



Access and Disability Policy

Version 1.3

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Access and Disability Policy

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1. Introduction

Workplace Law Group is committed to equal opportunities for disabled people in employment and training and aims to create an environment which enables people to work and learn effectively. This policy is in line with our equal opportunities policy.

2. Scope

This 'Access and Disability Policy' (the Policy) is designed to build on Workplace Law Group's principles of equality of opportunity. It covers job applicants, disabled staff and those employees who may become disabled, as well as visitors and clients.

3. Aims of the policy

The Policy introduces key concepts, such as the definition of disability; the legal framework; discrimination and harassment; and disclosure and confidentiality. It sets out who has responsibilities for ensuring that the aims of the Policy are met, and also how it will be monitored and reviewed. Finally, it will provide relevant signposting for further information and advice. Together with policy guidance for managers and staff, the Policy will provide a framework to ensure that all disabled applicants, staff and clients are offered as supportive an environment as is reasonably possible.

Specific aims of the Policy are that:

- applications for employment and promotion will be assessed on the basis of the applicant's abilities, experience and qualifications;
- disabled staff and clients will have access to appropriate support and adjustment;
- the individual staff member or client will be involved when their requirements are being assessed;
- reasonable steps will be taken to enable staff, who become disabled during their employment with the company, to continue in their career;
- staff members working with disabled people will have access to appropriate information, support and training;
- Workplace Law endeavours to make information available in accessible formats, on request.

We recognise that on occasion the requirements of health and safety legislation may come into conflict with disability rights and we will do our best to minimise the effect of this and/or to make you aware of any potential impact this may have on you.

4. Legislation

The Equality Act 2010 aims to protect disabled people in:

- employment;
- education;
- access to goods, facilities and services;
- the management, buying or renting of land or property; and
- functions of public bodies, for example the issuing of licences.

With regards to employment, it is unlawful for an employer and therefore any of its staff to discriminate against a disabled person for a reason that relates to the person's disability, if that treatment cannot be justified.

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This applies not only to recruitment but all areas of employment including the terms and conditions of employment, opportunities for promotion, transfer, training, dismissals, redundancies, and post-employment (e.g. the provision of references).

5. Duties

The key duties imposed on employers and service providers by the Act are not to:

- treat a disabled person less favourably because the person has a disability – this is known as 'direct discrimination';
- indirectly discriminate against a disabled person, unless there is a fair and balanced reason for this;
- directly discriminate against, or harass a person, because they are associated with a disabled person;
- directly discriminate against or harass a person who is wrongly thought to be disabled; and/or
- victimise anyone.

5.1 Duties on employers

The Company will take reasonable steps to ensure that no arrangements or physical features of its premises place a disabled person at a substantial disadvantage compared to a person who is not disabled. This may involve making one or more adjustments, and include, amongst many others:

- making reasonable adjustments to premises (see 'Physical adjustments' below);
 - acquiring or modifying equipment; and
 - modifying instructions or reference manuals,
- where it is reasonable to do so.

5.2 Duties on service providers

The main duties under the Act that are owed to disabled visitors are:

- not to discriminate against disabled people (unless the less favourable treatment can be justified);
- to take reasonable steps to change practices, policies and procedures, or the physical environment which make it impossible or unreasonably difficult for disabled people to use the service (this is principally a management issue); and
- to provide auxiliary aids where this is reasonable.

6. Definitions

The Company recognises the definition of disability given in the Equality Act 2010. The Act defines who is protected under the term 'disability'. According to the Act a person is considered disabled if:

- they have a physical or mental impairment; and/or
- 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 12 months (there are special rules covering recurring or fluctuating conditions); and

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- '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.

Mental or physical impairment can include:

- sensory impairments, including visual and hearing impairments;
- learning disabilities / differences, including dyslexia;
- mental illness;
- severe disfigurements;
- cancer;
- HIV/Aids;
- progressive conditions, even at an early stage;
- conditions that are characterised by a number of cumulative effects such as pain or fatigue; and
- a past history of disability.

What are 'normal day-to-day activities'? At least one of these areas must be badly affected:

- Mobility;
- Manual dexterity;
- Physical coordination;
- Continence;
- Ability to lift, carry or move everyday objects;
- Speech, hearing or eyesight;
- Memory or ability to concentrate, learn or understand; and/or
- Understanding of the risk of physical danger.

Some other points to note regarding the definition of disability:

- If a disability has badly affected a person's ability to carry out normal day-to-day activities, but at present this is not the case, it will still be counted as having that effect if it is likely to do so again; and
- If a person has a progressive condition such as HIV or multiple sclerosis or arthritis, and it will badly affect their ability to carry out normal day-to-day activities in the future, it will be treated as having a bad effect from point of diagnosis.

The extra definitive criterion 'clinically well-recognised' is no longer applied to mental illness in the above list of impairment types.

7. Employees and visitors

- Our Cambridge offices have full disabled access via the back door and a disabled toilet in the basement. Our London training centre has disabled access via the car park and a disabled toilet.
- We will provide documentation in alternative formats on request.

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- Our recruitment procedure is designed to assess applicants based on objective and relevant criteria only.
- We are a user of the Jobcentre Plus disability symbol and are committed to employing disabled people.
- We will make any reasonable adjustments necessary should an employee have a disability.
- The company will ensure members of staff working with individuals with disabilities will have appropriate information, support and training.

8. Clients

- Every effort is made to ensure the venues we use for our training courses and conferences are accessible to all.
- We will provide documentation in alternative formats on request.
- The company will ensure members of staff working with individuals with disabilities will have appropriate information, support and training.

8.1 Accredited courses

Clients studying for accredited qualifications should note the following:

8.1.1 NEBOSH

Students attending a classroom-based NEBOSH course who have a disability are entitled to reasonable adjustments during the course and exams to allow them equivalent access to the qualification. This will be agreed between Workplace Law Group and NEBOSH, in consultation with the delegate. Please refer to section 11 for information regarding disclosure of disabilities. For further information please contact the training department on 0871 777 8881 or visit the NEBOSH website www.nebosh.org.uk/students/default.asp?cref=151&ct=2.

8.1.2 IOSH

Students attending one of our classroom-based IOSH courses who have a disability should disclose this in line with section 11. A reasonable adjustment will be made to ensure the delegate has equivalent access to the course. For further information please contact the training department on 0871 777 8881.

8.1.3 CIPD

Students attending one of our flexible learning CIPD courses will have access to both online learning and classroom based learning. E-learning is easily accessible and allows delegates to work through the materials at their own pace. For information regarding website accessibility please go to www.workplacelaw.net/footer/accessibility. Workplace Law Group will make any reasonable adjustments necessary, including providing information in varying formats during the classroom blocks. Delegates should disclose their disability in line with section 11. Adjustments for assessed work will be made in consultation with CIPD. For more information please contact the training department on 0871 777 8881 or visit the CIPD website www.cipd.co.uk/contactus.

8.2 Non-accredited courses and conferences

Workplace Law Group will endeavour to make all courses and conferences accessible to individuals with disabilities. Please inform us of your disability in line with section 11. Adjustments will be made on a case by case basis in consultation with the delegate.

9. Responsibilities

Every individual working within the company has responsibilities under the Equality Act 2010. The company has a responsibility, within the area of employment, to avoid discrimination in the areas of:

- recruitment;

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- training;
- career development;
- redundancy;
- day-to-day working life; and
- post-employment (e.g. the provision of references).

In addition, every employee has an individual responsibility for ensuring that they conduct themselves in accordance with all the Company's values, policies, plans, procedures and practices with regard to equality, inclusion and diversity.

10. Policy monitoring and review

Workplace Law Group monitors the effectiveness of this policy, and will review it on changes in legislation.

11. Disclosure

The Company encourages all disabled staff, applicants and clients to disclose their support requirements at the earliest opportunity so that appropriate adjustments can be put in place for each individual.

As many disabilities are not obvious, the Company has to rely on the staff member, applicant or client to make the disclosure about his or her own disability.

Disclosure can be beneficial for the following reasons:

- The stress of not divulging a disability can exacerbate the person's difficulties;
- The employee and manager, or client and trainer, can together determine what adjustments, if any, would maintain or improve working conditions; and
- The support of fellow colleagues can be enlisted.

Visitors should contact the HR department on 0871 777 8881, and employees should make an appointment to meet with a member of the HR Team.

Clients or delegates should contact the training department on 0871 777 8881.

12. Confidentiality

The Company will protect the confidentiality of any disabled staff member, applicant or client and will safeguard any information disclosed voluntarily within the regulations set by the Data Protection Act 1998.