



East Berkshire College

DISABILITY EQUALITY SCHEME 2006-2009

INTRODUCTION

The Disability Equality Scheme is a legal requirement under the Disability Discrimination Act 2005 and provides us with a framework to deliver action. It is not merely a bureaucratic process but is fundamental to changing the way in which we do things, taking into account the needs of our diverse communities, being accountable for what we do and mainstreaming disability equality into all our policies, functions and activities.

COMMITMENT

East Berkshire College will ensure the people we employ and the community we serve are treated equally, regardless of ability.

We will do this by:

- Providing a service which responds appropriately to individual needs
- Monitoring and assessing our services and policies to ensure they are applied fairly
- Recruiting and retaining staff and students who reflect the community
- Upholding the rights of our staff and students to be treated with dignity and respect
- Being open and transparent about our services to increase our accountability and people's confidence.

SECTION 1- FOREWORD BY THE PRINCIPAL

East Berkshire College takes very seriously the role it plays in the economic and social development of the community that it serves.

We are committed to providing opportunities to enable staff and students to realise their full potential. This commitment applies equally and, in particular, to all those who have a disability.

Our Disability Equality Scheme aims to be a consultative, responsive, transparent and proactive scheme.

We would welcome your feedback on our scheme at any time.

JEAN ROBERTSON

Principal

Agreed by SMT: December 2006

Agreed by Board of Governors: December 2006

Review date: December 2009

Prepared by: Director of Human Resources

SECTION 2 – SUMMARY

The Disability Discrimination Act (DDA) 2005 introduces a new duty to promote disability equality. This applies to education providers including further education colleges. The new duty came into force in **December 2006**. It builds on the progress already made in the sector and extends the requirements of the DDA of 1995 by requiring colleges to anticipate and respond to the needs of people with disabilities. Colleges have a duty to become proactive agents of change.

The 2005 Act places a set of general and specific duties on colleges (and on all public authorities), which are set out below:

The general duties

- Eliminate unlawful discrimination and disability related harassment
- Overtly promote equality of opportunity between people with disabilities and other people
- Take account of disabled people's disabilities, even when that involves treating disabled people more favourably than others
- Promote positive attitudes towards people with disabilities
- Encourage participation by people with disabilities in public life

The specific duties

- Publish a Disability Equality Scheme by December 2006
- Prepare and regularly review an action plan detailing the steps the college plans to take to meet the new duties
- Review, revise and publish the College Scheme every three years

This Disability Equality Scheme provides how we plan to undertake the responsibilities arising from this important and integral area of our work. It explains how we will meet the requirements of the Disability Equality General Duty and the Specific Duties that arise from that Duty and lays down details of our Disability Equality Scheme Action Plan with key activities over the next three years.

We will look at what we do by assessing and then prioritising issues and functions in terms of disability equality. These are referred to as 'impact assessments'. We will then consult on relevant issues to listen to concerns, and identify how we can improve our services to accommodate the needs of people with disabilities.

We will monitor the effects of our policies where appropriate so that we can review whether what we do or don't do has an adverse impact on particular groups. We will use this data and information e.g. from surveys and complaints,

to continually assess, review what we do, and investigate if there appears to be disproportionate effects of different groups. We will also work in partnership with other public service providers to see where we can work better together to provide services that reflect the needs of minority communities.

The Board of Governors has been consulted and will receive annual reports on the scheme. In addition, there have been a number of internal and external consultation groups and staff associations. We also provide information on the consultations that we have undertaken to date both within the college and with the communities that we serve.

Everyone that works for us will receive training on the Disability Equality Scheme appropriate to their role. In certain circumstances, appropriate training will be provided for temporary and contract staff.

We are required to republish the scheme with action plans at least every three years.

SECTION 3 – INVOLVING PEOPLE WITH DISABILITIES

This has been via a range of methods. Our consultation process commenced in July 2006. We commissioned a disability audit conducted by an independent consultant, which included discussions with staff and students.

A survey was issued to the community through the Access Forum at the Royal Borough of Windsor and Maidenhead and through the Diversity Officer at Slough Borough Council. It sought the views of local people with disabilities and those representing their interests to ask for experiences of and views on how we can improve access to college premises and services. The Senior Management Team and the Board of Governors have been part of the consultation process.

A staff consultation group was established following an all staff communication to ensure the widest participation. It also served the purpose that the staff group would not be solely comprised of people with disabilities as this would potentially identify them as having a disability, when they may not want this to happen. At the time of commencing the consultation, 1.1% of staff disclosed that they have a disability. The consultation group was open to any member of staff with an interest in disability equality issues. As part of the consultation, staff were asked to anonymously and confidentially disclose to ensure that members of staff with disabilities were well represented. A focus group with staff was held in late November to discuss the issues.

A student consultation group has also taken place, initially with the external consultant and more recently on a one to one basis with the Disability Officer. Students were provided with the draft scheme and action plan in a range of alternative formats.

SECTION 4 – IMPACT ASSESSMENTS

All policies are to be prioritised and assessed for relevance to the general duty. The list is continually changing and we will keep updating it as new policies are introduced. The list will be reviewed at least every three years. New policies will be slotted in as they are impact assessed and thereby assigned an impact level.

The policy process

All policies are 'owned' by a department with a lead manager responsible for it. All policies are available to our staff via the intranet under 'Policies and Procedures'. All policies have a built in review period in order for changes to be made because of changes in legislation, consultation, challenge etc. Review periods range from annually to once every three years depending on the nature of the policy.

Why do we need to impact assess policies and procedures?

The purpose of carrying out assessments is to identify any adverse impact and establish if any changes need to be made as a result. If any adverse impact is identified, we are then able to establish whether any changes need to be made via consultation with the identified groups or communities. It may be that alternatives are available for consideration that will not have a detrimental effect.

How will we impact assess policies?

A core group will be identified within the College including representatives from Human Resources; Disability Officers; Quality; Curriculum and support departments; and staff and students with disabilities. The group will meet and identify policies and procedures and prioritise them. Policy owners will be invited to a meeting to discuss and review their policies.

During the first part of the Impact assessment process policy owners will be asked:

- a) What is the purpose of the policy?
- b) Who will have an interest in or be affected by the policy?
- c) What is the policy trying to achieve?

The group will consider:

1. Known existing data or consultation results
2. Whether further information is needed.
3. Whether the policy may have relevance to the general duty:

Depending on the answers to these questions, an impact level is assigned to the policy/procedure which will determine the level of consultation which will be commissioned.

SECTION 5 – CONSULTATION AND INVOLVEMENT

This will depend on the results of the assessments:

- High impact – we will consult both internally (i.e. within East Berkshire College staff and associations) and externally (i.e. with the public or agencies that represent the public).
- Medium impact – we will consider the nature of the policy and will either consult internally only, to include staff associations or may consider carrying out wider consultation. Whichever route is decided, all decisions and consultation responses will be recorded in line with the Disability Equality Impact Assessment Guide.
- Low impact – there will be no formal consultation externally. Internally we will consult with the standard departments e.g. Human Resources etc. We will ensure that the policy is assessed according to the General Duty every three years.

Consultation

We will consult the groups with primary responsibility for disability equality issues. In addition we have other networks and associations e.g. UCU and UNISON. Depending on the nature of the policy and level of impact, we will tailor the consultation accordingly.

Who we will consult on this document

We aim to carry out as wide a degree of consultation including:

Internally

- With all staff and students via our Intranet and briefings
- UCU and UNISON
- All departments via Department Heads, Heads of School
- Diversity & Equality Steering Group
- Governors

Externally

- Disability groups in Slough, Windsor and Maidenhead
- Members of the public via internet, libraries, press releases, receptions and other partners

There is a large number of external groups that could be called upon depending on the issues and the groups involved. Whatever level of consultation is required we will consider the most appropriate format e.g. focus group, survey, meeting, email and so on according to the target audience.

SECTION 6 – OUTCOMES/PROMOTING POSITIVE ATTITUDES

The Action Plan aims to build on our strong foundations of respect and consideration for people with disabilities.

The roles detailed below will provide the network to promote these values across all areas of the College.

- The role of the Learner Services team will be developed to promote accessibility for potential as well as existing learners
- Active representation and membership of the “Community Partnership Diversity and Equality Steering Group” chaired by the Royal Borough of Windsor and Maidenhead
- Diversity and Equality Steering Group chaired by the Principal
- Disability Officer will liaise with all departments to ensure issues of access, support and positive images are promoted and portrayed through our literature etc.
- Diversity Champions to be identified for every service area, promoting and driving issues forward in their areas and contributing to the College wide action plan
- Study Support will work closely with the Diversity Champions to act as the link with students and utilise to maximum effect their specialist knowledge and skills

SECTION 7 – DISABILITY EQUALITY ACTION PLAN

The Action Plan is available on the College website under Key Documents. It has been drawn up involving staff, students, governors and the local community, as part of our three year Disability Equality Scheme 2006-2009. We will report on progress against the Action Plan on an annual basis.

SECTION 8 – MONITORING

Our Disability Equality Scheme and Action Plan will be monitored and scrutinised in a number of ways. The functions of the Diversity & Equality Steering Group are to:

- Maintain the focus and define the priorities of the organisation on diversity issues
- Promote two-way communication with staff and with the community
- Identify and encourage best practice/positive initiatives
- Identify positive strategies to overcome bad practice/barriers
- Scan the environment for changes to legislation and practice which will impact on the College
- Encourage the availability and use of independent advice and guidance
- Oversee the development and use of diversity monitoring

The Board meets on a termly basis and is chaired by the Principal. The Disability Equality Scheme Action Plan is a standing item on the agenda. Membership is to be reviewed to ensure representation by staff and students with disabilities.

What role do the Governors play?

The Governors have a two-fold responsibility

- 1) To meet the general and specific duties in relation to the College's own functions/policies and staff
- 2) To ensure that the College meets the general and specific duties.

The Board of Governors receives regular updates on diversity and approves the policy, Equality Scheme and Action Plan. There is also representation by the Governors on the Diversity & Equality Steering Group.

MONITORING AND POSITIVE ACTION

The monitoring process will be used to ensure that staff with and without disabilities are treated equally.

To inform the setting of targets [as required by the Learning and Skills Council Equality and Diversity Impact Measures] and the measurement of progress in achieving them, the College will collect and analyse the following information about disability.

For learners:

- Disability profile of learners
- Retention rates, including reasons for leaving
- Achievement rates
- Satisfaction survey
- Individual profiles

For staff:

- Disability profile of employees by grade/salary scale and type of work, e.g. management, teaching, support, childcare
- Job application and selection success rates
- Type of contract (permanent, temporary, sessional)
- Training/Staff Development
- Promotion application and success rates
- Grievances, disciplinary and capability proceeding
- Exit interviews

The information will be presented to the Diversity and Equality Steering Group, the Senior Management Team and the Governors.

SECTION 9 - PUBLIC ACCESS TO INFORMATION AND SERVICES

To the public (including learners, work placement providers and staff):

- Our commitment to disability equality will be highlighted in our prospectus, enrolment forms, annual report and annual financial statement
- A summary of the results of our monitoring information will be included in our annual report and annual financial statements where this does not breach individual confidentiality

To staff:

- All staff must attend Disability Awareness Training and will receive a full copy of the policy
- The staff induction programme will highlight the College's commitment to disability equality. Action is encouraged to be taken by staff who suffer discrimination and will also to be taken against those responsible for such discrimination
- Our commitment to disability equality will be highlighted through the College's internal communications, including the Intranet and Stafflink
- A summary of the results of our monitoring information will be communicated to and through the Senior Management Team. Any published information will have due regard for individual confidentiality

The data from the HR Statistics Monitoring Booklet is presented to and discussed with the Senior Management Team on a termly basis. The diversity monitoring data is also available on the website pages. The data is de-personalised so as not to identify individuals.

A summary of disability equality impact assessments for policies, procedures and functions (once completed) are published on the intranet for internal use under the 'Diversity' intranet website and discussed at Equality & Diversity Steering Group meetings.

We have considered wider publication of our impact assessments and concluded that it more proportionate and reasonable to publish only impact assessment and consultation responses for high impact policies and functions on the website due to the large number of policies and functions. Medium and low impact assessments and results of consultations will be made available on request.

SECTION 10 - STAFF TRAINING

Training and access to training opportunities are fundamental to fulfilling our obligations and promoting equality of opportunity. Training on disability awareness is mandatory for all staff and is a condition of a successful probation period. Training in the Disability Equality Scheme is being developed for all staff and Governors. The training programme will take account of the service provision

and be tailored to meet the needs of the function/role, for example front line staff in tactical communications or access arrangements for exams.

Tutorials will be developed to meet specific needs, for example anti bullying and harassment. The Teaching and Learning Toolkit will incorporate useful information and sources of help.

SECTION 11 - DEALING WITH COMPLAINTS

The College seeks to provide a supportive environment for staff or students who take a decision to make a claim of discrimination or harassment.

Acts of disability discrimination (direct or indirect), harassment, victimisation or abuse will be treated as a serious disciplinary offence.

Students who feel that members of staff or other students are discriminating them against on the grounds of disability should initially raise this with the Disability Officer.

Any discriminatory behaviour directed against students by staff will be dealt with under the staff disciplinary procedure.

Staff who feel they are being discriminated against on grounds of disability by other members of staff, should raise the matter under the Grievance Procedures or the Dignity at Work Policy which will, if the accusation is upheld, be treated as a serious disciplinary offence.

If, in the course of their work, students or members of staff suffer disability discrimination from members of the public, the College will take appropriate action and provide appropriate support.

Any discriminatory behaviour directed against staff by students will be dealt with under the student disciplinary procedure.

Who can make a complaint?

- The person against whom the alleged conduct occurred
- A person acting on the alleged victim's behalf with their written consent, i.e. friend, relative, solicitor, MP etc.
- A person who has personally witnessed the incident (and could provide admissible evidence). This excludes someone who, perhaps, has seen an incident on television
- A person adversely affected by the conduct (adversely affected means: suffered any form of loss or damage, distress or inconvenience, put in danger or unduly put at risk of being adversely affected)

SECTION 12 – DEFINITIONS

In practical terms, an employee is covered by the DDA if a person 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.

This means that not only are visible disabilities, mental health conditions and learning difficulties covered, but also a range of other conditions, such as diabetes, disfigurement and arthritis. In addition, cancer, multiple sclerosis and HIV are covered from the point of diagnosis.

What is unlawful disability discrimination?

Direct Disability Discrimination means treating someone less favourably than another on the grounds of disability.

Indirect Disability Discrimination means that a requirement or condition which is applied equally to everyone but:

- can only be met by a considerably smaller proportion of people
- is to their detriment
- cannot be justified

Victimisation arises where someone is treated less favourably because they are known to have, or are suspected of having

- Made a complaint of disability discrimination
- Planned to make a complaint
- Supported some one else who has made a complaint of disability discrimination or is planning to

For example, when a member of staff is refused a training course because they supported a colleague who made a complaint of disability discrimination.

Harassment can take many forms for example:

- To make embarrassing remarks or jokes, unwelcome comments about dress or appearance, or about a disability aid such as a wheelchair or hearing aid, or deliberate abuse or insult, including name calling
- Hostile actions intended to isolate or intimidate the victim, unjustifiable criticism and repeated and/or unwanted physical contact; and physical assaults
- Abusing or threatening telephone text messages or e-mails
- Stereotyped comments in relation to the capability of a person with a disability

The list of examples is not exhaustive.

CONTACTS

- Main switchboard: 01753 793218
- Disability Officer, Langley Campus 01753 793392
- Website - www.eastberks.ac.uk

Langley Centre
Station Road
Langley
Berkshire SL3 8BY

Windsor Centre
St Leonards Road
Windsor
Berkshire SL4 3AZ

YOUR CHANCE TO CONTRIBUTE AND COMMENT

If you would like to know more about the Disability Equality Scheme document, or to comment on what's in it or anything else you would like to see included, then you can contact us in a number of ways.

You can....

- **Visit our website at www.eastberks.ac.uk**
- **Write to us:** Human Resources Department, East Berkshire College, Station Road, Langley, Berkshire, SL3 8BY
- **Email us on:** human.resources@eastberks.ac.uk
- **Complete the Comment Form on the next page** and return either electronically to human.resources@eastberks.ac.uk or print off and complete in writing sending to the address above.

COMMENT FORM

1. How did you obtain access to a copy of the East Berkshire College Disability Equality Scheme?
.....

2. Do you have any comments (on content/layout/disability equality in general)? (please continue on a separate sheet if required)
.....
.....

3. Do you live within the Berkshire area?
Yes/No (please state).....

CONTACT DETAILS (important if you require a response):

Your Name:
.....

Name of Organisation (if responding on behalf of an organisation):
.....

Your Address:
.....
.....

Your email:
.....

Your telephone:
.....

Preferred method of contact/specific needs:
.....

ABOUT YOU

These details are entirely optional - it is for you to decide whether to provide them or not.

However, if you can give us the information, it will help us greatly in building up a picture of those people we have been able to reach, the issues that are of primary concern, and the work that we still need to do. Thank you.

Your age range (please delete as applicable): 0-17 / 18-29 / 30-44 / 45-59 / 60+

Your gender (please delete as applicable): Male/Female

Do you consider yourself to have a disability? Yes/No

(as defined by the Disability Discrimination Act 1995 is “a *physical or mental impairment which has a substantial and long term effect on his/her ability to carry out normal day to day activities*”)

Your ethnicity: Please tick one

White

- British Irish
 Any other white background (please write) _____

Mixed

- White and Black Caribbean White and Black African
 White and Asian
 Any other Mixed background (please write) _____

Asian or Asian British

- Indian Pakistani Bangladeshi
 Any other Asian background (please write) _____

Black or Black British

- Caribbean African
 Any other Black background (please write) _____

Chinese or other ethnic group

- Chinese Any other (please write) _____