

DISABILITY DISCRIMINATION POLICY & PROCEDURE

In accordance with the Disability Discrimination Act 1995 as amended by the Special Educational Needs & Disability Act 2001

Statement

The Company recognises its responsibilities to its employees, in respect of provisions covering disability discrimination, which came into effect on 2 December 1996.

Objectives

In accordance with the mission of the Disability Rights Commission, The Company 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.

Statutory Duties

The Disability Discrimination Act 1995, as amended by The Special Educational Needs and Disability Act 2001.

Scope

The Special Educational Needs and Disability Act 2001 imposes new duties in respect of access to learning, extending those obligations and rights, already applicable to employment and the provision of goods and services.

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
- Club Foot
- MS
- Back injury
- Cerebral Palsy
- Depression
- This list is not exhaustive.

Discrimination occurs when for a reason relating to the disability, the disabled person is treated less favourably than a person to whom that reason does not apply and without justification

Reasonableness

Whether particular steps are reasonable is contingent upon

- Cost
- Effectiveness
- Size and resources available to the employer
- Extent of disruption
- Availability of financial or other assistance

Although certain employees may have special responsibility for disabled employees, this Policy and Procedure applies to all staff.

Specific Definitions

Disability is defined as a physical or mental impairment, which has a substantial and long-term effect on ability to carry out normal day-to-day activities

Physical or mental impairment is defined as clinically well-recognised illness, excluding addictions and various personalities and social disorders but includes disfigurement.

Substantial is defined as

- The time taken to carry out an activity
- The way in which an activity is carried out
- The cumulative effects of an impairment
- Effects of behaviour
- Effects of the environment

Long Term Effect is defined as

- It has lasted for twelve months
- Likely to be twelve months
- Rest of the life of the person affected

Normal Day-to-Day Activities are defined as

- Mobility
- Manual dexterity
- Physical coordination
- Continence
- 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
- Or of apprenticeship
- Or of a contract which leads to any work

**Responsibilities**

The Company will ensure that all its employees and users of its facilities are made aware of the legal obligations and rights bestowed by the Disability Discrimination legislation. All employees have a duty to observe the provisions of the Disability Discrimination Act 1995, as amended by the Special Educational Needs and Disability Act 2001.

Procedure

Procedures in respect of the Special Educational Needs and Disability Act 2001 (Those relating to Employment are separately documented in the established Staff Handbook)

Supervision & Learner Awareness

As required, all supervisors will receive information and guidance on provision for disabled employees, as it is recognised that those employees may be found in the Company or any of its training facilities. During inductions, employees will receive a pack containing all the policies. In addition they will have access to policies at any time during normal working hours.

Training Support

Any employee with a disability, who, after an assessment by managers, is thought to need the assistance of a facilitator or mentor, will be referred to the Training Manager and a facilitator or mentor appointed.

Examination Arrangements

Employees who require special arrangements or additional support during training or examinations should make this request to their Supervisor, Facilitator or Mentor who should then contact the Training Manager, who will make the necessary arrangements.

Facilities

The Company will make reasonable adjustments for disabled access to its premises, WC and computer facility for its disabled employees

Resources

The Company will make reasonable adjustments and provide certain special equipment for disabled employees.

Complaints

Every employee will be entitled to have any complaint that they may have dealt with. The complaint should be made initially to their immediate Supervisor or Manager. If the complaint remains unresolved then they have the right to raise their complaint through the grievance procedure which will be dealt with by a Senior Manager or Director.

Monitoring

Project Managers and Office Managers will be responsible for monitoring DDA activities and procedures

Signed:-

Peter Baverstock Managing Director

Date: May 2023