



## **AGPT TRAINING ACCESSIBILITY POLICY 2017**

<b>Date first approved:</b>	16 December 2015
<b>Date of effect:</b>	1 January 2017
<b>Date last amended: (refer Version Control Table)</b>	5 December 2016
<b>Date of Next Review:</b>	1 August 2017
<b>Approved by:</b>	Damian Tuck, Assistant Secretary, Health Training Branch
<b>Custodian title and e-mail address:</b>	Director, GP Selection and Education Section <a href="mailto:AGPTManagement@health.gov.au">AGPTManagement@health.gov.au</a>
<b>Responsible Section:</b>	GP Selection and Education Section, Health Training Branch
<b>Supporting documents, procedures and forms:</b>	N/A
<b>Audience:</b>	Registrars enrolled on the AGPT Program Regional Training Organisations Stakeholders

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## 1 Purpose of Policy

- 1.1 The purpose of this policy is to assist Regional Training Organisations (RTOs) to effectively manage training for registrars on the Australian General Practice Training (AGPT) Program who have a Disability.

## 2 Definitions

Word/Term	Definition (with examples if required)
ACRRM	Australian College of Rural and Remote Medicine
AHPRA	Australian Health Practitioner Regulation Agency
Adjustment	<p>(a) A measure or action (or a group of measures or actions) taken by an education provider that has the effect of assisting a registrar with a Disability:</p> <ul style="list-style-type: none"> <li>(i) in relation to an admission or enrolment — to apply for the admission or enrolment; and</li> <li>(ii) in relation to a course or program — to participate in the course or program; and</li> <li>(iii) in relation to facilities or services — to use the facilities or services;</li> </ul> <p>on the same basis as a registrar without a Disability, and includes an aid, a facility, or a service that the registrar requires because of his or her Disability;</p> <p>(b) The provision of access to specialist support services and the facilitation by the provider of the provision of specialist support services as set out in section 7.2 of the <i>Disability Standards for Education 2005</i>;</p> <p>(c) If a change is made to an adjustment mentioned in paragraph (a) or (b) — the adjustment as affected by the change.</p> <p><i>Adapted from the Disability Standards for Education 2005</i></p>
Disability	<p>In relation to a person, means:</p> <ul style="list-style-type: none"> <li>(a) total or partial loss of the person's bodily or mental functions; or</li> <li>(b) total or partial loss of a part of the body; or</li> <li>(c) the presence in the body of organisms causing disease or illness; or</li> <li>(d) the presence in the body of organisms capable of causing disease or illness; or</li> <li>(e) the malfunction, malformation or disfigurement of a part of the person's body; or</li> <li>(f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or</li> <li>(g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;</li> </ul> <p>and includes a Disability that:</p> <ul style="list-style-type: none"> <li>(h) presently exists; or</li> <li>(i) previously existed but no longer exists; or</li> <li>(j) may exist in the future (including because of a genetic predisposition to that Disability); or</li> <li>(k) is imputed to a person.</li> </ul> <p>To avoid doubt, a Disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the Disability.</p> <p><i>Extracted from the Disability Discrimination Act 1992</i></p>

Word/Term	Definition (with examples if required)
Education and Training Requirements	The requirements placed on a registrar working towards fellowship of the RACGP, ACRRM or both. These requirements are specified by Colleges, the RTO and the Department of Health.
Functional assessment	An assessment to determine a registrar's capacity to meet the education and training requirements of the AGPT Program.
Impairment	<p>In relation to a person, means the person has a physical or mental Impairment, Disability, condition or disorder (including substance abuse or dependence) that detrimentally affects or is likely to detrimentally affect:</p> <ul style="list-style-type: none"> <li>(a) for a registered health practitioner or an applicant for registration in a health profession, the person's capacity to practise the profession; or</li> <li>(b) for a registrar, the registrar's capacity to undertake clinical training <ul style="list-style-type: none"> <li>(i) as part of the approved program of study in which the registrar is enrolled; or</li> <li>(ii) arranged by an education provider.</li> </ul> </li> </ul> <p><i>Extracted from the Health Practitioner Regulation National Law</i></p>
RACGP	Royal Australian College of General Practitioners
Reasonable Adjustment	<p>An adjustment that is reasonable in relation to a registrar with a Disability if it balances the interests of all parties affected having regard to all the relevant circumstances and interests, including:</p> <ul style="list-style-type: none"> <li>(a) the registrar's Disability;</li> <li>(b) the views of the registrar or the registrar's associate;</li> <li>(c) the effect of the adjustment on the registrar's: <ul style="list-style-type: none"> <li>(i) ability to achieve learning outcomes; and</li> <li>(ii) ability to participate in courses or programs; and</li> <li>(iii) independence;</li> </ul> </li> <li>(d) the effect of the proposed adjustment on anyone else affected, including the education provider, staff and other registrars; and</li> <li>(e) the costs and benefits of making the Adjustments.</li> </ul> <p><i>Adapted from sections 3.3 and 3.4 of the Disability Standards for Education 2005</i></p>
Unjustifiable Hardship	<p>In determining whether a hardship that would be imposed on a person would be an unjustifiable hardship, all relevant circumstances of the particular case must be taken into account, including the following:</p> <ul style="list-style-type: none"> <li>(a) the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned;</li> <li>(b) the effect of the Disability on any person concerned;</li> <li>(c) the financial circumstances and the estimated amount of expenditure required to be made by the person;</li> <li>(d) the availability of financial and other assistance to the person;</li> <li>(e) any relevant action plans given to the Commission under section 64 of the <i>Disability Discrimination Act 1992</i>.</li> </ul> <p><i>Adapted from section 11 of the Disability Discrimination Act 1992</i></p>

### 3 Application and Scope

- 3.1 This policy applies to all RTOs and all registrars who are enrolled on the AGPT Program.
- 3.2 This policy will come into effect as of 1 January 2017 and supersedes the previous *AGPT Training Accessibility Policy 2016*.

## 4 Policy Principles

- 4.1 The intent of this policy is to assist RTOs in complying with their obligations under the *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*.
- 4.2 RTOs will ensure that registrars with a Disability are able to participate in the AGPT Program on the same basis as registrars without a Disability by providing opportunities and choices in the AGPT Program that are comparable with those offered to other registrars without disabilities, wherever possible.

## 5 Disclosure of Disability

- 5.1 Registrars are encouraged to disclose any pre-existing disabilities or disabilities acquired during the course of their enrolment in the AGPT Program.
- 5.2 Disclosure enables RTOs to assess whether Reasonable Adjustments can be made to enable eligible registrars to participate in the AGPT Program.
- 5.3 If the registrar or any other person has notified AHPRA that the registrar has an Impairment, the RTO will consider any action taken by the Medical Board of Australia in relation to the registrar's Impairment (e.g. the imposition of conditions on their registration) in determining whether Reasonable Adjustments can be made, and the nature of the Reasonable Adjustments required, to enable the registrar to continue on the AGPT Program.
- 5.4 Registrars are advised that RTOs may disclose information about a registrar's Disability:
  - 5.4.1 To AHPRA, where it is required or permitted by law;
  - 5.4.2 To the Department of Health, for the purpose of assisting the Department of Health to place the applicant with an RTO or an alternative RTO that is able to accommodate the registrar;
  - 5.4.3 To a practice for the purpose of placing a registrar;
  - 5.4.4 To the relevant College(s) for the purpose of assessing whether Reasonable Adjustments can be made to enable participation in the Education and Training Requirements of the AGPT Program including fellowship exams and/or assessments; and
  - 5.4.5 To a functional assessor for the purpose of a Functional Assessment.

## 6 Functional Assessment Process

- 6.1 If a registrar discloses a Disability to an RTO, the RTO will discuss the Disability with the registrar and seek the registrar's views about how they are affected by their Disability.
- 6.2 Following this discussion, an RTO may decide that a Functional Assessment is required. The purpose of the Functional Assessment is to determine:
  - 6.2.1 Whether the registrar's Disability is likely to affect their ability to participate in the AGPT Program;
  - 6.2.2 Whether Reasonable Adjustments can be made to enable the registrar to continue to participate in the AGPT Program; and
  - 6.2.3 Whether the registrar is able to satisfy the requirements to continue to participate in the AGPT Program.
- 6.3 In deciding whether a Functional Assessment is required, an RTO may consider any relevant previous assessments of a similar nature relating to the registrar's Disability that are provided to the RTO by the registrar.
- 6.4 If an RTO determines that a Functional Assessment is required, the RTO will:
  - 6.4.1 Notify the registrar of its decision;
  - 6.4.2 Appoint a suitably qualified health professional (the assessor) to undertake the assessment; and
  - 6.4.3 Arrange a mutually convenient time for the registrar to be assessed.

- 6.5 RTOs are responsible for meeting the costs associated with Functional Assessments.
- 6.6 Following the Functional Assessment, the assessor must prepare a report about the assessment that makes recommendations regarding the registrar's capacity to continue training on the AGPT Program and what, if any, supports or Reasonable Adjustments may be required. A copy of the report must be provided to the RTO and the registrar.
- 6.7 After reviewing the report, the RTO will determine if:
  - 6.7.1 The registrar can commence or continue training on the AGPT Program and what, if any, appropriate support and Reasonable Adjustments will be required;
  - 6.7.2 The registrar has an Impairment that may or must be reported to AHPRA;
  - 6.7.3 The registrar needs to be transferred to a different RTO and/or pathway to enable them to continue training on the AGPT Program; or
  - 6.7.4 The registrar needs to be withdrawn from the AGPT Program as per the *AGPT Withdrawal Policy 2017*.
- 6.8 The RTO will need to notify the Department of Health and the relevant College(s) of the outcome of any Functional Assessments within ten business days of the registrar being notified.

## **7 Reasonable Adjustments**

- 7.1 In making decisions about Reasonable Adjustments, RTOs must consider all the relevant circumstances and interests, including the following:
  - 7.1.1 The registrar's Disability;
  - 7.1.2 The views of the registrar;
  - 7.1.3 The effect of the adjustment on the registrar, including the effect on the registrar's:
    - 7.1.3.1 Ability to achieve learning outcomes;
    - 7.1.3.2 Ability to participate in the AGPT Program;
    - 7.1.3.3 Independence;
    - 7.1.3.4 The effect of the proposed adjustment on anyone else affected, including the RTO, patients, accredited training facilities and other registrars; and
    - 7.1.3.5 The costs and benefits of making the adjustments.
- 7.2 Reasonable Adjustments that may be considered by an RTO include, but are not limited to, the following:
  - 7.2.1 Provision of appropriate equipment or assistance to ensure there is no barrier to participation;
  - 7.2.2 Modifications to equipment or the supply of specialised equipment, furniture or work related aids;
  - 7.2.3 Facilitate flexible work arrangements; and
  - 7.2.4 Transfer to another RTO.
- 7.3 An RTO must notify the Department of Health if it is unable to accommodate a registrar with Reasonable Adjustments due to Unjustifiable Hardship. The Department of Health will assist the RTO and the registrar to seek a placement at a different RTO that can support the registrar. This will be done by exercising reasonable endeavours to find an alternative placement by approaching three alternative RTOs that have been identified as potentially suitable for the registrar and discussing the registrar's requirements with them.
- 7.4 If the Department of Health is unable to find a new RTO for the registrar after approaching three alternative RTOs, the registrar may be withdrawn from the AGPT Program under Category 3 of the *AGPT Withdrawal Policy 2017*.

## 8 Roles and Responsibilities

- 8.1 Registrars are responsible for:
  - 8.1.1 Complying with reasonable requests from their RTO for further information;
  - 8.1.2 Complying with the requirements of the Functional Assessment and cooperating with the professional tasked with the assessment;
  - 8.1.3 Monitoring their own health and wellbeing and seeking medical assistance if a deterioration to their health or wellbeing is suspected beyond acute, minor illness; and
  - 8.1.4 Advising their RTO if patient safety could be significantly affected by their Disability or Impairment.
- 8.2 RTOs are responsible for:
  - 8.2.1 Complying with the Health Practitioner Regulation National Law relevant to the State or Territory in which they are located;
  - 8.2.2 Complying with the *Disability Standards for Education 2005* and the *Disability Discrimination Act 1992*; and any relevant Disability legislation in the States/Territories in which they operate;
  - 8.2.3 Ensuring that, where necessary, Reasonable Adjustments are made to support registrars who have a Disability or Impairment to participate fully in the AGPT Program;
  - 8.2.4 Discussing the Disability or Impairment with the registrar and informing them of any Functional Assessment;
  - 8.2.5 Organising a Functional Assessment for registrars where required;
  - 8.2.6 Informing registrars, the Department of Health and the relevant College(s) of the outcome of any Functional Assessments; and
  - 8.2.7 Complying with requests for further information from the Department of Health.
- 8.3 The Department of Health is responsible for:
  - 8.3.1 Assisting RTOs in transferring registrars to another RTO if required as a Reasonable Adjustment; and
  - 8.3.2 Complying with the *Disability Discrimination Act 1992*.

## 9 Compliance and Monitoring

- 9.1 The Department of Health will monitor:
  - 9.1.1 The number of registrars transferred between RTOs and/or pathways following a Functional Assessment; and
  - 9.1.2 The number of registrars withdrawn from the AGPT Program following a Functional Assessment.
- 9.2 The Department of Health will send a written request for response to RTOs in the event that data discrepancies are found during monitoring activities. The RTO will be expected to reply to the Department of Health's request within twenty business days with reasons for the discrepancies and the actions that will be taken to prevent them from recurring.

## 10 Related Documents

- 10.1 Disability Discrimination Act 1992
- 10.2 Disability Standards for Education 2005
- 10.3 AHPRA – A Guide for Practitioners, Notifications in the National Scheme
- 10.4 *AGPT Program Policies 2017 Overarching Document*
- 10.5 *AGPT Complaints Policy 2017*
- 10.6 *AGPT Program Leave Policy 2017*
- 10.7 *AGPT Withdrawal Policy 2017*
- 10.9 AGPT Guidelines for the Assessment of Applicants with Conditions and/or Undertakings Attached to their General Registration
- 10.10 ACRRM Special Considerations Policy

## 11 Version Control and Change History

Version Control:	2
Date Effective:	1 January 2017
Contact Person:	Director, GP Selection and Education Section
Amendment:	Second Version