

# Disability Policy

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**HERIOT-WATT UNIVERSITY  
DISABILITY POLICY**

**CONTENT**

<b>Section</b>	<b>Page</b>
1 Introduction	3
2 Purpose	3
3 Objectives	4
4 Scope	5
5 Lines of responsibility	7
6 Monitoring and Evaluation	7
7 Implementation	8
8 Related Policies, procedures and further reference	8
9 Definitions	8
10 Further help and advice	9
11 Policy Version and History	9

## **1. INTRODUCTION**

Heriot-Watt University has a diverse community of both staff and students, with an objective to provide a supportive and equal opportunity environment for all. It is both our desire and our duty to ensure that all members of our University community are adequately supported to fulfil their potential, particularly those with a disability.

## **2. PURPOSE**

The Equality and Diversity Policy outlines Heriot-Watt University's commitment to embracing a positive attitude toward the promotion of equality and diversity, taking pride in our efforts to create a working, education and social atmosphere which is inclusive of everyone. We actively welcome and value the diversity of our institution.

This document outlines our policy for supporting disabled staff and disabled students, in line with our legal obligations and our duty of care. A separate statement outlines in detail the approach to supporting students with disabilities and provides additional guidance for staff.

## **3. OBJECTIVES**

The University is committed to ensuring disability does not provide a barrier to existing and prospective staff and students.

Our objectives are to;

- ensure the accessibility of our physical and virtual environment for all
- ensure our admission criteria for courses of study do not create unnecessary barriers
- ensure our recruitment criteria do not create unnecessary barriers
- provide support to disabled staff and students. Our staff and student community is made up of disabled staff and students and those that may become disabled while studying and working with us
- encourage disability disclosure among our staff and students, while maintaining confidentiality
- work with disabled staff and students to determine support needs
- ensure the support to disabled students and staff remains relevant
- ensure our processes for career development take cognisance of the needs of disabled staff
- support managers in responding to the needs of disabled staff

## **4. SCOPE**

This policy covers all staff and students in the UK who have a disability, and are covered by the Equality Act 2010, which harmonised a range of equality related legal instruments including the Disability Discrimination Act 1995 (DDA). The DDA gave particular definitions around disability which have been strengthened under the Equality Act 2010. We aim to ensure that our response to supporting disabled staff and students is consistent across our UK campuses and as far as is reasonably practical, our international campuses.

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.

### **Progressive conditions considered to be a disability**

There are additional provisions relating to people with progressive conditions. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairment are automatically deemed to be disabled.

### **Conditions that are specifically excluded**

Some conditions are specifically excluded from being covered by the disability definition, such as a tendency to set fires or addictions to non-prescribed substances.

## **5. LINES OF RESPONSIBILITY**

The Heriot-Watt University Court is the body with ultimate responsibility for ensuring that the University meets the commitments detailed in this Policy and the broader scope Equality and Diversity Policy. The University Executive has responsibility for ensuring that the day-to-day management of the University takes cognisance of the Equality and Diversity Policy. The Learning and Teaching Board and the Research Knowledge and Exchange Board both have responsibility for ensuring that equality and diversity is fully considered within the Boards and filtered to relevant areas.

The Equality and Diversity Advisory Group reports the Secretary's Board. The Board has overall responsibility for ensuring that the University's legal obligations are understood and implemented across the institution. The Equality and Diversity Advisory Group have responsibility for ensuring that the policy is understood and well communicated.

This policy is relevant across the University Community. As such all staff, students, and visitors, contractors, subcontractors and service providers along with any other persons associated with the functions of the University are responsible for ensuring that they adhere to the relevant sections of this Policy.

### **STAFF**

The University as an employer of potential and existing staff has a duty to support the

needs of disabled staff and staff that become disabled whilst employed with us.

All managers are required to work in partnership with HR and Occupational Health alongside disabled staff to ensure that reasonable adjustments are made, enabling disabled staff to meet their full potential. This process should be facilitated through discussion and agreement with all parties.

## **STUDENTS**

All managers are required to work in partnership with the Disability Service (part of Student Support and Accommodation) alongside disabled students to ensure that reasonable adjustments are made, enabling disabled students to meet their full academic potential. These roles and requirements are detailed in the Disability Statement for students with disabilities.

## **6. MONITORING AND EVALUATION**

We are obliged to collect information regarding the recruitment, retention and development of staff across the range of protected characteristics. Any information relating to the equality and diversity of staff or students will be stored in accordance with the Data Protection Act 1998,

To assist us in creating and maintaining a supportive environment which promotes equality of opportunity alongside dignity and respect the University is keen to create an environment where members of our community are confident and willing to disclose personal information referring to any of the protected characteristics.

Complaints of discrimination based on grounds of protected characteristics should be raised through relevant grievance procedures for staff or complaints procedures for students. Complaints regarding staff harassment or bullying should be raised in accordance with the Harassment and Bullying policy.

Monitoring and review of this policy will be owned by the Equality and Diversity Advisory Group. This policy will be reviewed on a 3 yearly basis to ensure compliance with legislation, effectiveness, and equality impact.

## **7. IMPLEMENTATION**

It is the responsibility of Heads of Professional Services/Schools to promote equality and diversity throughout their areas of activity including undertaking Equality Impact Assessments where necessary, to determine and allocate specific responsibilities within their areas with reference to this policy, the Equality and Diversity Policy, the Equality and Diversity Advisory Group and through input to all other relevant equality and diversity initiatives. They are responsible for promoting equality and diversity throughout their areas of activity.

## **8. RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE**

### **Policies**

### **Staff Related**

- Maximising attendance policy
- Capability Policy
- Disciplinary Code, Procedures and Policy
- Equality and Diversity Policy
- Grievance Procedures
- Harassment and Bullying Policy
- Health and Safety Policy and Procedures
- Mental Health Policy and Procedures
- PEEPS Procedures
- Pension Taxation Changes 2011
- Performance Management Policy
- Promotion procedures
- Public Disclosure
- Ill-health Redeployment Policy
- Redundancy Selection Policy and Procedure
- REF2014 Code of Practice on the Selection of Staff
- Stress Awareness Policy & Procedures

#### **Student Related**

- Disability Statement for Students with Disabilities
- Equality and Diversity Policy
- Mental Health Policy for Students
- Admissions Policy

#### **Procedures**

N/A

#### **9. DEFINITIONS**

N/A

#### **10. FURTHER HELP AND ADVICE**

[www.hw.ac.uk/equality](http://www.hw.ac.uk/equality)

#### **11. POLICY VERSION AND HISTORY**

<b>Version No</b>	<b>Date of Approval</b>	<b>Approving Authority</b>	<b>Brief Description of Amendment</b>
V. 4.0	05.11.2012	Secretary's Board	(include a broad summary of changes and detail any policies that have been superceded by the new document)