

## University of Buckingham Disability Policy

This policy is divided into four sections. Section 1 addresses the aims and context of the policy. Section 2 describes principles and policies that are equally applicable to both staff and students. Sections 3 and 4 focus on staff and students respectively.

### 1. Aims and Context

#### 1.1. Aims and Scope of the Policy

The University of Buckingham is committed to promoting equal opportunities for all staff and students regardless of disability. Everyone who has the capability to benefit from studying or working at the University should have the opportunity to do so. The policy presented in this document is designed to support this commitment. Where reasonable and appropriate, the policy extends to members of the public using University premises and to members of the University who care for a disabled person.

#### 1.2. Responsibilities

All staff of the University are expected to be aware of this policy and to abide by its provisions. Deans of Schools and Heads of Department (academic and non-academic) are responsible for ensuring that the policy and legal framework are communicated effectively and are implemented in their area.

#### 1.3. Context: Legal Framework and Code of Practice

The policy reflects the University's obligations under the section of the Equality Act 2010 that deals with the provision of services <http://www.equalityhumanrights.com/advice-and-guidance/information-for-service-providers/>. (Other useful links: [http://www.equalities.gov.uk/equality\\_act\\_2010.aspx](http://www.equalities.gov.uk/equality_act_2010.aspx) ; [http://www.equalities.gov.uk/pdf/401727\\_EDF\\_Disability\\_acc.pdf](http://www.equalities.gov.uk/pdf/401727_EDF_Disability_acc.pdf) ). As a private education provider the University is not subject to the higher education provisions of the Act but aims to be consistent with them. Word The policy also aims to be consistent with the Quality Assurance Agency (QAA) Code of Practice Section 3: Students with Disabilities <http://www.qaa.ac.uk/academicinfrastructure/codeofpractice/section3/default.asp>.

The University's legal obligations include the following general requirements:

- Not to treat disabled persons less favourably than others for reasons related to their disability without justification.
- To eliminate disability-related harassment. This is behaviour that has the purpose or effect of violating the dignity of, or creating an intimidating, hostile, degrading, humiliating or offensive environment for a disabled person.
- To eliminate disability-related victimisation. This occurs when a person is treated less favourably because they have made a complaint or allegation of disability discrimination, or have supported another person to make a complaint.
- To promote positive attitudes towards disabled people.
- To encourage participation of disabled people within public life.
- To make *reasonable adjustments* so that a disabled person is not placed at a *substantial disadvantage* by comparison to an individual without a disability.
- When determining whether an adjustment is reasonable, the University may consider, among other matters, costs, resources, disruption and the effectiveness of the adjustment.

The Equality Act 2010, which superseded the Disability Discrimination Act, extended these provisions in the following ways (among others):

- To people who have had a disability in the past.
- To people who are mistakenly perceived to be disabled.
- To people who are linked or associated with a disabled person.
- To unfavourable treatment because of something associated with the disability – not only the disability itself.
- To harassment, which is unwanted behaviour that has the purpose or effect of violating person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

### ***Definition of Disability***

**The Equality Act** defines disability for the purposes of the Act as follows:

[http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/DG\\_4001068](http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/DG_4001068)

"In the Act, a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

For the purposes of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial
- 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping

People who have had a disability in the past that meets this definition are also protected by the Act."

The QAA code provides no definition of disability. It recognises that some students may be temporarily disabled by accident or illness. Such situations are not covered by the Equality Act, which focuses on disability that lasts for 12 months or more.

## **2. General Policies**

### **2.1. Policies, Procedures, and Activities**

The University shall strive to ensure that in all its policies, procedures and activities, including strategic planning and resource allocation, consideration is given to enabling disabled students and staff to participate in all aspects of its academic and social life. The implementation of this policy shall be subject to the measure of reasonableness, outlined in section 1.3.

The University shall invite requests for, and endeavour to provide on request, publicity, programme details and general information in a form that is accessible to people with disabilities. It shall provide for disabled people clear and accurate information in accessible media on the physical environment, and on the human and technical support available.

## **2.2. Disclosure, Confidentiality and Data Protection**

The University shall endeavour to develop an environment within which individuals feel able to disclose their disability. Every encouragement and opportunity shall be given to students and staff to disclose any disability that may have a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

The University shall ensure that, as far as is possible and reasonable, the needs of disabled staff and students are not compromised by the competing requirements of the Data Protection Act 1998 and its responsibilities under the Equality Act 2010.

The University shall maintain sensitive personal information securely and shall require explicit, informed and written consent to allow it to process such information.

## **2.3. Health and Safety, and Access to Facilities**

The University shall ensure that, as far as is reasonably possible, disabled students and staff have access to the physical environment in which they work or study, and can take part in the academic and social life of the University.

The physical environment of the University as it affects physically disabled people will be reviewed annually. The University shall establish plans to improve physical accessibility that are linked to resource allocation procedures.

Where appropriate, personal emergency evacuation plans shall be established for employees, students and regular visitors with known disabilities.

## **2.4. Monitoring and Evaluation**

All committees of the University shall monitor and review the operation of this policy within their remit at least once a year.

# **3. Policies Specific to Staff**

## **3.1. General Statement**

The University shall try to accommodate the needs of staff with disabilities by making reasonable adjustments to the workplace and to working arrangements. This applies to all aspects of employment, including recruitment and selection, induction, probation, staff development, promotion, and disciplinary or grievance procedures. The University shall consult disabled employees and applicants regarding reasonable adjustments to their recruitment process and working arrangements. It shall raise awareness of disability among its staff.

## **3.2. Recruitment**

The University welcomes applications from candidates with disabilities. It shall encourage applicants to provide information on any practical requirements for application and interview arrangements. It shall consider making supportive arrangements during the recruitment process, appropriate to the requirements of an applicant. These may include:

- Provision of details of the vacancy in an alternative format
- Ensuring ease of accessibility to the interview room and building
- Provision of a signer, interpreter or assistant at interview
- Provision of additional aids or equipment for use in assessment tests or the interview

The candidate's CV shall first be considered independently of any disability issues. When applicants are invited to interview they shall be asked whether they have any disability, which may require adjustments to be made at the interview. Once a post is offered, the candidate will be invited to disclose any disability, which may require reasonable adjustments to be made in the workplace.

### **3.3. Training, Induction and Support**

Individuals with a disability who are offered an appointment shall be asked whether there is anything that their new colleagues should be made aware of. Opportunities to raise issues that arise in relation to disability shall be available and made explicit to all staff.

All new employees shall be made aware of the University's disability policy as part of their induction process. Opportunities to develop awareness of disability-related issues shall be provided to all employees according to need.

### **3.4. Disability arising during employment**

The University shall seek to adjust the working environment of any employee who becomes disabled. If such adjustment is not possible or reasonable the University shall discuss and negotiate redeployment with the employee.

If, however, the University finds that an employee is absent for long periods relating to their disability, and it is no longer possible for the employee to perform the main elements of his/her job or to redeploy him/her, the procedure for dealing with long-term absences shall be followed.

If such arrangements are not practical or reasonable and all other avenues have been exhausted, the University will have no other option but to proceed to dismissal on the grounds of permanent ill-health.

### **3.5. Working Environment**

The University shall consider reasonable adjustments to the working environment, including the following:

- Adjustment to the premises or to the disabled person's workplace, including where necessary, the provision of special equipment.
- Provision of assistive tools for teaching and learning.
- Assigning a disabled person to a different location of work
- Redeployment to a suitable alternative post if no reasonable adjustment to current working arrangements or premises is possible. This may involve retraining the employee.
- Adjustment to working hours and schedules to accommodate additional requirements, such as overcoming fatigue or accommodating travel arrangements.
- Allowing reasonable amount of time off for remedial therapy and assessment in connection with the disability.
- Liaising with outside agencies, such as Access to Work

### **3.6. Grievances**

The University shall deal with all grievances, including matters arising directly or indirectly from disability, by following the same guidelines that apply for other complaints within the University.

## **4. Policies Specific to Students**

### **4.1. General statement**

The University affirms that students – both full- and part-time, and those taking taught or research degrees – should be able to participate in its academic and social life. It is committed to ensuring that appropriate and reasonable support is offered to all students with disabilities. Every effort shall be made to accommodate the needs of students with disabilities by making reasonable adjustments to the learning and social environment. The University shall consult students with disabilities regarding these adjustments.

The University shall take all reasonable steps to comply with the Quality Assurance Agency for Higher Education code of practice, Section 3: Students with disabilities, which can be found at

<http://www.qaa.ac.uk/academicinfrastructure/codeofpractice/section3/default.asp>.

### **4.2. Access to University Buildings and Student Accommodation**

See section 2.3.

### **4.3. Admission**

The University shall clearly publicise that it welcomes applications from students with disabilities. The University shall endeavour to accommodate these students, wherever it is reasonable to do so.

Application procedures shall encourage applicants to provide information and relevant documentation concerning specific needs. The purpose of collating this information will be made clear to applicants.

Admissions procedures shall provide opportunities for applicants to discuss specific support requirements in detail with the Learning Support Advisor and other relevant staff in order to assess the suitability of the University's provision. Clear information shall be available regarding support facilities and physical access to buildings. Any discussion of support requirements shall be separate from consideration of an applicant's academic suitability to undertake the course.

In the arrangement of interviews, due regard shall be given to the particular requirements of the applicant.

### **4.4. Enrolment, Registration and Induction**

All students shall be invited to disclose disability at registration as well as on application forms. Following disclosures, all students shall be encouraged to submit more detailed information and to attend a one-to-one appointment with the Learning Support Adviser. Further opportunity to talk to the Learning Support Adviser shall be available throughout the year.

Enrolment and disclosure forms are available electronically in Word format to allow for modification if necessary.

#### **4.5. Learning & Teaching**

The University shall consider the requirements of students with disabilities during course design.

Academic staff shall plan and employ teaching and learning strategies that make the delivery of the programme as inclusive as is reasonably possible and allow adaptation to accommodate disabled students' individual requirements.

Disabled research students shall receive the support and guidance necessary to secure equal access to research programmes.

#### **4.6. Learning Support**

The University shall take all reasonable measures to make its Libraries, Careers and IT services accessible and appropriate to disabled students.

The University shall ensure that at least one member of its library staff is trained on library provision for people with disabilities.

#### **4.7. Examinations, Assessment and Progression**

Assessment and examination policies, practices and procedures (including course work, dissertations, group work and oral presentations) shall, as far as is reasonable and practicable, provide students with disabilities with the same opportunities as their peers to demonstrate the achievement of learning outcomes. This may require the implementation of alternative assessment and examination arrangements.

Where studying is interrupted as a direct result of a disability-related cause, this shall not unjustifiably impede a student's subsequent academic progress.

Delayed completion of assessed work, non-attendance at examination, deferral or withdrawal due to disability shall be recorded in non-prejudicial terms in all academic progress files, for the purpose of academic awards.

#### **4.8. Provision of and access to additional specialist support**

All students shall have access to the additional specialist support of:

- A Counsellor
- A Learning Support Adviser with a specialist qualification in specific learning difficulties
- Specialist careers provision

Support sessions shall be offered in a confidential environment.

Information about these services shall be made available to all students;

- Via the website
- In the welcome pack
- Leaflet
- Personal contact at registration

### **5. Complaints**

The University shall ensure that its complaints procedure for students, deals with matters arising directly or indirectly from disability.