

**Accessibility Guidance 2018**

**To advance inclusivity and accessibility, the University will ensure prospective and current staff, students and visitors with disabilities have the most appropriate level of support.**

**A. General guidance**

**1. Introduction**

1.1 Bournemouth University is committed to creating a friendly and welcoming environment where staff and students work closely together within a supportive, accessible and inclusive environment which enables them to participate fully in the life of the University. The University wants to attract people of high potential to study and work here and this includes people who are living with a disability or long term health condition. Some people may not require any support but for others, making ‘reasonable adjustments’ (see section 4) will enable them to flourish and off-set any impact of their disability.

1.2 The Equality Act 2010 places a duty on employers to make "reasonable adjustments" to any provision, criterion or practice that they apply and to physical features of their premises, to accommodate the needs of disabled employees and job applicants. The following guidance is provided to support managers in implementing reasonable adjustments for staff with disabilities in accordance with the Equality Act 2010, and in line with the University’s  [Equality and Diversity policy.](https://www1.bournemouth.ac.uk/sites/default/files/asset/document/equality-diversity-policy-2015-16.pdf)

**2. Legal framework and principles**

2.1 The [Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/contents)  defines Disability as follows: **“a person will be classed as disabled in law if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities”**.

2.2 As disability is a protected characteristic under the Equality Act, the the University must take action to:

* eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
* advance equality of opportunity between people whether they have a protected characteristic or not.
* foster good relations between people whether they have a protected characteristic or not.

2.3 The University is required to show due regard to the advancement of equality in its day-to-day business and to consider how it might affect different groups in different ways. To display this commitment an Equality Analysis procedure has been developed as a tool that enables positive change. This enables the University to reasonably anticipate the needs of staff, students and visitors with disability and to address the potential impacts of any proposed changes to ensure they do not have an adverse effect.

2.4 The objective of this guidance is to ensure that members of the University community with disabilities or long term health needs have access to both work facilities and a learning environment that is, wherever reasonably possible, comparable to that of their non-disabled peers. This guidance recognises that staff and students with disabilities are an integral part of the university community. It takes as its starting point the premise that accessible and appropriate provision is core to the values of the University.

2.5 The University will:

* Ensure that anticipatory action is taken as far as is reasonably practicable to provide inclusive working, learning and teaching and access to our facilities and services.
* Ensure that wherever possible reasonable adjustments are put in place for staff, students, prospective staff and students and visitors with disabilities.
* Provide equality of opportunity and accessibility to promote the recruitment, retention, development and progression of staff and students with disabilities.
* Promote a positive working and studying environment for disabled staff and students.
* Provide development through local implementation workshops and support for all managers with responsibility for staff so that they are fully aware of their responsibilities in relation to this guidance. All staff should have the necessary knowledge and understanding to provide support and respond appropriately to the needs of staff and students with disabilities.

2.6 The University will ensure that in all policies, procedures, regulations, functions and activities, including strategic planning and resource allocation, consideration is given to reasonable means of enabling disabled staff and students’ full participation in all aspects of the academic and social life of the institution.

**B. Staff specific guidance (student guidance can be found** [**here**](https://www1.bournemouth.ac.uk/students/learning/disability-additional-learning-support)**)**

**3. Disclosure**

3.1 The University fosters an environment within which individuals feel able to disclose their disability. If an individual chooses to [disclose their disability](http://www.shef.ac.uk/hr/equality/support/twoticks/disclosure), it is essential that this information is:

* treated with sensitivity;
* held in strictest confidence;
* not disclosed or spoken about with anyone else until it has been agreed with the individual what information can be disclosed and to whom it may be disclosed to.

3.2 In some cases, where a staff member has not formally advised of their disability (e.g. via a conversation with their manager or occupational health, an employer **may not be reasonably expected to know** that the member of staff has a disability.  However, once informed, the University will do **all it reasonably can** under relevant employment legislation to support the staff member.

3.3 Encouragement and opportunity will be given to staff to disclose any disability irrespective of whether it has a substantial and long-term impact on their ability to carry out normal day-to-day activities.

3.4 The University will also encourage staff to disclose any condition or temporary disability which in the short term has substantial impact on their day to day activities to ensure that appropriate support can be provided.

3.5 Disclosing a disability to the University is a personal matter of which it is an individual’s choice if and when they do so. Whilst the University is working hard to make its services as accessible as possible, if a disability is disclosed to the University, this would help the University to explore opportunities to implement appropriate support.

For staff this might mean, as appropriate:

* reallocation of duties
* altering working hours
* changing work location
* modifying or additional equipment
* consideration of other roles

3.6 The University is mindful of its responsibilities under the [General Data Protection Regulation (GDPR)](https://gdpr.eu/) and will ensure the needs of staff and students with disabilities are not compromised by the requirements of this legislation with the responsibilities it places on the University in respect of the [Equality Act 2010.](http://www.legislation.gov.uk/ukpga/2010/15/contents)

# 4. Reasonable Adjustments

### 4.1 The duty to make reasonable adjustments applies to three separate requirements:

**4.1.1 Adjusting the way things are done.**

This refers to any provision, criterion or practice which may place a person with disability at a substantial disadvantage in comparison to someone who is not disabled. These cover all aspects of employment, for example: recruitment and selection; promotion; training; retention, including sickness absence policies. (see 9.2)

**4.1.2 Adjusting physical features of the workplace.**

It may be necessary to make adjustments to overcome barriers created by the physical features of the workplace. This includes any physical feature which puts a person with disability at any form of disadvantage compared with a non-disabled person.

**4.1.3 Providing extra equipment.**

The Equality Act 2010 refers to this as an auxiliary aid (for example a specialist chair or software) or an auxiliary service (a person/service provider that gives assistance to the person with disability). This requirement means taking reasonable steps to provide equipment/support where the absence of such would place a person with disability at any form of disadvantage when compared with persons who are not disabled.

### 4.2 The following list sets out some possible examples of a reasonable adjustment which could be made to support an individual. Please note that reasonable adjustments can potentially be implemented on a temporary, occasional or a permanent basis.

* Modifying instructions or reference manuals, e.g. providing them in Braille or large print;
* Providing additional or tailored development, coaching or mentoring, for example for someone with dyslexia;
* Working with Additional Learning and Disability Support when undertaking a period of study;
* Adjusting working hours, for example allowing someone who may be fatigued as a side effect of medication a later or flexible start time, or more frequent rest breaks;
* Changing the place of work, for example moving an individual with limited mobility to a ground-floor location;
* Providing special equipment, for example assistive software or other specialist equipment;
* Facilitating a reader or interpreter;
* Agreeing to part-time working;
* Changing the method of doing the job, e.g. allowing an employee who cannot drive due to epilepsy to use taxis for business travel;
* Adjusting the duties of the job, for example exempting an employee with a musculoskeletal condition from the elements involving physical work;
* Modifying procedures for testing and/or assessments as part of a recruitment exercise;
* Extending an individual’s probationary period if the impacts of a disability has prevented the individual from being able to demonstrate an acceptable level of performance during the normal probationary time-scale for the role;
* Arranging for meetings to be held at a location or at a time to suit the individual or arranging for short breaks during long meetings.

### 5. Good practice when making reasonable adjustments

* Give consideration to making reasonable adjustments, where possible, for those who may have a long term health issue irrespective of whether it would be covered by the Equality Act 2010 definition of a disability.
* Ensure that throughout every aspect of the employment relationship, the person with disability has the same access to everything that is involved in getting and doing a job as a non-disabled person, as far as is reasonable.
* Consider each case fully and fairly. Managers are encouraged to liaise with Human Resources as required.
* Advice and support may be sought from Occupational Health, Human Resources, the Equality and Diversity Adviser or Head of Additional Learning and Disability Support (for study) at any stage of considering and implementing reasonable adjustments.
* Although there are no prescribed time-scales for making reasonable adjustments and it will depend on the type of adjustment required, it is important that any such adjustments are put in place as promptly as possible.
* If you anticipate that there may be funding discussions or there may be a delay in implementing a reasonable adjustment, please contact your HR Adviser for advice. This is particularly important if the delay may prevent the individual from continuing to work normally or returning to work.

**7. Prospective Staff**

7.1 All University vacancies will be open to suitably qualified people irrespective of disability.

7.2 Employment criteria shown in the Job Description, Person Specification and vacancy advertisement must be significant, objective and appropriate to that particular post, e.g. it would be inappropriate to specify a high level of mobility for a sedentary post. Job advertisements will be non-discriminatory and written in a style that encourages applications from underrepresented groups as defined by the Equality Act 2010 to include applicants with a disability.

7.3 All prospective staff who accept the offer of an interview will be asked in advance if they require any specific accessibility arrangements to be made for them at the interview.

7.4 Typical adjustments that can be made in the selection process would be ensuring ground floor interview rooms, changing fonts on question papers, allowing more time to complete written assessments/tests and printing of assessments on coloured paper backgrounds.

**8. Current Staff**

8.1 All staff will be provided with an appropriate level of development to ensure they are equipped to assist and support team members, colleagues and students with disability.

8.2 Retention: The University will make reasonable efforts to enable a member of staff who acquires a disability or whose medical/health condition becomes more severe, to continue working in the post in which they were originally employed. Staff can discuss the need for an assessment of their working environment and the recommendation/purchase of supporting equipment. This may or may not require the involvement of Access to Work or similar support organisations.

8.3 Where a staff member with disability is unable to continue with their existing duties, reasonable efforts will be made to find suitable alternative employment within the University and appropriate training will be provided if required. Any decisions regarding whether a person can continue their duties will normally be taken with the involvement of Occupational Health.

8.4 In situations where suitable alternative work cannot be identified, or where an employee is unable to continue in their role at the University for reasons relating to their disability, the University will provide reasonable assistance to help that individual. This may include, but is not limited to identification of appropriate external sources of advice and assistance and investigation into the possibility of retirement on grounds of ill health.

**9. Absence**

9.1 One of the key principles of the University’s [Absence Management Policy](https://staffintranet.bournemouth.ac.uk/workingatbu/healthsafetywellbeing/hsfire/absencemanagement/) is to ensure that all reasonable measures are taken to support and retain staff in employment.

9.2 As part of the policy and procedure, all sickness absence, whether related to a disability or not, will be included in the sickness records. However, should the employee identify that they perceive that their absence may be due to a disability; this can be discussed with their manager who may decide that it is ***not*** appropriate to take any action where typical absence action levels have been reached (see section 6.8 of the Absence Management Policy).

9.3 If it is considered that an individual has high sickness absence levels due to a disability but the individual has not disclosed this, it is essential that the matter is dealt with sensitively.

#### In such circumstances it is important to:

* Discuss this possibility with the individual by reassuring them that the aim of such a discussion is to identify whether any reasonable adjustments can be made to assist them to carry out their role/return to work.
* Record any actions agreed so that on-going support can be provided to the individual.
* If relevant, seek the individual’s agreement for a [referral to Occupational Health](https://staffintranet.bournemouth.ac.uk/workingatbu/healthsafetywellbeing/occupationalhealthwellbeing/occhealth/) to gain advice.
* Upon receipt of the Occupational Health advice, determine whether any suggestions can be implemented as reasonable adjustments.

9.4 If a staff member acquires a disability during the course of their employment at the University, the individual may choose to disclose their change in circumstances with their manager or another (such as occupational health or HR). Managers may also learn of the disability through the absence management procedure (see above link), when deterioration in their health or impact of a disability leads to staff taking time off work.

**10. Individual discussions**

10.1 The role and working conditions of staff with disability will be reviewed according to individual needs, and especially in light of any changes in impact of their long term health condition/disability. Each member of staff will have an opportunity at least annually to discuss any current employment issues they may have and any future development needs. Staff who have declared a disability may choose to include this discussion as part of their appraisal review or as a separate discussion.

**11. Complaints**

11.1 A member of staff who feels they have been unfairly treated or discriminated against on the grounds of disability should discuss their concerns informally with their line manager or HR in the first instance. Where informal concerns are not resolved, the staff member may raise a complaint through the University’s [Grievance](http://intranetsp.bournemouth.ac.uk/policy/Grievance%20Procedure.docx) or [Dignity and Respect (Harassment) procedure](https://staffintranet.bournemouth.ac.uk/aboutbu/professionalservices/humanresources/dignityandrespectharassment/policyandprocedure/).

**12. Other relevant information**

[Disability Confident](https://www.gov.uk/government/collections/disability-confident-campaign)

[Business Disability Forum](https://businessdisabilityforum.org.uk/)

[DisabledGo](https://www.disabledgo.com/)

[Mindful Employer](http://www.mindfulemployer.net/)

[BU Absence Management Policy](https://staffintranet.bournemouth.ac.uk/workingatbu/healthsafetywellbeing/hsfire/absencemanagement/)

[Link to FAQs](file:///G:/Projects/Disability%20Guidance%20FAQs/Disability%20Guidance%20FAQ's.docx)