Disability & Equality Policy

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Contents

1. Purpose 3
2. Aims 3
3. Responsibilities 3
4. The legal framework 3
5. Definition of disability 4
6. Staff recruitment and development 4
7. Equal Opportunities 4
8. Students with disabilities 5
9. Reasonable adjustments 5
10. Access to work 6
11. Harassment and other forms of unlawful discrimination 6
12. Monitoring 6
13. Confidentiality 6
14. Impact assessment 7
15. Contacts and further information 7

1. Purpose

This disability policy reinforces the Hamwic Education Trust (HET)'s commitment to ensuring equality of opportunity for the diverse student and staff body and to review its policies and practices in light of developments in the education sector, the legislative framework.

This document outlines the HET duties and the options available to staff and students with disabilities in seeking support or adjustments to their working and studying environment.

That HET is committed to working towards an understanding of the social model of disability; this includes addressing the barriers to inclusion (structural, cultural, organisational and attitudinal) which adversely impact upon disabled people, affecting the ability to meet their needs, rights and requirements.

2. Aims

This disability policy sets out the HET's commitment to disabled students and staff, providing a framework to contribute to the ongoing development of an enabling environment for all members and service users of the schools.

This policy should be read in conjunction with the HET's disability equality mission statement & accessibility plan which outline the key priorities. However, while these focus on the overarching objectives and aims relating to disability, this policy addresses some of the specific operational aspects for staff and students and aims to provide a guide for managers, staff and students.

3. Responsibilities

That HET is responsible for the wellbeing of current disabled staff and students, together with actively encouraging disabled students and staff to join the HET Schools. These responsibilities are delegated to school leaders & heads of departments and appropriate representatives on the staff and student side to ensure support for both disabled students and staff.

4. The legal framework

The disability equality legislation outlines a number of required duties. The Equality Act 2010 incorporated all nine separate pieces of equality legislation including the Disability Discrimination Act 1995. The Equality Act 2010 places a general duty on all education establishments to promote disability equality. Under these duties the HET is required to:

- Eliminate unlawful discrimination;
- eliminate harassment of disabled people;
- promote equality of opportunities between disabled people and other people;
- involve disabled people in the formulation of actions;
- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- take steps to meet disabled people's needs, even if this requires more favourable treatment;

- identify and analyse potential discriminatory policies, practices and procedures in all aspects of the HET's activities.

The HET supports an anticipatory approach which requires pro-active consideration of disabled access to services and facilities to ensure adjustments are made in advance of individual disabled people attempting to use the service or access education.

5. Definition of disability

The Equality Act 2010 uses a wide definition of disability which includes those with physical or mobility impairments, visual impairments, hearing impairments, dyslexia, dyspraxia, dyscalculia, AD(H)D, medical conditions, mental health difficulties, autistic spectrum conditions, chronic fatigue syndrome, M.E. and 'unseen disabilities' (e.g. asthma, epilepsy, heart conditions, diabetes). The formal definition included in the Act is: 'A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities'.

The definition of 'day to day activities' includes mobility, manual dexterity, lifting, hearing, eyesight, speech, memory, and the ability to concentrate, learn or understand. The Act defines 'substantial' as being more than trivial and 'long-term' as being more than twelve months or likely to last twelve months. An impairment which would substantially affect a person, but which is controlled by medical treatment or prosthesis, is still covered by the definition of disability.

The definition includes cancer, HIV/AIDS and multiple sclerosis effectively from the point of diagnosis.

Discrimination and harassment is not limited to those people who are themselves disabled but also applies to those associated with disability i.e. a carer for a disabled child.

6. Staff recruitment and development

The HET is committed to ensuring that throughout our recruitment and selection processes no applicant is disadvantaged or discriminated against because of the protected characteristics of age, disability, gender, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation.

Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, knowledge, experience and skills will be assessed at the level that is relevant to the job.

If an applicant makes the school aware, at any stage of the recruitment process, that they have a disability then reasonable adjustments must be considered to ensure the applicant is not disadvantaged by the process.

7. Equal Opportunities

The governing body is committed to providing equality of opportunity at all stages of the recruitment and selection process and ensuring that candidates are treated fairly and lawfully throughout the process. Shortlisting, interviewing and selection will always be carried out without

regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, political affiliation or trade union membership.

Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of his or her disability.

The HET offers a variety of training opportunities to meet the requirements of all staff. These will be held in accessible venues with consideration of the needs of staff with disabilities including larger print handouts for those with visual impairments, or printed on different coloured paper to assist those with scotopic sensitivity. All staff attending a training programme are asked whether they have any access requirements, reasonable adjustments or requirements that need to be accommodated.

8. Students with disabilities

The Schools welcome applications from disabled people and those with specific learning difficulties. We encourage existing students and applicants to declare a disability or specific learning difficulty either on application or any time thereafter in order that they can be made aware of possible entitlements and the support that is available to assist them to achieve their potential. Information provided to the HET is held in confidence, is shared with colleagues only with students' permission.

Information regarding our disability services is provided on website.

9. Reasonable adjustments

The HET schools are required to make reasonable adjustments when a disabled student or member of staff may be placed at a substantial disadvantage. Examples of reasonable adjustments for students include making appropriate arrangements in such activities as:

- Teaching, including classes, lectures, practical sessions;
- examinations and assessments;
- field trips and outings.

Adjustments may include specific examination arrangements, provision of additional support for learning, adjustments to assessment practices, and specific access issues such as the use of guide dogs.

Similarly there is an obligation to make reasonable adjustments for disabled employees or potential employees to ensure that they are not disadvantaged. Adjustments may include:

- Reallocation of duties;
- altering working hours;
- changing work location;
- modifying equipment e.g. providing an adapted keyboard or telephone;
- consideration of other roles.

Consideration should also be made for those employees associated with persons with a disability.

The HET via managed services head of estates also has the facility to conduct work place assessments to identify if specific equipment or reasonable adjustments are required.

10. Access to work

Access to work is a department of work and pensions scheme which helps employers and people with a disability meet the cost of aids and equipment, adaptations to premises and personal help to enable them to do specific jobs. Under the rules of the scheme, applications are made by the individual employee. Assistance in completing the application is available directly from access to work or employees can liaise with their department or HET head of HR. This assistance is available for existing employees who develop a disability as well as for new employees.

11. Harassment and other forms of unlawful discrimination

The general legal duty also requires the HET to have due regard to the need to eliminate harassment of disabled people that is related to their disabilities or to the disabilities of others associated with them. Harassment may take the form of verbal abuse or other actions which make an individual feel uncomfortable, intimidated or degraded.

The Dignity at Work Policy applies to both staff and students.

12. Monitoring

The HET encourages staff and students to declare any disability either at application, appointment/ starting school or during employment/study in order that the HET can understand what the potential requirements and needs of staff and students with disabilities may be and in order to fulfil the anticipatory duty. Unless the HET is aware of a disability it is difficult to consider what support or adjustments may be required.

The HET recognises the importance of self-declaration but also accepts that some disabled employees are reluctant to state that they are disabled. For this reason, the HET has adopted a choice for newly recruited staff of two levels of disclosure: to HR who will keep a record and use it for monitoring purposes and to your line manager – staff may give HR permission to let their line manager know they have disclosed a disability. This will assist in planning and appropriate resources being available.

13. Confidentiality

All information given to the HET by disabled staff and students will be treated with respect and confidence and in accordance with data protection legislation. A disabled student or member of staff may volunteer a disability and ask that the information is kept confidential. The responsibility of the staff member informed is to ensure that the disabled person is aware that this is likely to have an effect on any reasonable adjustments which may be required and to document this.

14. Impact assessment

That HET recognises its responsibility to ensure that no-one is discriminated against or disadvantaged, through membership of any particular group, or on the grounds of age, disability, gender, race, religion, or sexual orientation.

The disability policy has been assessed as being of high relevance to our duties under the Equality Act 2010 and the HET will review its impact on disability equality and diversity, identify any inequalities by annual monitoring, and will take action where necessary.

15. Contacts and further information

Further information on disability in employment is available from The Head of HR, HET on 023 8078 6833.