Caister
Primary Federation

Equality, Diversity and Inclusion in Employment - Disability policy and procedure

Formally adopted by the Governing Board of:-	**Caister Primary Federation**
On:-	**17th September 2025**
Chair of Governors:-	**Payal Patel**

Equality, Diversity and Inclusion in Employment – Disability policy and procedure P330

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We, the Governing Board/Trust Board, have adopted this policy and procedure.

1. Introduction and scope

1.1 This policy and procedure forms part of our overall commitment to creating a working environment free of bullying, harassment, victimisation and unlawful discrimination, with promotion of dignity and respect for all, and where individual differences and contributions of all employees are recognised and valued.

1.2 This policy applies to anyone working for us, including employees, workers, contractors, volunteers, apprentices and job applicants, whilst at work and off-duty if there is a detrimental impact on our, or the employee's reputation or an effect on their ability to attend work. Where in this policy and procedure we make reference to employees, it should be read to include workers, contractors, volunteers and apprentices as far as is reasonably practicable.

2. Equalities and support

2.1 The Head of School will ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

2.2 Through the implementation of this policy, the Governing Board/Trust will be mindful of their obligation to seek to maintain and protect the mental health and wellbeing of all employees as far as is reasonably practicable.

2.3 According to ACAS it is estimated one in seven people are neurodivergent, meaning that the brain functions, learns and processes information uniquely. Where an employee discloses neurodiversity, the Governing Board/Trust understands the employee may require extra support in relation to the application of this policy. Where reasonable adjustments are necessary and can be accommodated, the Head of School will support these.

3. The Law

3.1 The Equality Act 2010 gives disabled people the right not to be discriminated against in employment, both when seeking employment and whilst in employment. The Act defines a disability as a long-term health condition that affects someone's ability to carry out normal day-to-day activities. "Long-term" means that it must have lasted, or be expected to last, at least 12 months.

3.2 The definition of disability can cover:

- physical, visible and sensory impairments,
- invisible conditions such as epilepsy or diabetes,
- mental illness such as depression or anxiety disorder,
- other mental impairment such as learning difficulties or dyslexia

3.3 People with the following conditions and impairments are automatically protected:

- cancer
- living with HIV
- multiple sclerosis
- a visual impairment – if someone is certified as blind, severely sight impaired, sight impaired or partially sighted.

3.4 Some neurodivergent people do not see themselves as disabled. However, being neurodivergent will often amount to a disability under the Equality Act 2010.

3.5 There are five forms of discrimination which apply:

- direct discrimination,
- failure to comply with a duty to make reasonable adjustments,
- disability related discrimination,
- victimisation,
- harassment.

3.6 The Act places a duty on employers to make reasonable adjustments, meaning employers must take reasonable steps so that employees can carry out their job.

3.7 Any employee who believes that they have been discriminated against for a reason relating to their disability should use the Grievance procedure.

3.8 Disciplinary action will be taken against any employee who is found to have committed an act of discrimination. Serious breaches of this policy may be gross misconduct.

4. Removing barriers

4.1 Public sector organisations are statutorily required to be pro-active in ensuring disabled people are treated fairly. The Governing Board/Trust recognises the importance of taking proactive measures to remove barriers from the working environment for disabled people. It is recognised that this will benefit not only disabled employees and pupils but also prospective employees and visitors. It will ensure that the organisation is able to recruit and retain the best employees on the basis of their abilities and individual merit.

4.2 As part of the Public Sector Equality Duty (PSED), the Governing Board is required to publish equality information and objectives. This will highlight any barriers to equality and what action is being taken to remove them. https://www.schools.norfolk.gov.uk/pupil-safety-and-behaviour/equality-diversity-community-cohesion/equality-objectives

5. Talking about disability

5.1 The Governing Board/Trust understand that some people find it hard to discuss their disabilities and that disability can be invisible.

5.2 Psychological safety, where people feel able to speak up about their experiences without fear of negative consequences, is paramount to ensuring disability inclusion. However, this is only possible if we treat people with dignity, trust and respect, and we expect everyone to uphold these values.

5.3 Ableist language will not be tolerated in our organisation. Ableist language is language that is negative, inappropriate or offensive towards people with a disability and may take the form of jokes or "banter". If any employee adopts such language, action will be taken against them under the Disciplinary procedure.

6. Training

6.1 Any employee involved with making decisions about another person's employment, should attend appropriate equality, diversity and inclusion training.

6.2 All new starters should attend equality, diversity and inclusion training as part of their induction programme.

6.3 Existing employees must attend regular equality, diversity and inclusion training.

6.4 All employees are expected to proactively support equality, diversity and inclusion initiatives by attending events and workshops organised to educate themselves on the challenges faced by others and how to help alleviate these in the workplace.

7. Recruitment and appointment

7.1 Any recruitment exercise will involve consideration of disability in advance of a recruitment campaign so that advertising, application forms and assessments, arrangements for interviews, job descriptions and employee specifications, and selection criteria are appropriate and as inclusive as possible.

7.2 The Governing Board/Trust recognises it is unlawful for an employer to discriminate against a disabled person:

- in the arrangements made for determining who should be offered employment
- in the terms on which the person with a disability is offered employment or
- by refusing to offer, or deliberately not offering, the disabled person employment
- by failing to comply with the duty to make a reasonable adjustment.

7.3 Employees will therefore be recruited solely on the basis of work criteria and their abilities and individual merit. A disability will not of itself justify the non-recruitment of an applicant.

7.4 All applicants will be asked at the outset if they require any reasonable adjustments to be made to the recruitment process to ensure that no applicant is disadvantaged because of their disability. Examples of reasonable adjustments at interview stage may include:

- holding the interview(s) in an accessible venue
- providing a sign language interpreter
- allowing an applicant to be accompanied by a person who can support them
- making seating and lighting modifications
- allowing longer for the completion of any assessments or tests
- allowing the applicant to use their own or modified equipment e.g. a modified keyboard for tests undertaken on a pc.

7.5 To ensure that a person with a disability is not placed at a substantial disadvantage, reasonable adjustments will be made at all stages of the recruitment process where the applicant requests and it is reasonable and practicable for the school to provide.

7.6 Any employee involved in the interview process must not ask job applicants about their health or disability except with prior approval from the Head of School. Such approval is given only in exceptional circumstances and where there are specific legal grounds for doing so.

7.7 Before an applicant with disabilities is judged to have been unsuccessful, full consideration will be given to whether any reasonable adjustments would make the applicant the best person for that post.

8. Induction

8.1 When a disabled employee commences work, the Head of School will be responsible for consulting with them to ensure any reasonable adjustments are made that are required to enable them to work safely and effectively and to secure equal access to the benefits of employment.

8.2 Where the Head of School does not have the relevant knowledge or experience to make the reasonable adjustments they will seek advice. Where necessary an outside specialist may be consulted.

9. Training and career development

9.1 All employees will have equal access to training and opportunities for promotion and other aspects of career development based solely on their abilities.

9.2 All training will be made accessible to disabled employees by such adjustments as are reasonable.

10. Reasonable adjustments

10.1 The duty to consider making reasonable adjustments is triggered when the employer is aware that an employee is disabled or ought to have been aware that they disabled, and in both circumstances their disability was liable to place them at a substantial disadvantage.

10.2 The duty to make reasonable adjustments arises when a disabled person is placed at a substantial disadvantage by:

- the employer's provision, criterion or practice (e.g. where an employee requires more frequent breaks, but their contract only permits one 30-minute break per day);
- a physical feature of the employer's premises (e.g. whether an employee requires a wheelchair ramp or lift to access the employer's premises);
- failure to provide auxiliary aids (e.g. an adapted keyboard or specialised software).

10.3 Many adjustments are easy to identify and can be implemented simply and cost-effectively whilst others may need further consideration. Examples of reasonable adjustments are (this is not an exhaustive list):

- Altering hours of work or training
- Adjusting or reallocating work activities or duties
- Allowing the employee to be absent during working hours for rehabilitation, assessment or treatment for disability related absence – (see the Leave and time off policy)
- Providing extra support e.g. allocating a Teaching Assistant to help in preparing classroom materials, providing cover for a teacher who needs breaks to take medication; replacing outdoor supervision duties with management tasks such as INSET co-ordination or mentoring
- Giving or arranging training or mentoring

- Acquiring or modifying equipment e.g. providing an induction loop in the hall/large assembly areas, installing a visible fire alarm system, providing an adapted telephone
- Modifying instructions or reference manuals e.g. providing magnifying equipment
- Providing a reader or interpreter e.g. providing a sign language interpreter at interview

10.4 If an employee is experiencing difficulties at work because of their disability, they should contact the Head of School or other appropriate manager to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. The Head of School may need to discuss the employee's needs in some detail and may need to contact an appropriate medical adviser to ensure options for suitable support are considered and where reasonable, put in place. The prime responsibility for arranging appropriate adjustments lies with the Head of School. However, in many cases a team approach will be appropriate, for example when arranging training courses where the responsibility may pass to another employee who is co-ordinating the training.

10.5 The Head of School or employee responsible for arranging the adjustment will, at all times, consult the employee concerned, whose agreement will be sought. The expertise of the disabled employee concerning their own disability will be recognised.

10.6 An employee with a disability does not have to inform their employer. Some employees who have a disability do not need adjustments to be made. However, the Governing Board/Trust, encourages through this policy, any employee to discuss with the Head of School if their disability is such that reasonable adjustments would support the removal of any disadvantage.

10.7 The Head of School would need to be able to demonstrate that they have done everything they can to identify employees with disabilities who require reasonable adjustments.

10.8 When considering whether a disabled employee is placed at a substantial disadvantage, the Head of School will consider the disadvantage to that individual (and not the disadvantage to a group of employees). Substantial disadvantage should be assessed objectively and requires comparison with those who are not disabled.

10.9 Any adjustments made will be reviewed at agreed intervals to ensure their continuing effectiveness.

10.10 Records will be kept of all agreed adjustments. The TUC Adjustment Passport Template is a method that can be used to record such adjustments.

11. Funding reasonable adjustments

11.1 Any additional costs arising from adjustments will need to be met by the school budget. Cost of adjustment therefore needs to be a factor in considering reasonableness. However, the fact that there may be a cost should not, in itself, be used as a reason for not accommodating the adjustment.

11.2 As a maintained school, where the school cannot afford the funding of equipment required as part of a reasonable adjustment, we are able to apply to the Local Authority to access funds to assist with the cost (not including capital works costs). If appropriate, the Head of School will contact EducationHR by emailing EHRenquiries@norfolk.gov.uk to apply and will include invoices or recommendations for adaptions from approved sources.

12. Retention

12.1 The Governing Board/Trust, requires that reasonable measures are taken to retain disabled employees in employment.

12.2 It will be the responsibility of the Head of School to identify issues of disability and retention with regard to an individual employee, for example, where dismissal is being considered on the grounds of sickness or incapacity.

12.3 The Head of School will make such adjustments as are reasonable to enable a disabled employee to carry out their duties. The Head of School may take account of recommendations made by Occupational Health when considering any adjustments that may be required to support the employee. Whilst there is no obligation on the employer to implement any recommendations made by Occupational Health, it is good practice to take such recommendations into consideration when determining what adjustments should be made for disabled employees. In some cases, the adjustments may involve an ongoing reduction in working hours or other contractual change. Where this is the case, discussion would need to take place to achieve agreement on such changes, particularly in respect of duties to be retained, duties to be removed, impact on pay and working days/hours.

12.4 If an employee is absent from work for a period of the school term as a result of a disability, the Head of School may request a medical assessment. This process will be managed under the Absence management policy and procedure.

12.5 There may be cases where the impact of the disability on the employee's ability to do their job is so substantial that consideration has to be given to their continuation in that role. Where this is the case, redeployment should be considered. Where all options are explored but unsuccessful, the result will be termination of employment or ill health retirement. Advice should be sort from the HR provider in these circumstances.

12.6 If an individual is redeployed to a post of a lesser grade or salary, the general provisions for redeployment that are covered in the Staffing adjustment policy and procedure will be considered.

13. Other potential support for disabled employees

13.1 **Access to work** is a publicly funded employment support programme that can provide practical and financial support for people who have a disability or long term physical or mental health condition. Employers are not able to make application for financial support, however, individuals can make application for personal support. Further information can be found on the gov.uk website.

13.2 Any employee who has a disability or cares for someone with a disability, who needs emotional support or help with practical issues, is able to contact the employee assistance programme for free, confidential advice.

Norfolk Support Line
Telephone: 0800 169 7676
Online: www.norfolksupportline.co.uk (passcode: NORFOLK)]

13.3 We also encourage employees to join our disability employee support group to speak with others who also have experience of disability and who understand the associated workplace challenges. Employees can make their voice heard and make a difference by helping raise disability awareness and understanding across the wider organisation.]

13.4 Accessibility tours enable our organisation to gain a better insight into accessibility issues from the perspective of the person with a disability. If an employee experiences accessibility issues due to their disability, for example because of aspects of our premises or because they do not have adaptive equipment to help them perform their role, a request for an accessibility tour can me made via the Head of School.

14. Harassment

14.1 Harassment is unwanted conduct, whether physical, verbal or non-verbal, that is offensive, humiliating and viewed as unacceptable by the recipient. For further information regarding harassment see the Discrimination, bullying and harassment Policy.

14.2 Harassment of disabled employees will be a disciplinary offence and may constitute gross misconduct which could result in summary dismissal.

15. Confidentiality

15.1 If an employee asks that their disability remains confidential, this will be respected as far as possible. Where this request cannot be honoured, it will be explained to the employee (i) who needs to know why and (ii) for what purpose. Any information shared should be restricted to the nature of the adjustments and not be about the medical condition or disability.

16. Health and safety arrangements

16.1 Health and safety arrangements will need to be reviewed. A key stage of a risk assessment is to identify who might be harmed, in order to evaluate safe working arrangements. A Personal Emergency Evacuation Plan (PEEP) should also be produced if an employee has a specific need for assistance during evacuation.

17. Data Protection

17.1 Personal data collected and processed for the purpose of this policy and procedure will be handled in accordance with the data protection policy and applicable statutory obligations. Any personal data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of employee management or to comply with statutory reporting obligations. Inappropriate access to, or disclosure of, employee data constitutes a data breach and should be reported without delay, in accordance with the data protection policy. It may also constitute a disciplinary offence in which case it would be dealt with under the disciplinary policy and procedure.

Appendix 1 – Table of changes

Date of change	Paragraphs affected	Summary of update
22/07/2025	All	Document name change. Review of all Equality related documents. Review of whole document and terminology to ensure consistency across all policies and procedures.
16/11/2021	1	Additional paragraph to include consideration for employees with mental health issues.
11/05/2021	8	Updated to state that adjustments can be recorded on an adjustment passport.
19/05/2020	6,7	Update to state that it is good practice to take account of OH recommendations as well as the situations in which the duty to make reasonable adjustments arises.
14/05/2019	5	References to Dignity at work policy updated to Bullying and Harassment policy.
18/05/2018	All	New policy added to HR InfoSpace