



ESBM Disability Policy

Reviewed February 2023

Next review: February 2024

The disability equality legislation outlines a number of required duties. The Equality Act 2010 incorporated all nine separate pieces of equality legislation including the Disability Discrimination Act 1995. The Equality Act 2010 places a general duty on Education Institutions to promote disability equality. Under these duties ESBM should:

- Eliminate unlawful discrimination
- Eliminate harassment of disabled people
- Promote equality of opportunities between disabled people and other people
- Involve disabled people in the formulation of actions
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life
- Take steps to meet disabled people's needs
- Identify and analyze potential discriminatory policies, practices and procedures in all aspects of the College's activities.

ESBM supports an anticipatory approach which requires pro-active consideration of disabled access to services and facilities to ensure adjustments are made in advance of individual disabled people attempting to use the service or access education.

The Equality Act 2010 uses a wide definition of disability which includes those with physical or mobility impairments, visual impairments, hearing impairments, dyslexia, dyspraxia, dyscalculia, AD(H)D, medical conditions, mental health difficulties, autistic spectrum conditions, Chronic Fatigue Syndrome, M.E. and 'unseen disabilities' (e.g. asthma, epilepsy, heart conditions, diabetes). The formal definition included in the Act is:

"A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities"

The definition of "day to day activities" includes mobility, manual dexterity, lifting, hearing, eyesight, speech, memory, and the ability to concentrate, learn or understand. The Act defines "substantial" as being more than trivial and "long-term" as being more than twelve months or likely to last twelve months. An impairment which would substantially affect a person, but which is controlled by medical treatment or prosthesis, is still covered by the definition of disability.

The definition includes cancer, HIV/AIDS and Multiple Sclerosis effectively from the point of diagnosis.

Discrimination and harassment is not limited to those people who are themselves disabled but also applies to those associated with disability i.e. a carer for a disabled child.

It is the aim of ESBM to recruit, train, develop and retain disabled people. The College monitors self declaration of disability at both application and appointment stage.

All information given to ESBM by disabled staff and students will be treated with respect and confidence and in accordance with Data Protection legislation. A disabled student or member of staff may volunteer a disability and ask that the information is kept confidential. The responsibility of the staff member informed is to ensure that the disabled person is aware that this is likely to have an effect on any reasonable adjustments which may be required and to document this.