

STAFF DISABILITY POLICY

1. PURPOSE

Blackburn College is committed to the provision of equality of opportunity for all as outlined in the College Single Equality Scheme and Single Equality Policy. This Staff Disability Policy sets out the College's commitment to both potential and actual employees with a disability or staff who may acquire a disability in the future. The policy provides a framework to ensure we offer a supportive environment for any employee with a disability. The College recognises the need to identify and provide such resources as may be necessary to support the employment of people with disabilities. The College also has 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.

The Equality Act 2010 imposes a general duty, which applies to public authorities exercising public functions, which includes Blackburn College.

Under this duty, the College is required to have due regard to:

- The need to eliminate discrimination against and harassment or victimisation of disabled people.
- The need to advance equality of opportunity between persons who are disabled and those who are not. This involves having due regard to the needs to:
- Remove or minimise disadvantages suffered by disabled people that are connected to disability;
- Take steps to meet the needs of disabled people that are different from the needs of persons are not disabled; and
- Encourage disabled people to participate in public life or in any other activity in which participation by disabled people is disproportionately low.
- The need to foster good relations between persons who are disabled and those who are not. This includes having due regard to the need to:
- Tackle prejudice, and
- Promote understanding

Definition of Disability

The Equality Act 2010 uses a wide definition of disability and defines a person with a disability as somebody with "a physical or mental impairment which has a substantial and long-term adverse effect on his (or her) ability to carry out normal day-to-day activities".

The Equality Act Guidance as to what amount to "day-to-day activities" state as follows,

"In general, day-to-day activities are things people do on a regular or daily basis, and examples include shopping, reading and writing, having a conversation or using the telephone, watching television, getting washed and dressed, preparing and eating food, carrying out household tasks, walking and travelling by various forms of transport, and taking part in social activities."

The Act defines "substantial" as being more than minor or trivial and "long-term" as being

that the effect of the impairment has lasted for at least twelve months or likely to last for at least twelve months or is likely to last for the rest of the life of the person affected. 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.

2. SCOPE

This policy is to ensure the College welcomes, enables and empowers those with disabilities to apply for jobs with the College and to be responsive to the personal requirements of current employees with disabilities in order to support them in their work as fully integrated members of the College's community.

Also, as an employer we will ensure the College's obligations under the Equality Act 2010 are fully met, and that a disabled job applicant or employee does not experience discrimination in either the process of recruitment or whilst employed by the College.

The College has a separate Disclosure of Disability Policy (Student Policy), Special Educational Needs and Disability Policy for Further Education and a Single Equality Statement. These set out the College's commitment to students with disabilities and place a duty on College employees to provide help and support.

In accordance with the Data Protection Act, any information provided to the College regarding a disability will be treated in confidence. Once appointed, individuals will be asked whether they wish their manager to be informed of their disability and their wishes will be respected. However, unless managers are allowed to have the necessary information, it may not be possible to put into place the required adjustments, nor to anticipate and make provision for future need. Completion of the Equal Opportunities Monitoring form at recruitment is done in complete confidence and does not constitute disclosure of a disability to the College.

If an individual acquires a disability and has informed their line manager, the 'Disability Notification Form' must also be completed and forwarded to the Human Resources (HR) department. The line manager in conjunction with the staff member is responsible for requesting any reasonable adjustments with advice and support provided by HR, if required. An individual could utilise Access to Work funding (where it is available) to support adjustments.

In the scope of this policy the College will support staff through the following processes:

2.1 Recruitment

2.1 As a "Disability Confident" employer the College complies with the Employment Service Code of Practice Standards. These five standards relate to the employment, retention, training and career development of disabled employees. These commitments are:

- 1) to interview all applicants who declare a disability and meet the essential criteria for a job vacancy and to consider them on their abilities.
- 2) to discuss with staff who have disclosed and are willing for this information to be shared at any time, but at least once a year, what both parties can do to make sure employees with a disability can develop and use their abilities. This can be done via an individual risk assessment and review.

- 3) to make every effort when employees develop a disability to make sure they stay in employment and appropriate adjustments made. This may involve referral to Access to Work to support the assessment and funding of these adjustments. Where Access to Work are able to support individuals with adjustments, they are also able to give the member of staff and the College a detailed assessment of their workplace needs.
- 4) to take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work.
- 5) to review the commitments specified in 1-4 above each year and assess what has been achieved and planning ways to improve on them.

2.1.1 The College undertakes to review and develop its recruitment procedures to encourage applications from people with disabilities and to ensure that any such applicants are not discriminated against. Therefore, the recruiting manager will examine and review job descriptions and person specifications prior to advertising in order to ensure that unnecessary requirements are not included that may exclude a person with a disability who could do the job and that the recruitment criteria for each job is ability based;

2.1.2 When a shortlisted applicant advises the College of a disability, arrangements will be made at the interview stage to meet any additional needs of the applicant wherever possible and reasonably practicable.

2.1.3 The College's recruitment panels will make selection decisions on the basis of the qualifications, experience and skills of applicants in relation to the post, regardless of any disability.

2.1.4 Following the acceptance of the role by the applicant and as part of the pre-employment checks, advice will be sought from Occupational Health on fitness to undertake the role and to ascertain whether any adjustment(s) to work premises, practices or equipment may be needed. This information will be shared with the recruiting manager will discuss any support needed to undertake a role and ability to do the job with the employee.

2.1.5 The College will make such reasonable adjustments, as are required, to enable a successful applicant with a disability to take up a position.

2.2 Training and Career Development

2.2.1 Both internal and external development opportunities will be provided where they are appropriate to the current occupation or a potential opportunity and to the needs of the business. Training and development opportunities will be available to staff regardless of any disability.

2.2.2 Where staff undertaking training or development identify additional needs in relation to access, equipment or facilities, adjustments will be made wherever possible in order to enable full participation in any such programme.

2.2.3 The provision of internal courses will be reviewed as necessary in order to ensure that persons with disabilities may attend. The Organisational Development (OD) team must be notified in advance if any of the delegates attending either an external or internal training or development event has any special requirements, in order that suitable arrangements can

be made either with regard to the venue of the event or to the format in which any supporting course materials are provided.

2.3 Disability Awareness

2.3.1 The College publishes an annual report addressing progress with Equality and Diversity Impact Measures (EDIM's) set for the College which include Disability Equality targets for workforce representation and/or learner impact. The College has also published a Single Equality Scheme and we regularly monitor progress against objectives set in the Single Equality Action Plan. The progress is reported termly through the governance structure.

2.3.2 The College will take steps to raise the awareness of disability and promote disability equality amongst its staff, specifically:

- 1) to ensure that those involved in recruitment and selection processes are aware of the policy and procedures;
- 2) to ensure that the managers and colleagues of any employee with a disability understand any specific requirements or adjustments that may be necessary and respond to them in a positive way (subject to the agreement of the disabled employee in relation to the release of any information);
- 3) to ensure that any employee with a disability is able to seek assistance, if necessary, to support or enable them to continue in employment and reach their full potential. Access to work are one of the support agencies the College work's with to provide support towards some of the costs of changes if this is more than just basic office equipment.
- 4) to provide mandatory equality and diversity training with a 2 year refresher held for all staff;

2.3.3 The College support team regularly deliver awareness raising sessions for staff on topics such as Dyslexia, Attention Deficit Hyperactivity Disorder, Aspergers syndrome and other learning difficulties and disabilities. The knowledge gained from these briefings is equally relevant to all staff including those who do not directly work with students.

2.3.4 The Organisational Development team maintains records of any equality training that has taken place for staff.

2.4 Induction Review Policy

During the first 9 months in a new role, the employee's abilities are discussed jointly between themselves and their manager identifying strengths and areas for further development. The Induction Review period is a time to ensure regular monitoring of performance, review any reasonable adjustments in place and to identify if there are any additional support needs required in particular relating to any disability.

2.5 Appraisals

During the annual Performance Review Meetings Managers have an opportunity to gain the views of all staff, including staff with a disability, on career development issues such as access to training/development events and/or opportunities, and enquire whether there is anything that the

College may reasonably do to help the person develop and use their abilities at work. This is an opportunity to undertake a review of their risk assessment and reasonable adjustments in place.

3 SUPPORT IN THE EVENT OF AN EMPLOYEE ACQUIRING A DISABILITY

Where a person becomes disabled during their employment, the College would encourage the staff member to seek advice and support from the College.

The College recognises that the diagnosis or deterioration of a disability can be distressing and a time of concern and uncertainty. Any of the following may be contacted for support:

- Line manager
- Human Resources (HR)
- Trade union representative
- Additional Learning Support team
- Additional Learning Support Manager
- Pennine Lancashire Access Centre
- The Employee Assistant Programme provider

The support systems which the College has in place or which the College can access may enable staff to continue to do their job. If a disability makes the continuation of the same job impossible, the College will work with staff to try to identify a suitable alternative job.

All reasonable efforts will be made to enable a person with a disability to be retained in the employment of the College.

4 THE ENVIRONMENT OF WORKING AND LEARNING

The College will endeavor to ensure that the environment for work and study does not prevent persons with disabilities from taking up or continuing in employment for which they are suitably qualified.

5 STAKEHOLDER CONSULTATION

The College consulted with the Disability Champion and HR when writing the policy and the College will encourage and maintain the involvement of people with disabilities and with knowledge of our legal duties from within the College and outside agencies, in reviewing the implementation and effectiveness of this policy and in producing, monitoring and revising the Single Equality Scheme.

In order to maintain best practice in the application of this policy, liaison will be maintained with the specialist advisory bodies and groups concerned with disability, including the local Disability Services Team and the Disability Employment Adviser. In order to extend the highest level of support possible to people with disabilities, the College will seek to consult with all sources of advice and help and make best use of any resources that are available, including Occupational Health and an application under the Access to Work Scheme where appropriate.

6 MONITORING AND REVIEWING

The College recognises the importance of self-declaration but also accepts that some disabled people are reluctant to state they are disabled, with this in mind, staff can state they are disabled and record their personal data via SelectHR and for new recruits via applications for employment for

monitoring purposes only. However, in order to access any reasonable adjustments staff must notify their line manager of their disability. This will enable monitoring of the operation of this policy across all areas of employment.

This policy will be monitored through the Single Equality and Safeguarding Committee and reviewed every three years or earlier if warranted or legal requirements change.

7 RELATED POLICIES AND PROCEDURES

- Single Equality Scheme
- Bullying and Harassment Policies
- All relevant HR Policies, including:
 - Sickness Management
 - Special Leave
 - Re-Deployment Policy
- Disclosure of Disability Policy (Students Policy)
- Special Educational Needs and Disability Policy for Further Education
- Single Equality Statement
- The Complaints and Disciplinary Procedures
- Recruitment and Selection policy and code of practice

8 MANAGEMENT RESPONSIBILITY

The Human Resources Department will be the point of contact to provide advice and guidance to applicants, recruitment panels, managers and staff on the implementation of this policy.

All employees and any other person acting on behalf of the organisation are required to adhere to its terms and conditions. Employees must understand that this policy is also incorporated into their contract of employment.

Managers are responsible for the implementation of this policy in relation to staff under their line management. If they have a member of staff with a disability they should ensure that any adjustments are considered by discussing this with the member of staff concerned, and seeking advice and support if necessary.

Managers must ensure, so far as is practical, that steps are taken to meet the needs of any employee with a disability. It may be necessary to consider making some reasonable adjustments to the employee's role, such as agreeing flexibility in working hours, emergency arrangements, or providing other assistance. If resources are required towards the purchase of specialist equipment the manager may need to discuss the possibility of additional funding with the Head of Finance or through supporting individuals to apply for the Access to Work Scheme.

If a member of staff has difficulty evacuating the College buildings and requires assistance, the Manager is responsible for consulting with the employee to identify the nature of assistance that would be required. A Personal Emergency Evacuation Plan (PEEP) is required to be developed and implemented. This provides people who cannot get themselves out of a building unaided with the necessary information to manage their escape to a place of safety, and gives centers / service areas the necessary information to ensure the correct level of assistance is provided and always available. The Center / Service area needs to ensure that there is cover for absences, and assistants may require

training. Further advice on this issue is available from the Health and Safety Manager.

Managers should be aware of their responsibilities under the Equality Act and should ensure that they are carried out. Advice and support, and appropriate training, will be provided by HR and the Organisational Development & Equalities Manager upon request.

9 CONFIDENTIALITY & DISCLOSURE

All information given to the College by disabled staff will be treated with respect and confidence and in accordance with Data Protection legislation. A disabled member of staff may volunteer a disability and ask that the information is kept confidential. The responsibility of the staff member informed of this decision 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. The individual who has a disability is responsible to declare their disability to their line manager. HR support is available to provide guidance on any adjustments in the workplace required following this disclosure.

10 EQUALITY IMPACT ASSESSMENT

Blackburn College is committed to the promotion of equality and diversity and to providing a supportive environment for all members of our community. Our commitment means that this policy has been reviewed to ensure that it does not discriminate (either intentionally or unintentionally) any of the protected characteristics under the Equality Act 2010. Therefore, this policy has no adverse impact on any of the above protected groups.

This policy can be obtained in an alternative format upon request from the Additional Learning Support team

If you wish to share your views on this policy in confidence, please email:

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