

Disability Equality Policy

Introduction

1. Southampton Solent University is committed to a policy of equal opportunities for disabled students and staff and aims to create an environment which enables them to participate fully in the mainstream of University life.
2. Southampton Solent University has responsibilities under the Disability Discrimination Act (1995) (DDA (Amended 2005) to ensure that it does not discriminate against either students or staff with disabilities or in relation to the provision of its services. This policy also extends to members of the public using university premises.

Definition of Disability

3. For the purposes of this policy, disability is understood in the broadest sense. In addition to physical and sensory impairments, it includes mental health difficulties, specific learning difficulties and medical conditions which may have an impact on day-to-day activities, and under the terms of the DDA, have a substantial and long term adverse effect.

Statement of Intent

4. The policy aims to ensure that as far as is reasonably practical:
 - applications for admission from potential students or applications for employment are assessed and offers made on the basis of the applicants' aptitudes, abilities and relevant qualifications. Any written information is available in alternative formats on request e.g. large print, disc;
 - disabled students and staff have access to the appropriate support and adaptations to enable them to be fully included in the life of the University;
 - disabled students will not be discriminated against in the provision of services offered to other students that relate to education, training, recreation, leisure, catering or accommodation;
 - the views of the individual student or member of staff are taken into account at all times when their requirements are being assessed;
 - members of staff working with disabled people, either as colleagues or as students, have appropriate information, training and support;
 - the Institute takes steps to enable staff and students who become disabled during their time at the University to continue in their chosen career or course of study;
 - disabled members of the public can fully participate in public events held on University premises;
 - University buildings are accessible and safe for disabled people;
 - no student or member of staff will suffer harassment or any other form of less favourable treatment for a reason related to their disability
 - policies of the University relating to the exclusion of students shall not discriminate against any student with a disability.

Who is responsible under this policy?

5. All University staff are expected to be aware of this policy and treat disabled people, whether students, staff or members of the public in accordance with these provisions. This would include the provision of relevant training programmes. In particular Deans, Directors, and others in management positions will be responsible for ensuring that the policy is communicated effectively and is being implemented in their area.

6. The Board of Governors have ultimate responsibility to ensure compliance with the Disability Discrimination Act (1995) (Amended 2005).

7. In addition, the Disability Co-ordinator is responsible for:

- providing information and advice with regard to support for disabled students, to staff in academic and other departments throughout the University;
- providing a service to individual students. This includes determining support needs, helping students apply for the Disabled Students' Allowance and other sources of additional funding, advocacy and running occasional workshops;
- developing policy and provision for disabled students in conjunction with the Equality Task Group and Equal Opportunities Manager;
- promoting positive attitudes to disabled people through staff training and development.

8. The Equal Opportunities Manager is responsible for:

- liaising with the Occupational Health Adviser to advise managers and staff on matters affecting the employment of disabled people;
- liaising with the Access to Work Advisers at the Jobcentre Plus and other organisations of and for disabled people;
- promoting a positive approach to employing disabled people throughout the University.

Further help, advice and guidance

9. Information concerning financial or practical help and guidance relating to staff can be obtained from either the Occupational Health Adviser or the Equal Opportunities Manager. Similar information relating to students can be obtained from the Disability Co-ordinator.

10. The Disability Discrimination Act (1995) (Amended 2005) states that if a 'disabled person has told someone within the Institution or service about his or her disability, then the responsible body (Southampton Solent University) may not be able to claim that it did not know'.

11. Prospective students will be told of the support that is available if they have a disability and encouraged to disclose any impairment to allow the University to ensure their specific needs are met. If a student or member of staff discloses formally or informally, a disability, which could have an impact on their studies or

work, they should be encouraged to contact either the Disability Co-ordinator or equal Opportunities Manager.

12. The Disability web-pages and Equal Opportunities Web-site contain a range of related information including the Disability Statement, information about the Disability Discrimination Act (1995) (Amended 2005), and information about support services. The addresses are:

- <http://www.solent.ac.uk/working/workequalopps.asp>
- <http://www.solent.ac.uk/welfare/disability>
http://www.drc-gb.org/your_rights/education/students_in_post-16_education.aspx

Discriminatory Treatment

13. The Equal Opportunities Statement states that:

“The University implements policies to promote fair treatment and equality of opportunity for all present and potential students and staff, regardless of race, ethnic or national origin, gender, sexual orientation, age, political or religious beliefs, membership of professional associations or trade unions, disability, marital status, family responsibility and social class.”

14. Any student who is the subject of personal discrimination by a member of staff should access the *Students Complaint Procedure*. Should the student be subject to harassment or bullying by a fellow student(s) they should resort to the *Student Disciplinary Procedure*. In those circumstances where a complaint relates to a concern or expression of dissatisfaction about the courses, facilities, or services provided by Southampton Solent University, a student should follow the *Student Complaints Procedure*.

15. Information and advice on the aforementioned procedures is available from the Student Affairs Manager based in Student Support.

16. Any member of staff who considers that they have been discriminated against on grounds of a disability may raise their concern under the *Staff Grievance Procedure*, which could result in disciplinary action being taken against the person responsible and possible dismissal in accordance with the University's *Disciplinary Procedure*.

Implementation/Action Plan

17. The University expects all its staff to be aware of this policy and its related Code of Practices (DDA parts III and IV) and to treat disabled people, whether students, staff or members of the public fairly, with respect and in accordance with this policy.

18. In order to promote disability equality the University will undertake a programme of ongoing action. Priority will be given to:

- Training for students, staff and governors on their responsibilities under the Disability Discrimination Act (1995) (Amended 2005) and programmes to raise awareness and to empower students, staff and governors to tackle discrimination and harassment.
- Reviewing University policies, procedures and strategies;
- Reviewing the academic process in line with the Disability Discrimination Act (part iv), including student admissions, assessment and academic progress, curriculum design and delivery, research, provision and access to support services;
- Monitoring the recruitment, retention, progression of students and staff with disabilities, and report on inequalities identified;
- Regularly consulting with disabled students, staff and trade union representatives to address inequalities;

Annex A: Disabled Students

Admissions

19. As part of the University's Equal Opportunities Policy, the University is committed to continuing to improve support for disabled students' specific needs. The University also recognises that disabled people have a right to equality of opportunity in education and a positive environment in which to study, earn qualifications and progress. Our aim is to remove barriers to learning and enable students to enjoy the fullest student experience through the use of all the facilities and services available at the University.

20. The University will make available clear information about access to buildings and support facilities to enable disabled students to make an informed choice about whether they wish to study at the University.

21. The University will endeavour to make reasonable adjustments and will only consider refusing a student a place on the grounds of their disability where:

- the content, structure or delivery of the chosen course of study is such that the student would be prevented from fulfilling a major part of the requirements of the course and the University is unable to provide suitable staff or facilities to allow the requirements to be met or
- the chosen course of study leads to a professional qualification and the relevant professional body has regulations which would preclude membership by people with particular disabilities.

Declaration of Disability

22. All students are encouraged to declare any disability when applying to and enrolling at Southampton Solent University. The Disability Co-ordinator will contact any student who makes such a declaration to discuss his/her study support needs.

23. If any information comes to the attention of a member of staff which causes him/her to suspect that one of his/her students has a disability which includes a specific learning need, they should refer him/her to Study Assistance for appropriate support.

24. The University recognises that a student may not wish to declare a disability, however if the University is not made aware of a disability it will be unable to implement appropriate support.

Curriculum and Assessment Procedures

25. The University will take reasonable steps to ensure that courses (including placements and other specialist learning environments) are organised in ways which offer the best possible opportunities for full participation by disabled students.

26. The Disability Co-ordinator will contact relevant members of staff to discuss individual student learning support needs. Disabled students are encouraged to raise with the Disability Co-ordinator, any emerging needs and identify appropriate courses of action to address those needs.

27. Any request for special arrangements in relation to examination and assessment, procedures must be supported by medical or other evidence and it is the student's responsibility to make that available to the University.

Students who become disabled

28. The University will take all appropriate steps to ensure that a student who becomes disabled during their course has every opportunity to complete their course through the use of adaptations to suit their individual needs.

Other Services

29. For further information please refer to the 'Information for Students with Disabilities'. Copies can be obtained from the Disability Co-ordinator or on the University's website at

- <http://www.solent.ac.uk/welfare/disability>

30. More detailed information is also available on the Disability Support web pages

- <http://www.solent.ac.uk/welfare/disability>

31. Information about post-16 sections of the Disability Discrimination Act can be found at:

- http://www.drc-gb.org/your_rights/education/students_in_post-16_education.aspx

Annex B: Staff

What does the law say?

32. The Disability Discrimination Act (1995) (Amended 2005) makes it unlawful for the University, and therefore any of its employees, to discriminate, in the field of employment, against a disabled person for a reason that relates to the person's disability, if that treatment cannot be justified. This applies not only to recruitment but all areas of employment including the terms of employment, opportunities for promotion, transfer or training, dismissals or redundancies. Wherever practicable, the University will:

- seek to employ applicants in jobs suited to their aptitudes, abilities and qualifications, making any reasonable adjustments necessary to do so;
- seek to ensure that individuals are considered for promotion according to their aptitudes, abilities and qualifications, making any reasonable adjustments necessary to do so;
- offer training or benefits on a non-discriminatory basis;
- make use of the services and advice offered by the Jobcentre Plus wherever appropriate so as to make it possible to recruit a disabled person or retain an existing employee who has become disabled;
- to make reasonable changes to the workplace and to employment arrangements so that an individual is not placed at a substantial disadvantage compared to a non-disabled person.

What about Recruitment?

33. Application and selection procedures used in the recruitment and selection of staff are to encourage disabled people. Any written information is available in alternative formats on request e.g. large print, disc. All applicants are asked, when being called for interview, if they require any assistance to enable them to participate fully in the interview, for example an accessible interview venue, a signer or the provision of information in an alternative format.

34. Applicants will be assessed on their abilities, qualifications and experience according to objective and non-discriminatory criteria developed for the post. It may be that a "reasonable adjustment" would be required to allow them to meet the criteria but it should be assumed, in deciding whether they meet the criteria, that the appropriate adjustment had been made.

What are reasonable adjustments?

35. The Disability Discrimination Act (1995) (Amended 2005) states that an employer must make "reasonable adjustments" to allow an individual to be employed. These may include:

- adaptations to premises;
- re-allocating some duties;
- altering hours;
- rehabilitation leave;
- training;

- modifying equipment; instructions or manuals, and assessment or testing procedures;
- providing a reader or interpreter;
- providing supervision.

36. Guidance on appropriate reasonable adjustments can be obtained from the Occupational Health Adviser, Equal Opportunities Manager or directly from the Access to Work Adviser at Job Centre Plus or at <http://www.jobcentreplus.gov.uk>

What support is available?

37. All new members of staff declaring a disability are seen by the Occupational Health Adviser. Individuals may require additional support when settling in to their working environment. Line Managers and colleagues should ensure that particular needs are discussed with them. Advice is available from the Occupational Health Adviser, and the Equal Opportunities Manager. In some instances, additional financial assistance will be available from the Jobcentre Plus through the Access to Work scheme to pay for these adjustments.

38. Where the disability is not obvious, an individual will be asked if they wish their colleagues to be informed of their disability and supervisory staff should respect their wishes in this regard. In certain cases, it may be appropriate for some colleagues to be aware of the condition in order to be able to respond appropriately in cases of emergency.

What would happen if a member of staff becomes disabled?

39. Where practicable, the University will attempt to retain staff who becomes disabled and to ensure suitable employment for them. It should be remembered that the University is required under the law to make any reasonable adjustments to enable an individual to continue in post.

40. In some cases, the disability will be a progressive condition which develops over time and a number of the options will be appropriate at different stages. For example, an individual will probably be able to continue for some time in their existing post, with or without appropriate adjustments, before any of the other options need to be considered.

41. If an individual develops a disability which affects their ability to carry out the duties of their post, their line manager should, in the first instance, contact the Occupational Health Adviser or Human Resources Service who will ensure that there is co-ordination among the various agencies involved.

42. The Occupational Health Adviser may be able to determine the likely prognosis, to monitor progress, to advise on duties which may be suitable and on any special assistance or requirements. The Equal Opportunities Manager will be able to advise on the availability of financial and specialist assistance.

What are the possible options?

Redeployment

43. Where it is not practicable for an individual to continue in their former post, the University will attempt to redeploy them into a suitable alternative post. Their qualifications and skills as well as their own preferences in terms of type of work will be taken into account when trying to identify a suitable vacancy.

44. If a suitable vacancy cannot be found in their current faculty/service, the redeployment procedure will apply.

Premature retirement on grounds of incapacity

45. Where it has been decided that redeployment is impracticable, an individual may be considered for retirement on the grounds of medical incapacity under the normal terms of the appropriate procedure i.e. The Teachers Pensions Agency and the Local Government Pension Scheme, whichever is applicable

Termination of employment

46. If all other options have been explored and found to be impracticable, dismissal on grounds of incapacity should be considered. Under the DDA, dismissal for a reason relating to a disability will amount to discrimination unless it can be clearly justified. If this proves to be necessary, termination will be in accordance with the appropriate procedures.