

## UMSU Feedback

Overall Umsu endorses the principles set out in the proposed policy.

### Policy enforcement

UMSU notes the proposed policy does not contain any procedural elements. This may be planned for future development, and we note in the explanatory Note that the "Policy will ultimately supplement other actions identified for further consideration some of which will be subsumed in the University's broader Diversity and Inclusion Action Plan". That notwithstanding, in the interim it is unclear how the policy will require conformity with its principles or enforce against breaches of its provisions.

Ordinarily a policy such as the one proposed is minimally intended to set out both rights and responsibilities and raise certain legitimate expectations. Indeed, the proposed policy creates a number of obligations for the University in respect of the University Community, and consequently constructs a number of student rights in respect of those obligations. In this context the proposed policy may benefit from clarity regarding the methods by which complaints grounded on the rights and expectations of the policy and alleged breaches of the policy might be escalated and determined.

### Overlapping subject matter, consistency of approach and conflicts

UMSU foresees potential problems arising due to existing policies which may be in conflict, or incompatible with the proposed policy. The proposed policy shares overlapping subject matter with several current and proposed policies, including the *Assessment and Results Policy* (MPF1326), the *Student Fitness to Practice Policy* (MPF1345) and the proposed *Student Fitness to Study Policy*.

For example, the *Assessment and Results Policy* at sections 4.123-4.150 provides for a range of adjustments such as those envisaged by the proposed policy. However, it is arguable that some of the relevant provisions in the current *Assessment and Results Policy*, and the manner in which they are implemented do not conform with the requirements of the proposed policy. The practice of reasonable adjustments being determined by academic staff as "academic judgements", the failure of Academic Divisions to implement approved Alternative Examination Arrangements, and unnecessarily reactive and restrictive adjustments available under the special consideration provisions are all possible areas of conflict. Similarly, the proposed *Student Fitness to Study Policy* does not conform the principle of reversing the onus of accessibility and is likely to conflict with ss. 5.12 & 5.13 of the proposed policy.

### Summary of concerns

UMSU notes that while it is not substantive feedback on the proposed *Disability, Access and Inclusion Policy per se*, it is nevertheless relevant for Umsu to identify issues that would arise from the approval of this policy as part of the consultation process.

In particular, we have the following concerns:

- The approval of this policy would create a situation where students are subject to University decision-making which could be simultaneously in breach of the proposed policy yet still consistent with other pre-existing policies.

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- There appears to be a manifest lack of coordination in policy development currently, as this proposed policy and the proposed *Student Fitness to Study Policy* appear inconsistent but subject to concurrent consultation processes.
- The status of previously proposed changes to the *Assessment and Results Policy* is unknown and it is unclear whether the previously proposed amendments will be reviewed to ensure compliance with the proposed *Disability, Accessibility and Inclusion Policy* and the University's broader Diversity and Inclusion Action Plan.

UMSU notes that both the proposed *Student Fitness to Study Policy* and the current and proposed versions of the *Assessment and Results Policy* deal with operational matters and contain significant procedural components. As such it is UMSU's view that these policies are intended to detail how the proposed *Disability, Accessibility and Inclusion Policy* is implemented in relation to specific areas of the University's operations. Accordingly, the terms and operation of policies of this type must be compliant with the terms of the *Disability, Accessibility and Inclusion Policy* and the University's broader Diversity and Inclusion Action Plan.

As part of the approval process for the proposed policy there needs to be a clear timeline to ensure that all related and subordinate policies comply with the provisions of the *Disability, Accessibility and Inclusion Policy*.