



Disability Policy & Equality Act 2010 Definition of Disability

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1 Introduction

- 1.1 The Leigh UTC is committed to a fair and equal treatment of all individuals regardless of disablement. The College will welcome applications from people with disabilities to join its community as a students or member of staff. Leigh UTC recognises its duties towards disabled candidates as defined under the terms of the Equality Act 2010 (see page 7). This must include a duty to explore and provide access to suitable courses, submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates.
- 1.2 The Leigh UTC has been designed and built to have provision and accessibility for people with disabilities so that they may be integrated fully into College life. This includes parents/carers and members of the wider community.
- 1.3 The curriculum will be designed so that it may be delivered to provide flexible and equal access to all students whether able or disabled as far as it is practicable within a mainstream educational establishment.

2 Aims

The aims of this statement are to ensure that:

- i Applications for admission from all potential students are considered in line with the published admission arrangements;
- ii Applications for employment are considered and assessed on the basis of the applicants' aptitudes, abilities and qualifications;
- iii Disabled staff and students have access to the appropriate support and adaptations to enable them to be fully included in the life of the College;
- iv The views of individual students, staff, parents/carers, visitors and member of the community are taken into account at all times when their requirements are being assessed;
- v All students are fully integrated into The Leigh UTC life and individual needs are assessed and supported as far as it practicable within a mainstream educational establishment;
- vi Staff working with disabled people, either as colleagues or as students, have appropriate information, support and training;
- vii The Leigh UTC takes steps to enable staff and students who become disabled during their time at the College to continue in their chosen career or course of study as far as is practicable;
- viii Disabled members of the public can fully participate in public events held within the College;

- ix So far as is reasonably practicable, The Leigh UTC premises are accessible and safe for disabled people; and
- x No disabled student or staff member is treated less favourably as a result of their disability.

3 Implementation

- 3.1 The SENCO will be responsible for ensuring that staff and parents/carers are made aware of this policy and that the Disability Code of Practice set out below is followed. Throughout this policy, the term “parents/carers” means all those having parental responsibility for the child).
- 3.2 The Principal and the Governing Body will have overall responsibility for ensuring that this policy statement is implemented.

4 Disability Code of Practice

Environment

- 4.1 Any future building projects will be considered at the planning stage for accessibility and usability by people with disabilities.
- 4.2 Evacuation procedures and escape routes for students and staff with disabilities will be carefully planned and published.
- 4.3 Student applications will be considered in line with the published admission arrangements for all students. An applicant’s disability will not prevent him/her from being offered a place and integrated into The Leigh UTC unless:
 - i The content, structure and delivery of the curriculum are such that the student would be prevented from fulfilling a major part of it; or
 - ii The Leigh UTC would be unable to provide a suitably trained staff or facilities to allow the requirements of the National Curriculum to be met.
- 4.4 The Leigh UTC will aim to provide students with a disability with the appropriate support to enable them to be fully integrated. The Leigh UTC will not treat a student with a disability less favourably than any other student and will make reasonable adjustments to ensure the full participation and integration of disabled students.
- 4.5 As far as resources allow, the needs of disabled students will be taken into account in the design, structure and flexibility of teaching methods and delivery. Where a curriculum area is organised in such a way that a disabled student cannot fully participate, alternative provision will be made.
- 4.6 Students with a disability or who become disabled whilst studying at The Leigh UTC will be given appropriate support from staff to enable them to have equal access to the curriculum. Individual needs will be considered and addressed by all curriculum

areas in collaboration with the SENCO and an individual Education Plan drawn up on an annual basis.

- 4.7 The Leigh UTC recognises that special arrangements may be required to enable students with disabilities, including specific learning difficulties, to exhibit their capabilities and knowledge. Special arrangements will be made to enable such students to perform to the best of their ability by meeting their individual needs. For example, The Leigh UTC will liaise with the relevant Examination Boards in such instances. Students and parents will be made fully aware of the process for making special arrangements for assessment and examinations by the SENCO in liaison with specific curriculum area managers and the College's Data and Examinations Manager.

Staff

- 4.8 Wherever practicable, The Leigh UTC will:
- i Consider and see to employ disabled people in jobs suited to their aptitudes, abilities and qualifications in line with the Disability Discrimination Act (2005 (see References section below);
 - ii Ensure that employees with disabilities are considered for promotion according to their aptitudes, abilities and qualifications;
 - iii Ensure that disabled employees are not disadvantaged when the renewal of fixed-term contracts is being considered.
- 4.9 Members of staff who become disabled, so far as is practicable, should continue to remain employed by The Leigh UTC at the discretion of the Principal and Governing Body, dependant on their ability to carry out the duties of their post. Help from related professional organisations should be sought when considering not only the possible effects of the disability but also other consequential disadvantages, such as loss of status for financial loss.
- 4.10 The Leigh UTC will endeavour to make any reasonable adjustments to enable the employee to continue in post. However, options might include:
- i Continuing in the same post
 - ii A gradual return to work
 - iii A reduction in hours
 - iv Redeployment
 - v Premature retirements on grounds of incapacity
 - vi Termination of employment
- 4.11 In cases where a disability is a degenerative, progressive condition that develops over time, careful consideration should be given to the selection of the most appropriate option(s).

4.12 The Leigh UTC will make reasonable changes to work practices and, where possible, the workplace to enable disabled people to work successfully, including those members of staff who become disabled whilst employed.

4.13 The Leigh UTC will ensure that a programme of training is offered to staff to increase their awareness of students with disabilities and inform them of appropriate actions to be taken when delivering the curriculum. Teaching assistants will support teaching staff as required to help ensure that disabled students have equal access to the curriculum.

5 Monitoring, Evaluation and Review

5.1 The Governing Body will review this policy at least every two years and assess its implementation and effectiveness.

	References
	The Disability Discrimination Act (1995) states that the employer must make reasonable adjustments to allow an individual to be employed. These adjustments may include:
i	Adaptations to premises
ii	Re-allocating some duties
iii	Altering hours
iv	Finding alternative accommodation
v	Rehabilitation leave
vi	Training via Modifying equipment
viii	Modifying instructions or manuals
ix	Modifying assessment or testing procedures
x	Providing a reader or interpreter
xi	Providing supervision
	Further information can be obtained from:
i	The 'Code of Practice for Schools' (Disability Discrimination Act 1995: Part 4)
ii	The Employment Service
iii	The Disability Rights Commission (www.drc.org/drc/Rights And Requirements).

The Equality Act 2010 definition of disability

Generally, impairments have to meet the statutory requirements set out in section 6 and Schedule 1 to the Equality Act 2010 and associated regulations.

The Equality Act 2010 definition of disability is usually considered cumulatively in terms of:

- identifying a physical or mental impairment;
- looking into adverse effects and assessing which are substantial;
- considering if substantial adverse effects are long term;
- judging the impact of long term adverse effects on normal day to day activities.

Statutory guidance on the Equality Act 2010 definition of disability has been produced by the Office for Disability Issues (within the Department for Work and Pensions) to help better understand and apply this definition - <http://odi.dwp.gov.uk/docs/wor/new/ea-guide.pdf>

The clear starting point in the statutory guidance is that disability means **'limitations going beyond the normal differences in ability which may exist among people'**.

'Substantial' means 'more than minor or trivial'. Substantial adverse effects can be determined by looking at the effects on a person with the impairment, comparing those to a person without the impairment, to judge if the difference between the two is more than minor or trivial.

'Long term' means the impairment has existed for at least 12 months, or is likely to do so.

'Normal day to day activities' could be determined by reference to the illustrative, non-exhaustive list of factors in pages 47 to 51 of the statutory guidance relating to the Equality Act 2010. **(Study and education related activities are included in the meaning of 'day to day' activities.)**

The guidance from the Office for Disability Issues referred to above illustrates the factors which might reasonably be regarded as having a substantial adverse effect on normal day to day activities. Factors that might reasonably be expected not to have a substantial adverse effect are also provided.

Factors that might reasonably be expected to have a substantial adverse effect include:

- persistent and significant difficulty in reading and understanding written material where this is in the person's native language, for example because of a mental impairment, a learning difficulty or a sensory or multi-sensory impairment;
- persistent distractibility or difficulty concentrating;
- difficulty understanding or following simple verbal instructions;
- physical impairment – for example, difficulty operating a computer because of physical restrictions in using a keyboard.

Factors that might reasonably be expected not to have a substantial adverse effect include:

- minor problems with writing or spelling;
- inability to read very small or indistinct print without the aid of a magnifying glass;
- inability to converse orally in a language which is not the speaker's native spoken language.