

# **Disability Equality Scheme**

## **City of Wolverhampton College**

### **1 Introduction by the Principal and Chief Executive**

The City of Wolverhampton College aims to promote an inclusive institutional culture that recognises the social and intellectual benefits of a diverse student population, and the need to make the College's distinctive form of education more widely accessible. The College is committed to a policy of equal opportunities for students in accordance with its charter. It is the College's aim that potential and actual students are treated fairly on the basis of merit regardless of disability.

In 2002 the introduction of the Special Educational Needs and Disability Act provided a useful focus for the development of our facilities and programmes for students. This focus continues through the Disability Equality Duty which is being introduced for the public sector. This new legal duty will mean that any public body will need to actively look at ways of ensuring that disabled people are treated equally. A similar duty was introduced on race equality a couple of years ago.

We are a dynamic and forward thinking college committed to the future of our students and our staff. We have made significant investment in our facilities and the accessibility to the physical environment but we are not complacent about this being the end of the process. The College Disability Equality Scheme sets out our approach to promoting disability equality across the full range of college activities and our three year action plan is intended to demonstrate the proactive approach we will take to continue to provide an inclusive and supportive environment for learners. Our aim is to cultivate a community where opportunity flourishes and we are offering the chance for you to be part of this culture

#### **1.1 Scope of the Scheme**

Please note that the Disability Equality Scheme should be read in conjunction with our policies on Equal Opportunities and Race Equality. These documents also provide a link between the Disability Equality Scheme and the College's Development Plan with its specific references to Equality of Opportunity, Inclusiveness and Disability Equality.

The City of Wolverhampton College Disability Equality Scheme was ratified by the Development Board on the 1st December 2006 and the Board of Governors on 5 March 2007.

#### **1.2 How we have involved disabled people in drawing up the Scheme**

A Disability Equality Scheme Working Group has been created to identify the priorities for action in developing the college's policies on disability. This group reports to the College's Equality and Diversity Group. This is a means of consulting with staff and students who have disabilities prior to developing

policies and procedures, and of embedding action to address disability equality into the mainstream. The views of current students, new students, visitors and college staff have been canvassed in the development of the scheme, and their experiences have informed the recognition of areas where the college's provision needs to be further developed. Members of the Self-Organised Disabled Staff Group have been consulted on the development of the scheme and invited to contribute to identifying priorities for action in developing the College's policies on disability equality.

## **2 Context of the Equality Scheme**

### **2.1 The Social, Legal and Political context**

The legal definition of disability is described in Appendix B.

Under the Disability Discrimination Act 1995 as amended by the Special Educational Needs and Disability Act (SENDA), the College has a duty not to discriminate against disabled people on the grounds of their disabilities and to make reasonable adjustments to meet the needs of disabled staff, disabled students and other users of facilities and services.

The Disability Discrimination Act (DDA 2005) builds on previous requirements by placing a positive duty on all public bodies, including Colleges of Further Education, to eliminate discrimination and harassment and to promote equality of opportunity for people with disabilities. This is similar to the positive duty to promote race equality already introduced under the Race Relations Amendment Act. The DDA 2005 requires the College to adopt a proactive approach to promoting the full participation of people with disabilities in all activities. By December 2006, the College is expected to develop, publish and begin implementing a Disability Equality Scheme which will outline activities to fulfil the new duty. The Scheme is expected to plan a range of operational and strategic activities that the College will deliver over a three year period to meet the requirements of the Act.

The Scheme is informed by the social model of disability, which maintains that the "barriers" or elements of social organisation that exclude people who have impairments should be identified and removed. Examples of such barriers include:

- Prejudice and stereotypes
- Inflexible organisational procedures and practices
- Inaccessible information
- Inaccessible buildings and
- Inaccessible transport.

## **3 The institutional context – How we Promote Disability Equality**

The College is the City's only Further Education institution and also the largest work-based and vocational learning provider with over 55 per cent of the City's 16-19 year olds electing to leave school in favour of a learning programme at the College. When combined with an adult intake of over 14,000 learners annually it is clear to see that the College has a pivotal role in providing the skills needed to make the new Wolverhampton, not only as a provider of learning but also a major contributor to the local economy and a

champion of the positive values of citizenship that are pre-requisite to its success.

### **3.1 Equality Impact Assessment Needs Analysis**

The purpose of impact assessment is to establish whether or not College policies have a disproportionate impact on different groups. In order to promote disability equality and encourage good relationships between disabled and non-disabled people, the College will continue to carry out impact assessments on all new and existing policies and practices.

### **3.2 Data Protection Act**

As a College we respect the rights to confidentiality of all disabled staff, students and disabled members of the public who use our services. All personal information requests are handled under our Data Protection Policy.

### **3.3 Marketing and Communication**

The City of Wolverhampton College ensures that its marketing materials are accessible and widely available to all communities. We positively identify and meet the needs of disabled people by producing information in alternative formats such as Braille, Large Prints and CD.

### **3.4 Health and Safety**

The College's Health and Safety Team is fully committed to continuing to advance the health and safety interests of all campus users and in doing so pays particular attention to the needs of disabled people.

## **4 Where are we now?**

### **4.1 How we have gone about engaging disabled people:**

- The Chair of the Disability Equality Scheme Working Group made a report to members of the Equality and Diversity Group and solicited their views on the Scheme at meetings on 2 February and 16<sup>th</sup> June 2006
- A Representative of the Disability Equality Scheme Working Group made a presentation at the SMT conference on the 14<sup>th</sup> May 2006
- Information about the Scheme is available in the College Newsletter, the College Intranet, posters and booklets
- A student questionnaire was devised and distributed to students on the 23 May 2006 (this also included the views of non-disabled students)
- A staff questionnaire was devised and distributed on the 4<sup>th</sup> July (this also included the views of non-disabled staff members)
- New students and visitors were given the opportunity to compile questionnaires on the college open day (this also included the views of non-disabled people)

- Focus groups were set up for awareness training and consultation to inform the Scheme
- Two members of the DES Working Group led staff development and focus group sessions on the 4<sup>th</sup> July 2006
- Student Union conducted a survey with students
- Community groups participated through discussion groups, 1-1 sessions and completing questionnaires
- Deaf students held a group meeting to discuss specific issues.

**The survey told us that the main areas you would like to see to be developed are:**

- More publicity around the college to promote positive attitudes to disability and to provide information on the services available
- The physical environment
- Staff development and training (this includes support for staff who work with disabled students and staff members)
- Disability awareness in lessons (for students)
- Consultation with disabled staff and students
- Enabling technology to be made available across the college for staff and students
- An environment where staff feel that they can disclose a disability
- More consideration for people with hidden disabilities and mental ill health
- More support for people with short term health issues
- Monitoring and impact assessment of college policies and practices
- Academic areas (including teaching and learning and student recruitment)
- Opportunities for participation in recreational and sporting activities for students with physical disabilities and learning difficulties
- Consideration of the development of teaching and learning resources specifically for students with learning difficulties.
- To create physical resources with a view to the needs of students with learning difficulties
- invest in / develop ILT resources to enhance opportunities for disabled learners

## **5 Existing Data on Disabled Students**

### **5.1 Student entry**

The College already receives annual monitoring data looking at student applications, offers, retention, achievement and success rates from Information Systems and Additional Learning Support Records.

This is reported to the Equality and Diversity Group and Development Board.

All students sign a confidentiality and disclosure agreement at enrolment.

## 5.2 Student retention and student achievements for Academic Year 2005-06

	Student Entry	Retention Rate	Achievement Rate
<b>Dyslexia</b>	<b>135</b>	<b>90%</b>	<b>76%</b>
<b>Hearing Impaired</b>	<b>30</b>	<b>84%</b>	<b>76%</b>
<b>Visually Impaired</b>	<b>27</b>	<b>93%</b>	<b>58%</b>
<b>Autistic Disorder</b>	<b>6</b>	<b>100%</b>	<b>100%</b>
<b>Profound/Complex Disabilities</b>	<b>17</b>	<b>100%</b>	<b>54%</b>
<b>Disability affecting Mobility</b>	<b>14</b>	<b>97%</b>	<b>79%</b>
<b>Multiple Disabilities</b>	<b>3</b>	<b>100%</b>	<b>92%</b>
<b>Moderate Learning Difficulties</b>	<b>156</b>	<b>96%</b>	<b>90%</b>
<b>Severe Learning Difficulties</b>	<b>120</b>	<b>100%</b>	<b>83%</b>
<b>Mental Health</b>	<b>14</b>	<b>67%</b>	<b>100%</b>

Information Service records show that learners who consider they have a disability to have a higher retention rate than those who do not, but have a slightly lower success rate.

Students without disabilities	Retention Rate 86%	Success Rate 77%
Students with disabilities	Retention Rate 87%	Success Rate 76%

## 5.3 Student Union

The SU has identified diversity as one of the key focus targets. The Student Union has a representative for disabled students who raises their concerns at branch and national level.

The SU currently monitors the participation rates of students with disabilities in each of the student development opportunities (volunteering, student representatives, fundraising, health awareness, trips & events)

The SU also provides the means for students with disabilities to disclose disability where appropriate to enable their needs to be taken into account when accessing an activity or service.

All SU staff are encouraged to attend diversity training. This has included Equal Opportunities, Disability Awareness, Disability Discrimination Act and Deaf Awareness.

## 5.4 Learning Support

The Learning Support Team provides a wide range of support for disabled students and staff members. We have a team of Support Workers, Support Tutors, Mentors, Note-Takers, and Communication Support Workers. We also offer students information and advice; and specialist assessments of Specific Learning Difficulties.

## 5.5 Arrangements for those with Mobility Difficulties

### Arrangements in place-Autumn 2006

- Mini Buses adapted for use by wheelchair users
- Designated parking places for wheelchair users close to college entrances
- Ramped access to all entrances
- Drop kerbs at appropriate places
- Wider doors fitted on most main corridors
- Lifts installed at all main campuses
- Push-button opening for many entrance doors
- Disabled toilets, including hoists
- Emergency evacuation arrangements updated
- Deaf alerter systems installed
- Permanent and portable loop systems installed.

## 6 EXISTING DATA ON DISABLED STAFF

### 6.1 Staff Development

Statistics are produced each year about staff accessing training opportunities run by the staff development unit, and reported in the staff development annual report and to the Equality and Diversity group.

Employment Data for Disabled Staff (This includes both Social and DDA Model definitions of Disability)

	Disabled	Non-disabled
% of current workforce	4.17 (48 Staff)	95.83 (1150 Staff)

In considering the workforce profile it is important to note that there may be more disabled people in the organisation at the moment who have not declared their impairment. Non-disclosure may occur for a range of reasons, including not considering themselves to be disabled, not being able to apply the DDA definition to their circumstances, distancing from the label "disabled" especially for those who may have recently acquired an impairment and fear of discrimination. The college is working towards creating and fostering a culture of disability equality which challenges disablism and allows disabled staff to feel confident that disclosure may lead to a positive response.

## **6.2 Staff Retention**

Statistics on staff retention rates are routinely collated. Our staff databases allow us to analyse the number of disabled employees and their length of service along with the type of contract held compared with other staff.

## **6.3 Occupational Health**

The College has an Occupational Health Service which advises disabled staff on a range of issues, including for example, reasonable adjustments and "Access to Work" to assist with both the retention and progression of staff.

## **6.4 Tackling Harassment and Disability Discrimination**

The College will not tolerate any form of discrimination or harassment on the basis of a person's disability. We currently have a policy and procedure on dealing with personal harassment and a support network.

## **7 Our Action Plan**

This Disability Equality Scheme and its Action Plan will be monitored regularly (and reported on annually) as required by legislation and in order that it is a dynamic and effective tool for positive change.

## **8 Publishing**

Copies of our Scheme and Action Plan will be made available via the College's internet and intranet sites and hard copies as well as alternative formats such as Braille, Large Prints and CD on request.

## ***Appendices***

### **A. The General Duty**

There is a general Disability Equality Duty which applies to all public authorities, plus additional specific duties to support the majority of public authorities in achieving the outcomes required by the general duty.

The basic requirement for a public authority when carrying out their functions is to have due regard to the following:

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the Disability Discrimination Act
- eliminate harassment of disabled people that is related to their disability
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to meet disabled peoples needs, even if this requires more favourable treatment.

### **B. The definition of disability**

A person has a disability if he or she 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.

People who have had a disability within the definition are protected from discrimination even if they no longer have a disability.

The term “impairment” covers physical or mental impairments; this includes sensory impairments, such as those affecting sight or hearing.

The term “mental impairment” is intended to cover a wide range of impairments relating to mental functioning, including what are often known as learning difficulties. However, the Act states that it does not include any impairment resulting from or consisting of a mental illness. A clinically well-recognised illness is one that is recognised by a respected body of medical opinion.

A substantial adverse effect is something more than a minor or trivial effect. The requirement that an effect must be substantial reflects the general understanding of disability as a limitation going beyond the normal differences in ability which might exist among people.

A long-term effect of impairment is one:

- which has lasted at least 12 months, or
- where the total period for which it lasts is likely to be at least 12 months, or
- Which is likely to last for the rest of the life of the person affected.

Effects which are not long-term would therefore include loss of mobility due to a broken limb which is likely to heal within 12 months and the effects of temporary infections, from which a person would be likely to recover within 12 months.

If an impairment has had a substantial adverse effect on normal day-to-day activities but that effect ceases, the substantial effect is treated as continuing if it is likely to recur; that is, if it is more probable than not that the effect will recur. For example, a person with rheumatoid arthritis may have an impairment that has a substantial adverse effect, but which then ceases to be substantial (i.e. the person has a period of remission).

Normal day-to-day activities are those which carried out by most people on a fairly regular and frequent basis. The term is not intended to include activities which are normal only for a particular person or group of people, such as playing a musical instrument or a sport to a professional standard or performing a skilled or specialist task related, for example, to a particular academic discipline, education or training course. However, someone who is affected in such a specialised way but is also affected in normal day-to-day activities would be covered by this part of the definition. The test of whether impairment affects normal day-to-day activities is whether it affects one of the broad categories of capacity listed in schedule 1 to the Act. They are:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of the risk of physical danger

Someone with impairment may be receiving medical or other treatment which alleviates or removes the effects although not the impairment. In such cases, the treatment is ignored and the impairment is taken to have the effect it would have had without such treatment. This does not apply if substantial adverse effects are not likely to recur even if the treatment stops, because the individual no longer has a disability.

The sole exception to the rule about ignoring the effects of treatment is the wearing of spectacles or contact lenses. In this case, the effect while the person is wearing spectacles or contact lenses should be considered.

People with severe disfigurement are covered by the Act. They do not need to demonstrate that the impairment has a substantial adverse effect on their ability to carry out normal day-to-day activities.

Progressive conditions are conditions that are likely to change and develop over time. Examples given in the Act are cancer, multiple sclerosis, muscular dystrophy and HIV infection. Where a person has a progressive condition s/he will be covered by the Act from the moment the condition leads to an impairment which has some effect on ability to carry out normal day-to-day activities, even though not a substantial effect on such ability.

If a genetic condition has no effect on ability to carry out normal day-to-day activities, the person is not covered. Diagnosis does not in itself bring someone within the definition. If the condition is progressive, then the rule about progressive conditions applies.

There are certain conditions which are to be regarded as not amounting to impairments for the purposes of the Act.