

# Disability Discrimination Policy

*Promoting equality of opportunity and providing reasonable accommodations for students with disabilities across all aspects of College provision*

## The Institute for Counselling & Psychotherapy Studies *ICPS College, Dublin*

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## Aim of the Policy

*The aim of this policy is to promote equality of opportunity and to avoid discrimination against people who have a disability, including physical, hidden, sensory or mental impairment, and to ensure that relevant support is provided to enable students with disabilities to complete their course of study at ICPS College.*

Discrimination occurs when, for a reason relating to a disability, a disabled person is treated less favourably than a person to whom that reason does not apply, without justification. ICPS College is unequivocally opposed to such treatment in any form.

### Scope



This policy applies to all aspects of the College's provision and to all members of the College community, including:

- ◆ Management
- ◆ Staff (academic, administrative and operational)
- ◆ Students at all levels of study
- ◆ Contractors and suppliers
- ◆ Members of the public engaging with the College

### Relevant Legislation

This policy operates within the framework of relevant national and international equality legislation, including:

- ◆ The Equal Status Acts 2000–2018 (Ireland)
- ◆ The Disability Act 2005 (Ireland)

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- ◆ The Employment Equality Acts 1998–2015 (Ireland)
  - ◆ The UN Convention on the Rights of Persons with Disabilities
  - ◆ The Disability Discrimination Act 1995 and 2005 (UK, where applicable to learners or staff)
  - ◆ The Special Educational Needs and Disability Order 2005 (SENDO, Northern Ireland)

# The Test of Reasonableness

Whether the steps taken by the College in any given case are reasonable is contingent upon a balanced assessment of the following factors. No single factor is determinative; the test is one of overall proportionality.

- ◆ **Cost** — the financial cost of the proposed adjustment
- ◆ **Effectiveness** — the extent to which the adjustment would prevent the disadvantage
- ◆ **Size and resources available to the College** — both human and material
- ◆ **Extent of disruption** — to the College's ordinary operations or to other students
- ◆ **Availability of financial or other assistance** — from external sources or grant programmes

## Specific Definitions

**Disability.** A physical or mental impairment which has a substantial and long-term effect on the ability to carry out normal day-to-day activities.

**Physical or Mental Impairment.** A clinically well-recognised illness. This:

- ◆ Includes addictions and various personality and social disorders
- ◆ Includes disfigurement

**Substantial.** The substantial nature of an impairment is assessed by reference to:

- ◆ The time taken to carry out an activity
- ◆ The way in which an activity is carried out
- ◆ The cumulative effects of an impairment

- ◆ Effects on behaviour
- ◆ Effects of the environment

***Long-Term Effect.*** An impairment is treated as long-term where:

- ◆ It has lasted for twelve months
- ◆ It is likely to last for twelve months
- ◆ It is likely to last for the rest of the life of the person affected

***Normal Day-to-Day Activities.*** The relevant activities include:

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

## Responsibilities of the College



The College will ensure that all its employees and users of its facilities are made aware of the legal obligations and rights bestowed by the relevant equality and disability legislation. All staff have a duty to observe the provisions of the relevant legislation, which establishes the following principles:

- ◆ It is unlawful to discriminate against disabled people or students by treating them less favourably than others.
- ◆ Responsible bodies are required to provide certain types of reasonable adjustments to provision where disabled students or other disabled people might otherwise be substantially disadvantaged.
- ◆ Responsible bodies are required to make adjustments that involve the provision of auxiliary aids and services.
- ◆ Responsible bodies are required to adjust physical features of premises where these put disabled people or students at substantial disadvantage.

### The Duty to Make Reasonable Adjustments

The College's duty to make reasonable adjustments includes, but is not limited to, the following measures, applied as appropriate to each individual case:

- ◆ Adjustments to premises
- ◆ Allocating some of the disabled person's non-key duties to another employee
- ◆ Transferring them to fill a vacancy
- ◆ Altering the place of work or working hours

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- ◆ Acquiring or modifying equipment
  - ◆ Providing a reader or interpreter
  - ◆ Providing supervision
  - ◆ Allowing absence for rehabilitation, assessment or treatment
  - ◆ Providing training
  - ◆ Modifying procedures for testing and assessment
  - ◆ Modifying instructions and reference manuals

# Operational Procedures

Procedures in respect of the above legislation are operationalised through the following routine and exceptional measures of the College.

## Staff Awareness

All staff will receive information and guidance on provision for disabled students, as it is recognised that those students may be found in any area of the College.

## Admission Arrangements

A trained member of College staff will interview all students identified as having a learning difficulty or disability. At this interview, any special requirements will be noted and applied if reasonable as defined in this policy.

## Facilities and Support

Any student with a disability who, after an assessment by staff, is thought to need extra assistance, will be facilitated as required.

## Examination Arrangements

Students who require special arrangements or additional support during examinations should make this request to the Tutor, who will then make the necessary arrangements with the College administration.

## Facilities

All sites provide facilities for disabled students, including lifts, accessible toilets, and other physical accommodations appropriate to a contemporary educational environment.

## Staff Procedures

Staff receive basic specialist training, including in support for visually impaired students and learners with dyslexia and other specific learning differences.

## Complaints

Every student with a complaint relating to disability provision is entitled to have that complaint dealt with, if necessary, by a senior member of staff, with an appeal to the Management Committee through the College's formal Complaints Policy. The Tutor would, in the first instance, deal with any complaint from a student with a disability.

## Monitoring

All disability provision and accommodations are monitored and reviewed by the College on an annual basis.

### APPROVED BY

Head of Academic Standards & Accreditations

ICPS College · Dublin, Ireland

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