

DISABILITY AND DISCRIMINATION POLICY

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DISABILITY AND DISCRIMINATION POLICY

Mission Statement

Intech Centre is committed to providing equal opportunities for all and welcomes:

- applications for employment from those with a disability
- applications for places from pupils with disabilities

Intech Centre recruitment process ensures that applicants for posts are shortlisted on the basis of how their qualifications and experience match the person specification for the job. Intech Centre recognises that some disabled people will need adjustments made in order for them to do the job. We will look at what changes could be made to the workplace or to the way work is done and make any changes that are reasonable.

If an employee develops a disability, Intech Centre will make every effort to retain his/her services by making reasonable adjustments to the workplace, the methods of working or by finding another suitable role for her/him.

When decisions are made about an individual, the only personal characteristics or circumstances taken into account will be those which are necessary for the proper performance of the work involved. As part of the performance management process, disabled employees will be given the opportunity to discuss what can be done to develop and use their abilities.

Disabled learners applying for a place at Intech Centre will undergo the standard admissions procedure.

The staff will regularly review the provision it makes for disabled staff and learners and strive to continuously improve the facilities available. In accordance with the Special Educational Needs & Disability Act 2001 and the Equality Act 2010, Intech Centre recognises its responsibilities to its staff, in respect of provisions covering disability discrimination, and actively encourages all learners with learning difficulties and/or disabilities. The Equality Act 2010 introduced new laws and measures aimed at ending discrimination against disabled people. The Act was amended in 2010, to incorporate much of the Disability Discrimination Act 2005, although the main provisions remain the same.

Chapter 15 – “It is an Act to make provision to require Ministers of the Crown and others when making strategic decisions about the exercise of their functions to have regard to the desirability of reducing socio-economic inequalities.” The Act gives disabled people new rights in the areas of:

- a) employment
- b) access to goods, facilities and services,
- c) the management, buying or renting of land or property

In addition, the Equality Act 2010:

- i. requires schools, colleges and universities to provide information for disabled persons

- ii. allows the Government to set minimum standard so that disabled persons can access public transport
- iii. sets up the Disability Rights Commission to advise the Government on discrimination against disabled

Objectives

In accordance with the mission of the Disability Rights Commission, Intech Centre is committed to achieving full civil rights for disabled people, creating a culture and physical environment in which all disabled people can participate fully as equal citizens.

Definitions and Scope

Scope - The Special Educational Needs and Disability Act 2001 imposes duties in respect of access to education, extending those obligations and rights, already applicable to employment and the provision of goods and services, to the education sector. The Act outlaws disability discrimination in relation to recruitment, terms and conditions of employment, promotion, training, transfers and other benefits, dismissal or other detrimental treatment. Case Law has shown disability to include, asthma, ME, MS, back injury, cerebral palsy and depression although this list is not exhaustive.

Statutory Duties - The Disability Discrimination Act 1995, as amended by The Special Educational Needs and Disability Act 2001 and The Equality Act 2010.

Discrimination - occurs when-for a reason relating to the disability a disabled person is treated less favourably than a person to whom that reason does not apply without reasonable justification. Whether particular steps are reasonable is contingent upon cost, effectiveness, size, resources available to the employer, extent of disruption and availability of financial or other assistance.

Disability - is defined as a physical or mental impairment that has a substantial and long-term effect on an individual's ability to carry out normal day-to-day activities

Physical or mental impairment - is defined as a well-recognised clinical illness but excludes addictions and various personality and social disorders.

Substantial - is defined in terms of the time and way an activity is carried out as well as the cumulative effects of impairment.

Long Term Effect - is defined lasting or being likely to last for twelve months or the rest of the life of the person affected

Normal Day to Day Activities - are defined as mobility, manual dexterity, physical coordination, ability to lift, carry or otherwise move everyday objects, speech, hearing or eyesight, memory or ability to concentrate, learn or understand perception of risks of physical danger.

Employment - is defined as employment under a contract of service.

Responsibilities

Intech Centre will ensure that all its employees and users of its facilities are made aware of the legal obligations and rights bestowed by the Equality Act 2010 legislation. All staff have a duty to observe the provisions of this Act.

From September 2002, it became unlawful to discriminate against disabled people or learners by treating them less favourably than others. In addition, responsible bodies are required to provide certain types of reasonable adjustments (including the provision of auxiliary aids and services) to disabled learners or other disabled people where they might otherwise be substantially disadvantaged, with the exceptions below.

From September 2005, responsible bodies will be required to make adjustments to physical features of premises where these put disabled people or pupils at substantial disadvantage. The duty to make reasonable adjustments includes:

- Adjustments to premises
- Allocating some of the disabled person's non-key duties to another employee
- Transferring them to fill a vacancy
- Altering the place of work or working hours
- Acquiring or modifying equipment
- Providing a reader or interpreter
- Providing supervision
- Allowing absence for rehabilitation, assessment or treatment
- Providing training
- Modifying procedures for testing and assessment
- Modifying instructions/reference manuals

Staff Awareness

All staff will receive information and guidance on provision for disabled learners, as it is recognised that those learners may be found in any area of Intech Centre.

Academic and Curriculum Support

Any learner with a disability, who, after an assessment by members of the Special Educational Needs staff, is thought to need the assistance of a facilitator, is supplied with one.

Examination Arrangements

Learners who require special arrangements or additional support during examinations will be highlighted during testing at Intech Centre and special arrangements for examinations will be applied for where appropriate.

Building Specific Considerations

The educational and social aim is for all users with disabilities to enjoy Intech Centre facilities with the minimum of specialist equipment and separation. To achieve this aim, a number of alternative approaches were researched and assessed by Intech Centre.