

## **STAFF DISABILITY POLICY**

### **1. PURPOSE**

1.1 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. 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.

1.2 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.
- 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 who are not disabled and in particular, steps to take account of disabled persons' disabilities.
- 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.

### 1.3 Definition of Disability

1.3.1 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 negative effect on their ability to carry out normal day-to-day activities".

1.3.2 The Act provides guidance as to what amount to "day-to-day activities" and 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**

2.1 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.

2.2 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.

- 2.3 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.
- 2.4 Any information provided to the College regarding a disability will be treated in compliance with the College's Recruitment and Selection procedures, any staff who declare a disability and meet the essential criteria for a role will be guaranteed an interview. Whilst the recruiting manager may not be informed of the exact nature of the disability, if reasonable adjustments are required for interview or appointment it will be necessary to share any declared disability.
- 2.5 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.
- 2.6 If an individual acquires a disability and has informed their line manager, the [Disability Notification Form](#) (appendix 1) 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.
- 2.7 In the scope of this policy the College will support staff through the following processes:

## **2.8 Recruitment**

2.8.1 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:

- to interview all applicants who declare a disability and meet the essential criteria for a job vacancy and to consider them on their abilities.
- 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.
- 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.
- to take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work.
- to review the commitments specified above each year and assess what has been achieved and planning ways to improve on them.

2.8.2 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.

- 2.8.3 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.
- 2.8.4 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.
- 2.8.5 Following the acceptance of the role by the applicant and as part of the pre-employment checks, advice, where appropriate, 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 who will discuss any support needed to undertake a role and ability to do the job with the employee.
- 2.8.6 The College will make such reasonable adjustments, as are required, to enable a successful applicant with a disability to take up a position.

## **2.9 Training and Career Development**

- 2.9.2 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.
- 2.9.3 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.
- 2.9.4 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.

## **2.10 Disability Awareness**

- 2.10.1 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.
- 2.10.2 The College will take steps to raise the awareness of disability and promote disability equality amongst its staff, specifically:
- to ensure that those involved in recruitment and selection processes are aware of the policy and procedures;
  - 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);

- 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.
- to provide mandatory equality and diversity training with a 2 year refresher held for all staff;

2.10.3 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.

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

## **2.11 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.

## **2.12 Appraisals**

During the appraisal process managers have an opportunity to 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**

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

3.2 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
- The Employee Assistance Programme provider

3.3 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 difficult, the College will work with staff to explore other options such as redeployment.

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

## **4 STAKEHOLDER CONSULTATION**

This will be consulted with JCC Representatives and the College Executive Team.

## **5 MONITORING AND REVIEWING**

5.1 The College recognises the importance of self-declaration but also accepts that some disabled

people may be reluctant to state they are disabled, with this in mind, staff can state they are disabled and record their personal data via iTrent and for new recruits via applications for employment for monitoring purposes only. However, in order to access any reasonable adjustments staff should notify their line manager of their disability. This will enable monitoring of the operation of this policy across all areas of employment.

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

## **6 RELATED POLICIES AND PROCEDURES**

- Bullying and Harassment Policies
- Disciplinary Procedure
- Individual Grievance Procedure
- Managing Attendance policy
- Menopause Policy
- Recruitment and Selection policy and code of practice
- Re-Deployment Policy
- Special Leave policy
- Staff Occupational Health and Wellbeing policy

## **7 RESPONSIBILITIES**

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

7.2 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.
- provide appropriate training upon request in conjunction with and the Organisational Development team.

7.3 Managers will:

- be responsible for the implementation of this policy in relation to staff under their line management.
- be aware of their responsibilities under the Equality Act and should ensure that they are carried out.
- ensure that any adjustments are considered by discussing this with the member of staff concerned, and seeking advice and support if necessary.
- so far as is practical, that steps are taken to meet the needs of any employee with a disability
- consider making reasonable adjustments to the employee's role, such as agreeing flexibility in working hours, emergency arrangements, or providing other assistance
- purchase any specialist equipment needed and discuss the possibility of

additional funding with the Head of Finance or through supporting individuals to apply for the Access to Work Scheme.

- be responsible for consulting any member of staff who has difficulty evacuating the College buildings and requires assistance and identify the nature of assistance that would be required.
- Develop and implement a Personal Emergency Evacuation Plan (PEEP) if required. 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 centres / service areas the necessary information to ensure the correct level of assistance is provided and always available.
- Ensure the Centre / Service area has trained staff that there is cover for absences, and assistants may require training. Further advice on this issue is available from the Health and Safety department.

## 8 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.

## 9 EQUALITY IMPACT ASSESSMENT

Blackburn College is committed to the promotion of equality, diversity and 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 of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and meets our obligations under the Equality Act 2010. Therefore, this policy has no adverse impact on any of the above protected groups.

<b>Author:</b>	<i>Senior HR Adviser</i>
<b>Owner:</b>	<i>Head of Human Resources</i>
<b>Date last approved:</b>	<i>April 2019</i>
<b>Consulted with:</b>	<i>Policy and Procedures Committee, Senior HR Advisors</i>
<b>Consultation date/s</b>	<i>February 2024</i>
<b>Date of approval:</b>	<i>21 February 2024</i>
<b>Approved by:</b>	<i>Policies and Procedures Committee</i>
<b>Next Review date:</b>	<i>February 2027</i>

## APPENDIX 1 - DISABILITY NOTIFICATION FORM

Blackburn College takes its responsibilities for disabled staff very seriously including those staff who become disabled during their employment. We keep a record, for statistical purposes, of the numbers of disabled staff, however, like many organisations, we suspect that there are some staff who are 'disabled' but do not want to declare their disability for fear of being stigmatised.

The definition of 'disabled' is “*someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities*”. For further information please refer to the [Staff Disability Policy](#).

Blackburn College encourages anybody who fits this definition and has not declared their disability to do so by completing this notification form and returning it, marked **PRIVATE & CONFIDENTIAL** to:

**The Human Resources Department  
Room HC102  
The Harrison Centre  
Blackburn  
BB2 1LH**

Or via email to [HR@blackburn.ac.uk](mailto:HR@blackburn.ac.uk)

Surname:		Forename:	
Job title:		Department:	
I consider myself to have a disability:	Yes/No		
Details of disability (including the impact on your ability to carry out normal day-to-day activities):			
I have discussed this matter with my line Manager:	Yes/No		
Signature:			
Date:			