DISABILITY POLICY

POLICY STATEMENT

Imperial College London is fully committed to ensuring that our equal opportunities policy is practised throughout the College, that every member of staff has the opportunity to develop their potential, is made welcome, comfortable and has equal access to all services and facilities.

Imperial seeks to employ a workforce that reflects the diverse community at large because it values the individual contribution of people, irrespective of race, colour, nationality, ethnic origin, sex, transsexual status, marital status, disability, religion, political belief, socio-economic background, parental status, trade union membership, sexual orientation and age. Imperial recognises that a diverse workforce enriches the organisation.

This policy is designed to build on the principles of equality of opportunity, diversity and inclusion. It covers current employees who may become disabled, potential recruits, and staff who may already have a disability. Its success depends on everyone in the organisation working to make the policy a reality, especially those in management role, in line with Imperial Expectations.

PRINCIPLES

1. Imperial will treat all employees with dignity and respect and will provide an environment for learning and working that is free from unlawful discrimination, harassment, bullying and victimisation.

2. The College is committed to an Equal Opportunities Policy and recognises the importance and value of diversity. It recognises its social, moral and statutory duty to admit and employ people with disabilities, and will do all that is practicable to meet this requirement responsibility.

3. The College wishes to be an organisation that is recognised by the community for good employment opportunities. It wants individuals who apply to Imperial to be confident that they will receive fair treatment and be considered on their ability to do the job.

4. Imperial’s employment policies aim to ensure that people with disabilities receive treatment that is fair, equitable and consistent with their skills and abilities. Similarly, the College admits students to the available places on its courses based on their academic ability and motivation, whilst recognising the particular achievements of disabled students who have reached this stage.
5. Imperial will make every effort, if an existing employee becomes disabled, to retrain and retain them wherever practicable.

6. Imperial is committed to providing relevant training on disability and involves disabled people and interested parties via the Disabled Staff Forum, in policy evaluation and new policy development.

LEGISLATION

7. The Equality Act 2010 was introduced to harmonise and replace previous legislation, such as the Disability Discrimination Act 2005. The Equality Act has strengthened particular aspects of equality law, and in particular, disabilities. For more information about disability please see the information guides for managers and employees.

8. The Equality Act 2010 puts a duty on Imperial, as an education provider and large employer, to make reasonable adjustments for staff and students to help them overcome disadvantage resulting from impairment, e.g. by providing assistive technologies to help visually impaired staff use computers effectively.

9. The Equality Act takes the approach that employers and service providers must look specifically at the particular person’s disability and identify how, they can ensure that the disabled person is treated as favourably as everybody else. The law is in place to promote equal rights and fair treatment.

DEFINITION OF DISABILITY

10. Under the Act a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This would include such things as using a telephone, reading a book, or using public transport.

   • ‘substantial’ is defined as ‘more than minor or trivial’
   • ‘long-term effect’ is defined as lasting more than a year (12 months or more).

Imperial complies with his legislative definition, and it also defines disability as the loss or limitation of opportunities that prevent people who have impairments from taking part in the life of the community as equal, due to physical and social barriers. Examples of disabilities and exclusions can be found here.

DISCRIMINATION AND EXCLUSION

11. Discrimination against disabled applicants or staff can take place in the following ways:

   • **Direct Discrimination**: An individual is treated less favourably than another because of a disability.

   • **Indirect Discrimination**: When a rule or policy that applies to the majority but disadvantages someone with a protected characteristic (disability).
• **Discrimination by Association**: Direct discrimination against someone because they associate with another person who has a disability.

• **Discrimination by Perception**: Direct discrimination against an individual because the others think they possess a particular protected characteristic, e.g. disability.

• **Harassment**: Many people with disabilities experience harassment at work. At Imperial harassment will not be tolerated and every reasonable step will be taken to deal with it. Any refusal to work with people because of their disability is unacceptable and will not be tolerated. Staff can complain of behaviour they find offensive even if it is not directed at them, for example, if they believe the harassment or treatment of another has created a hostile environment.

• **Victimisation**: When a staff member is treated badly because they have made, or supported a complaint or grievance, under the Equality Act:
  - by treating them ‘less favourably’ than other people, or
  - by failing to make a ‘reasonable adjustment’ compared with other people for a reason relating to their disability.

• **Discrimination** can arise from:
  - assumptions and stereotypes
  - prejudice or fear
  - lack of understanding and information
  - low expectations
  - lack of direct contact with disabled people
  - inaccessible environments
  - lack of appropriate aids, services and adjustments which make something accessible
  - inflexible practices and procedures

**DISCLOSURE**

12. As many disabilities are not obvious Imperial relies on the staff member or applicant making a disclosure about their disability. It is understood individuals are often reluctant to do this as they fear discrimination, and feel it is not relevant in respect of being able to do their job. It is the College’s responsibility to promote this policy and good practice to ensure disclosure rates continue to increase. The stress of not divulging a disability can exacerbate the person’s difficulties at work or study.

13. Disclosing a disability will mean that:
  - the employee and manager, or tutor and student, can together determine what adjustments, if any, would maintain or improve working conditions;
  - the support of fellow workers can be enlisted.
CONFIDENTIALITY

14. Legally, it is imperative that we safeguard the confidentiality of personal and medical information. When a person’s disability status is known, all unnecessary and potentially damaging disclosures will be avoided. Disclosure will only occur:

- with the explicit consent of the individual
- when it helps to facilitate the person’s ability to do the job
- if it is absolutely necessary within the law and there is a risk to the health and safety of the individual

15. The applicant or employee will always be informed about the purposes for which the personal information will be used.

16. The Equality Act 2010 makes it unlawful, except in certain circumstances, for employers to ask about a candidate’s health before offering them work. Health questionnaires filled out by job applicants are sent to Occupational Health in confidence and are not used to screen prospective employees.

ROLES AND RESPONSIBILITIES

17. Faculty Deans, College Consuls, Heads of Departments/Divisions, and all those in managerial positions have a particular responsibility to ensure implementation of the College’s Equal Opportunity policies and procedures in line with Imperial Expectations.

18. The College has a responsibility to avoid discrimination in the areas of:

- recruitment
- day to day working life
- training and development
- career development
- redundancy and dismissal

19. Everyone working for Imperial, and those responsible for procuring services for the College, are responsible for ensuring that non-discriminatory policies and procedures are in place in order to avoid discrimination against disabled staff, clients and visitors.

20. In addition, all staff have a responsibility to avoid, and to challenge the victimisation or harassment of disabled people.

21. If any member of staff believes they have been treated in a way that is contrary to this policy, concerns should be raised with someone in authority who is in a position to take appropriate action, e.g. a senior manager in the department, the local HR Manager or Adviser, a departmental disability Liaison Officer, or a College Disability Support Contact, details of which are published on the HR and Disabilities Advisory Service’s websites.
MONITORING AND EVALUATION

22. Imperial is committed to conducting transparent monitoring to make the College fully accessible for all via the ICIS system and OSS.

23. The College’s Disability Action Plan is published on the web, this is a comprehensive action plan which is kept under regular review by the Disability Action Committee.

24. Annual audits of performance are reviewed at Management Board and Council meetings. The annual report containing general trends and recommendations for progress are posted on the web.

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