1998 (NSW) Sex Discrimination Act 1984 (Cth) Work Health and Safety Act 2011 (NSW) Workers Compensation Act 1987 (NSW) Workplace Injury Management and Workers Compensation Act 1998 (NSW) NSW PSC Workplace Adjustment Direction 2024
Related procedures	<ul style="list-style-type: none"> - Staff Complaints Procedure - TAFE NSW Emergency Management Procedure - WHS Risk Management Procedure - Managing Sick Leave and Care Claims Procedure - Workplace Adjustment Procedure
Related policies	<ul style="list-style-type: none"> - Workplace Health and Safety Policy - Working Flexibly Policy - Staff Complaints Policy - Privacy Policy
Related plans	<ul style="list-style-type: none"> - Diversity, Inclusion and Belonging Plan - Disability Inclusion Action Plan - Privacy Management Plan - Multicultural Plan
Accountable Officer	Chief People Officer
Responsible Officer	Director Safety Wellbeing and Inclusion
Content Manager number	PROJ19/646
Next review date	31 October 2025

Section 9. Definitions

Word	Meaning
Disability	<p>Disability includes both temporary and long-term physical, mental health, intellectual, neurological or sensory differences which, in interaction with various attitudinal and environmental barriers, may hinder full and effective participation in society on an equal basis with others.</p> <p>This definition aligns with the social model of disability where societal barriers are considered obstacles to a person’s equal participation, not their impairment.</p> <p>The term ‘disability’ has a specific meaning when used in the <i>DDA</i> (section 4) and the <i>ADA</i> (sections 4 and 49A). The definitions in each Act are slightly different, but they are both very broad and include disabilities and illnesses, and extend to past, present and potential future disabilities.</p>
Employee	A person employed in ongoing, term, temporary, or casual employment, or on secondment, in an NSW Government Sector Agency
Government Sector Agency	Has the same meaning as the same term in Section 3 of the <i>Government Sector Employment Act 2013</i> (NSW) as amended from time to time
Inherent Requirements	Requirements essential for the performance of the role and which cannot be altered.
Unjustifiable hardship	<p>The law provides an exception to unlawful discrimination where the provision of services or facilities to enable an employee or potential employee with disability to do their job would cause the employer unjustifiable hardship.</p> <p>This involves considering all of the relevant circumstances of a particular case.</p> <p>At a minimum, determination of unjustifiable hardship requires consideration of the nature of the benefit and detriment to those concerned (such as the employee, the employer and the community), the effect of the employee’s disability, the financial circumstances and the estimated amount of expenditure required to make the adjustment, whether any other financial or other assistance is available, and any other relevant circumstances</p>
Workplace Adjustments (also known as reasonable adjustment)	<p>Changes, modifications, or alterations to a work process, procedure, or environment to enable a person to:</p> <ul style="list-style-type: none"> • perform the work they are employed to do • work productively • work in a safe environment • be included in the workplace • increase their engagement and motivation to improve performance and ultimately meet the inherent requirements of their role. <p>Adjustments can include changes to recruiting methods, equipment, work practices and environment, and may change as people’s needs change.</p>

Word	Meaning
	<p>The term 'reasonable adjustments' is synonymous with 'workplace adjustment' for the purposes of this policy.</p> <p>An employer may also have obligations to make workplace adjustments under the ADA.</p>
Workplace	<p>A place where work is carried out and includes any place where an employee goes, or is likely to be, while at work, or working remotely (including working from home), or while at a work-related social event. Where workplaces cover employees from more than one organisational unit, the relevant managers/directors are jointly responsible for implementing adjustments (in consultation with the employee). Workplaces may include buildings, outdoor locations and/or vehicles.</p>
Care claim	<p>TAFE NSW Return to Work process, for employees with a non-work-related injury or illness.</p>
Ergonomic assessment	<p>An assessment of an employee in their workplace and at their workstation, intended to assess for any adjustments that may assist the employee to do their job without discomfort or fatigue.</p>

Section 10. Document history

No.	Effective	Approved by	Amendment
1	31 October 2025	Chief People Officer	Created to meet PSC Commissioner Directive. Supersedes Reasonable Adjustment Procedure (PROJ19/646).