

Trinity College Dublin



Supporting Staff with Disabilities: Guide for staff and managers

**Code of Practice Applying to the Employment of
People with Disabilities**



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Supporting Staff with Disabilities

Guide for staff and managers

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This document is available in alternative format upon request and is on the College webpage at:

http://www.tcd.ie/disability/staff/staff_with_disab.php

Supporting Staff With Disabilities Guidelines

General Information

The **Code of Practice Applying to the Employment of People with Disabilities** is the core document which outlines the College's commitment to supporting staff with disabilities. The code of practice describes entitlements and duties regarding staff with disabilities. It also describes managers' obligations to implement the code.

These guidelines are designed as an information resource. They are by no means exhaustive or prescriptive. For further guidance please refer to the Code of Practice or sources of contact.

Supportive work environment

Creating a supportive work environment is essential to promoting the employment of people with disabilities and to providing equal participation and career development. This endeavour should be undertaken collaboratively, between managers, staff with disabilities, other staff and other relevant stakeholders. The guidelines also outline some steps managers and staff may take to help create a supportive environment.

Information for Employment Applicants

People with disabilities are entitled to apply for any position in College for which they are qualified and to have their applications considered on the basis of their abilities, qualifications and suitability for the work in question.

Applications from people with disabilities are actively encouraged. College's objective is to increase the proportion of staff with disabilities to a minimum of 3% of total staff.

No unnecessary or irrelevant obstacle will be placed in the way of people with disabilities applying for posts in College. College will make all reasonable efforts to provide necessary specific supports to enable applicants with disabilities to participate in competitions for posts for which they would be suited.

You may disclose your disability at different stages in the recruitment process, please consult the Code of Practice and the Disclosure sections outlined in this guide for details.

What is a disability?

The term 'disability' includes a wide range of impairments and health conditions. Within Irish equality legislation, physical, mobility, sensory, mental health, specific learning difficulties and intellectual disabilities are included. For a full definition please consult the Code of Practice.

Along with obvious or "visible" disabilities, a range of chronic medical conditions may also be considered a disability: such as mental health conditions, diabetes, epilepsy, etc., depending on the individual case. Research indicates that 52% of people with a legally defined disability do not consider themselves to be disabled (Equality and Human Rights Commission, UK).

For clarification, consult with one of the contacts listed in the **Who can I talk to?** section.

See the Code of Practice section 2 and appendix for legal definitions.

The Process: from disclosure to reasonable accommodations

Supporting staff with disabilities is a collaboration between a number of people, primarily the individual staff member, their manager and the Disability Service. Table 1 outlines the key steps involved. This document elaborates on each step, and provides additional information as appropriate.

Please always refer to the Code of Practice

Disclosure

College seeks to create a supportive environment which encourages disclosure with a positive response. Disclosure is welcomed so that the appropriate supports may be provided to enable staff to carry out their work. However, it is ultimately a personal decision whether or not to disclose. The Code of Practice outlines detailed recommendations in relation to disclosing at recruitment stage or when already in employment.

Disclosure of personal and medical information is confidential and no information disclosed will be provided to a third party without consent at any time.

For the staff member:

If you have a disability you are encouraged to discuss your specific needs with your line manager, so that the necessary measures and supports may be put in place to facilitate you in carrying out your work.

Your performance management review (PMDS), for example, may be an appropriate time to discuss any adjustments with your manager. If you would like further guidance, you may consult with the Director of the College Disability Service or other contacts listed in the **Who Can I Talk To?** section.

Table 1: Description of stages involved in supporting staff with disabilities

Stage of Process	Role of the Disability Service	Role of the Staff member with disability	Role of the line Manager
Disclosure	Staff member arranges meeting with the Disability Service (DS) to discuss disclosure options, in confidence. (Optional)	Meet line manager and raise impairment / disability issue. Disclose disability if not already done.	Meet member of staff. Respond positively to disclosure and discuss options
Initial Discussion		Seek and provide medical documentation from consultant to confirm disability for the needs assessment meeting with the Disability Officer.	Arrange meeting with DS for the staff member.
Needs Assessment	Disability Officer and staff member meet to discuss issues in work and needs. A plan for reasonable accommodations is discussed.		Provide detailed job description and access to work areas. Disability Officer and line-manager meet to discuss issues in work and needs.
Report of Needs Assessment	Disability Officer draws up draft report	Review report and suggest changes.	Review report and suggest changes.
	Agreed final report circulated to staff member, line-manager and Staff Office if required.		

Table 1: Description of stages involved in supporting staff with disabilities

Stage of Process	Role of the Disability Service	Role of the Staff member with disability	Role of the line Manager
Reasonable Accommodations	DS recommends supports and provides specific information about supports that may be available.	Agree to accommodations	Agree to accommodations as practicable Submit application for funding to the Establishment Manager in the Staff Office, where necessary Arrange / implement accommodations
Review	Review annually with staff member.	Report any issues to line manager and DS	Review regularly with staff member
Feedback	Review the code of practice with the Equality Committee	Provide feedback to help further develop the code of practice	Provide feedback to help further develop the code of practice

For the manager:

Line managers should respond positively to a disclosure of a disability, whether it be from a newly recruited or existing member of staff. The following are some guidelines:

- Read the Code of Practice and familiarise yourself with your responsibilities and College procedures.
- Consult with the staff member directly and discuss whether any adjustments may facilitate them in fulfilling their position. Do not make assumptions about your employee’s capabilities.
- Respect confidentiality at all times.
- Outline the College supports, including the procedure for needs assessment and reasonable accommodation (as detailed in the Code of Practice).
- Seek advice if necessary by contacting one of the Sources of Help listed.

Frequently asked questions

Who will see my medical information?

Any documentation or information presented in disclosing a disability is seen and held by the Disability Service, and specific medical or other documentation will not be disclosed to any third party.

What is kept on my personnel file?

If there is a change to the terms and condition of your employment, through the needs assessment process described below, a copy of the reasonable accommodation report will be placed on your file in the Staff Office.

See the Code of Practice section 3 and 4 for further reference.

Case Study 1

A staff member has a mental health condition, and has had the condition for several years. It means that there are times when she experiences a flare up of her condition, at which time she needs to manage her workload more carefully, and make sure that she takes exercise. This has not had any impact on her work to date, but she wonders whether she should disclose.

The staff member arranges a confidential meeting with the Disability Service, where the options are discussed. If she does disclose, she could inform her manager of any issues, with a view to finding some accommodations should she experience difficulties in work. She had not disclosed to date because she was afraid of negative attitudes.

The Disability Officer outlined the content of the Code of Practice, and explained that staff have had training in the code, thus the staff member can be confident that any disclosure would be met with a positive response. They discussed the pros and cons of disclosing.

The staff member felt that disclosing her mental health condition to her manager would mean that, should she experience any difficulties in the future, these can be managed early, meaning that she is less likely to need time off. Disclosing also means that she feels comfortable accessing

What medical evidence of a disability is required?

Staff with disabilities will need to have evidence of disability from a specialist medical practitioner. It is recommended that evidence is provided by the staff member's own medical consultant. College has a 'medical evidence form' to be completed by the relevant medical specialist if required. Evidence from a General Practitioner / Family doctor, or support organisation is not accepted as verification of disability.

It may be necessary for an appointment to be made with an Occupational Health doctor in College; if so, the line manager arranges this, in collaboration with the individual staff member. The Occupational Health service is used primarily in cases where a person has been on sick leave for a period of time and this referral is made by line Manager via Staff Office.

Evidence of disability documentation is required prior to a needs assessment meeting.

See the Code of Practice section 6 and College Sick Leave policy for further details.

Needs Assessment - what is it?

A needs assessment explores aspects of a person's work, the work environment and the individual staff member's abilities and disability, with the ultimate aim of recommending accommodations (if necessary) to enable the staff member to perform all aspects of their work.

A needs assessment will be undertaken by staff in the Disability Service. It may include examination of any of the following:

- Roles and responsibilities associated with the work;
- Time use and management of the workload;
- The physical environment, including access and egress;
- Technology used in the work environment;
- Health and safety issues;
- Communication issues and needs;
- Access to information.

It will also involve discussion of possible accommodations or adjustments. Recommendations arising from the needs assessment will need to be discussed and agreed with the line manager.

For the staff member:

Please have all relevant information about your disability or health condition, and information about your work and current issues ready to discuss with the Disability Officer.

For the manager:

It is the manager's responsibility to arrange the needs assessment with the Disability Service and to meet with the Disability Officer to discuss reasonable accommodations in the work place.

What happens after the needs assessment?

The Disability Officer will produce a draft report, outlining the findings of the needs assessment. This report is a request for reasonable accommodations.

For the staff member:

The draft report will be sent to you, for you to make whatever changes may be required. You will be asked to agree to the report being circulated to your Manager.

You will also be asked if you agree to the final version of the report being sent to a number of named people (for example, your Line-Manager). This final version of the report is known as the "reasonable accommodation request". It is your choice whether or not the report is sent to certain people. **Please note if you do not agree for disclosure of this report, reasonable accommodations may not be provided.**

For the manager:

You will be asked to review the document. Once the final version of the document (known as the reasonable accommodation request) is circulated, you are required to implement the recommendations, which are reasonable accommodations or supports that will be put in place for the staff member. A copy of the reasonable accommodation report should be kept on the local staff members' file.

What supports are available?

The supports available are known as “reasonable accommodations”, and are a legal duty of the College.

People with disabilities are protected against discrimination under the Equality legislation (Employment Equality Act 1998 – 2004 and the Equal Status Act 2000 – 2004). This includes the provision of reasonable accommodations.

Reasonable accommodation may be any action that helps alleviate a substantial disadvantage. An employer is required to take appropriate measures to enable a person who has a disability to have access to employment, to participate or advance in employment, and to undertake training, unless the measures would impose a disproportionate burden on the employer.

The purpose of reasonable accommodation is to enable an employee to fulfil the full duties of their position.

College has developed guidelines and a standard procedure to assess the needs of a person with a disability (as described above) and to provide appropriate accommodations.

Reasonable accommodations are agreed in collaboration with the individual staff member, the line manager, and the Disability Service. Other groups (such as the Staff Office) may also provide support in this area.

Accommodations may include:

- Adaptation or alteration of physical space and/or workspace furniture;
- Installation or provision of specialist assistive technology;
- Advice on specific work management strategies;
- Provision of information in an alternate format;
- Sign language interpreter;
- The provision of specific training.

The specific supports, or accommodations, will vary, depending on the individual staff member's situation.

Specific reasonable accommodations also may include:

- Ergonomics assessment – for staff with specific disabilities, advice can be provided about safe and ergonomic use of computers.
- Occupational Therapy intervention, which focuses on enabling people to perform the tasks that they want and need to do on a daily basis, may also be available. This support focus is on the practical “doing”. An Occupational Therapist will carry out an assessment in the following areas:

Person Skill training
Assertiveness / Communication / Managing assistants /
Stress Management
Pacing /energy conservation /health promotion
Workload management

Environment Assessment and recommendation for adaptations or modifications to the physical environment in College (including wheelchair access, layout of work space, ergonomic furniture etc.) The assessment for and recommendation of adaptations or modifications can, where possible be followed through with implementation and evaluation of the changes made.

Occupation Task analysis and breakdown of work tasks.

For more information about either of these, please contact the Disability Service.

Case Study 2

A member of academic staff went for his needs assessment with the disability service.

Since the development of his physical disability, he has been encountering difficulties typing and standing for long periods. He had forwarded the evidence of disability, which was a letter from his consultant outlining his condition.

He was asked about his current work, and how having a physical disability affected this. Having outlined his concerns, it was agreed that a solution to typing would be useful. So the reasonable accommodation was to use Dragon Naturally Speaking, which allows him to speak what he wants to type, rather than manually typing.

For lectures, it was agreed that the line-manager would be asked if it would be possible for the academic to teach in a small number of venues, so that a chair or perching stool can be used. He was also given advice about pacing and energy conservation.

At the end of the assessment, the staff member was relieved that many of the issues require only simple strategies. It was agreed that a report outlining the potential accommodations would be drawn up and sent to the staff member and the line-manager.

See the Code of Practice section 2, 6 and appendix for further details.

What is the procedure for implementing reasonable accommodations?

The procedure for availing of reasonable accommodation is detailed in the Code of Practice.

The report produced after the needs assessment (the reasonable accommodation request) will outline reasonable accommodations.

For the staff member:

Your manager will play a central role in facilitating reasonable accommodation, and is responsible for regularly reviewing any adjustments with you.

For the manager:

If funding is required for reasonable accommodations, you should apply for this by submitting the reasonable accommodation request prepared by the Disability Service for central funding to the Establishment Manager in the Staff Office.

It is the manager's responsibility to implement any accommodations as promptly as possible. These may include changes to the physical environment and/or changes in work practices.

It may be worth considering providing disability equality training for all your staff, in order to better implement reasonable accommodations. It is recommended that you discuss this with the staff member/s with disabilities before organising training.

See the Code of Practice section 6 and Procedures for further details.

New Staff

College is committed to supporting staff with disabilities as is outlined in the Code of Practice. All new staff face many challenges, and if additional issues such as availing of supports are required this increases the challenge. College policy and procedures are in place to support new staff members wherever possible in this transition period.

The period of induction is important for all new staff, but particularly for staff with a disability. A good induction training programme will benefit all staff, but some staff may require additional training.

For the new staff member:

You are advised to discuss your requirements with your manager as early as possible, if they have not already been discussed in the recruitment process.

Your manager should be supportive of any disclosures of disability and accommodation requests, and will work closely with you to ensure the necessary adjustments are implemented. You may also consult the Director of the College Disability Service or with the College Employee Assistance Programme or other contacts listed in **Who can I talk to?** for guidance and advice.

The College now has standard procedures which will facilitate the needs assessment and accommodation request process, as described above. For full details please consult the Code of Practice.

You may also wish to discuss how to manage any disability issues and disclosure within the workplace. This may be a sensitive issue and is mainly a personal decision depending on the nature of your condition and your role.

For the manager:

- Where possible discuss adjustments in advance of the employment start date and ensure any accommodations required are in place when the employee starts.
- Arrange for a needs assessment with the Disability Service and follow procedures for reasonable accommodation as outlined previously.
- Discuss with your new employee how they wish their disability requirements, if any, to be communicated to colleagues.
- Consider any necessary modifications in work practices that may facilitate performance and communication with colleagues.
- Ensure the new member of staff is facilitated in participating in all aspects of office life.
- Consider any training needs and the benefits of increasing disability awareness amongst your staff.

See the Code of Practice sections 3, 4 and 6.

Recently acquired disability/medical condition

At any stage in our lives we may acquire a disability or medical condition and it is the College's aim to support staff who acquire a disability or medical condition in remaining in their position and progressing their career.

The same procedures of needs assessment and provision of reasonable accommodations apply to new staff, current staff and those with acquired disability.

See the Code of Practice sections 3, 6 and 9 for further reference.

Follow-up

The manager will ensure that any reasonable accommodations and/or adjustments are implemented in a timely manner. These should be reviewed regularly.

The Disability Service will review adjustments on an annual basis.

Case Study 3

An academic staff member is deaf, and uses Irish Sign Language. It was agreed with the line manager that a reasonable accommodation would be to provide a sign language interpreter for staff meetings and for small group teaching. In addition, it was agreed that staff meetings would be scheduled in advance, to enable the staff member to book the interpreter. The manager applied to the Establishment Manager in the Staff Office for funding this accommodation.

Case Study 4

A member of administrative staff has a back injury. He was finding computer-based work difficult. Following the needs assessment and receipt of medical evidence, the accommodations provided were an alternate chair, a height-adjustable monitor and he agreed to alternate his duties.

Case Study 5

An academic disclosed they had a visual impairment. Following the necessary needs assessment procedure they were provided with screen-reading software to access her computer. It was also agreed with the line manager that all information for meetings etc. would be circulated beforehand in an electronic format to enable her to access the information. An assistant was also available to retrieve information from the library when it was not available in an accessible electronic format. The manager applied to the Establishment Manager in the Staff Office for funding these accommodations.

Complaints Procedure

Within the Code of Practice there is a complaints procedure. There is also a procedure under the Disability Act 2005.

The Equality Committee is responsible for monitoring the implementation and effectiveness of this policy, and any suggestions regarding the contents of the policy should be addressed to this body.

If you have a concern that this policy is not being appropriately implemented you should raise this through the line management structure, in accordance with the College grievance procedures. For particular grievance procedures please contact the Staff Office www.tcd.ie/staff_office/ .

Grievances regarding access to services and information provided by a Public Body under the Disability Act 2005 should be addressed to the Access Officer (Mr Declan Treanor, ext 3475, dtreanor@tcd.ie), or the Inquiry Officer (Ms Monica Alcock, ext 2197, monica.alcock@tcd.ie) who have been appointed to investigate staff complaints. Please refer to the procedures outlined in http://www.tcd.ie/disability/disability_act_2005/

See section 13 of the Code of Practice.

Feedback/ Consultation

College seeks to consult and involve all staff, including managers and staff with disabilities in the development of this policy and its implementation. The Code of Practice will be reviewed annually by the Disability Service Director in consultation with managers and staff with disabilities and an action plan devised. Overall responsibility lies with the Equality Committee.

The Equality Officer and Disability Services Director will be happy to receive suggestions regarding the content of the Code or relating to how the College may better support staff with disabilities.

See the Code of Practice section 12 for further reference.

Who can I talk to?

If you have any concerns or require further information on the Code of Practice or you may contact any of the following:

Director of the College Disability Service

Declan Treanor

Tel: (01) 896 3475

E-mail: dtreanor@tcd.ie

www.tcd.ie/disability

Staff Office

House 4, College

Tel (01) 896 1678

www.tcd.ie/Staff_Office

Equality Officer

Karen Campos McCormack

West Theatre, Trinity College

equality@tcd.ie

www.tcd.ie/equality

Tel: 01 896 3282

Employee Assistance Programme (EAP)

www.ppconline.info

Tel: 1800 409407

TRINITY COLLEGE DUBLIN

Code of Practice applying to the Employment of People with Disabilities

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1. INTRODUCTION

Trinity College Dublin is an equal opportunities employer and is committed to the continued development of employment policies, procedures and practices which do not discriminate on grounds such as gender, marital status, family status, sexual orientation, religion, age, disability, race, membership of travelling community. All staff are protected from bullying and harassment under the College Dignity and Respect Policy.

This is a Code of Practice for College Departments, Schools and Services, staff and employment applicants, which outlines how the College's Equal Employment Policy should be interpreted regarding people with disabilities who are currently on the staff of the College, or who may be applying for posts in College.

Trinity College Dublin is committed to:

- Ensuring that people with disabilities will be facilitated to give effective performance in the posts that they hold, and will not be

disadvantaged by reason of having a disability.

- Creating a supportive workplace environment which allows employees with disabilities to develop their full potential.
- Increasing the proportion of staff with disabilities to a minimum of 3% of total staff in compliance with statutory requirements.
- Actively encouraging applications from people with disabilities.
- Removing such barriers that prevent full access and participation in the life of the College for people with disabilities.
- College recognizes that its human resources are its most valuable asset and every reasonable effort will be made to enable staff who become disabled while employed in College, to remain within its employment.

2. RELEVANT LEGAL INFORMATION

The Employment Equality Acts 1998-2004 enshrine in law the right of people with disabilities to equal treatment in employment. Trinity College Dublin, as an employer, is committed to fully complying, not only with the letter of the legislation, but the spirit of its intent.

The Disability Act 2005 makes additional requirements on public bodies to promote the employment of people with disabilities and to employ at least 3 % of staff with a disability.

Disability definition

For the purposes of this Code of Practice the definition of disability applicable will be that contained in the Employment Equality Acts 1998-2004. There is other relevant legislation which may be applicable such as the Equal Status Acts 2000-2004, and in the Disability Act 2005. For full definitions please see the Appendix.

Discrimination

Equality legislation protects employees and prospective employees from direct and indirect discrimination, harassment or victimisation, on any of the nine grounds, including disability.

Discrimination is defined as the treatment of a person in a less favourable way than another person is, has been, or would be treated in a comparable situation on any of the nine grounds which exists, existed,

may exist in the future, or is imputed to the person concerned. Discrimination can also be defined as the failure to provide reasonable accommodation to a person with a disability (see below).

Reasonable Accommodation

For the purpose of this document and all College policies relating to staff with disabilities, a reasonable accommodation might be any action that helps alleviate a substantial disadvantage. For a full definition please see the Appendix.

An employer is required by equality legislation to take appropriate measures to enable a person who has a disability to have access to employment, to participate or advance in employment, and to undertake training, unless the measures would impose a disproportionate burden on the employer.

College has approved centralized funding to be made available to departments for the provision of reasonable accommodations for staff with disabilities.

3. DISCLOSURE OF A DISABILITY

College seeks to create an environment where employees may disclose their disability with confidence of a supportive response.

Disclosure of personal and medical information is confidential and no information disclosed will be provided to a third party without an individual's consent at any time.

All employees or future employees with a disability are encouraged to discuss their specific needs with their line manager so that the necessary measures and accommodations may be implemented to facilitate the employee in fulfilling their position. For advice and support in advance of disclosure to the manager employees may contact the Director of the College Disability Service.

Prospective employees are encouraged to inform the Staff Office Representative on their interview panel in College if they require special arrangements, at the interview stage or at offer stage.

College may be required to collect information on the number of employees or applicants with a disability so as to ensure compliance with its legal obligations under the Disability Act 2005. This information will be

collected confidentially and voluntarily for statistical purposes.

A staff member may consult the Appendix for further guidance on procedures relating to disclosure, or discuss issues relating to the Code with the Contacts listed at the end of this document.

4. RECRUITMENT AND SELECTION

People with disabilities are entitled to apply for any position in College for which they are qualified and to have their applications considered on the basis of their abilities, qualifications and suitability for the work in question. All applications will be assessed under the College policy in relation to the Equal Employment Opportunity and the Selection of Staff: Principles in Employment Practice

(http://www.tcd.ie/Staff_Office/policies/recruitment/equal_empop.pdf)

Trinity College Dublin commits to the following:

- No unnecessary or irrelevant obstacle will be placed in the way of people with disabilities applying for posts in College. No candidate with a disability will be excluded from a competition by virtue of an inability to fulfil non-essential functions of the position. Candidates will be assessed on their ability to fulfil the essential functions of the position.

- College will actively encourage applications from people with a disability, and may implement relevant targeted recruitment strategies.

- Job descriptions, person specifications and advertisements will not include unnecessary requirements which could unfairly exclude applicants with a disability. All advertisements will explicitly state that Trinity College Dublin is committed to a policy of equal opportunities in employment. Information relating to vacancies will be provided in a clear and accessible format, and in alternative formats upon request.

- College will make all reasonable efforts to provide necessary specific supports to enable applicants with disabilities to participate in competitions for posts for which they would be suited. All interview attendees will be asked if they have any specific support requirements in advance of an interview.

- Nominating committees will be advised of this Code of Practice and the employment policy and will be advised of their responsibilities in regard to the implications of this Code of Practice in the selection of staff in advance of each interview.
- All Staff Office interview representatives will receive training in relation to this Code of Practice and the agreed process for supporting applicants with a disability.

5. WORK ENVIRONMENT

It is the policy of College to ensure that, as far as is reasonably practicable, the working environment is such as to minimise the obstacles facing staff with disabilities. Under the Disability Act 2005 College must ensure integrated access to public buildings, services and information is available to people with and without disabilities.

College commits to ensuring that the work environment is accessible to staff with disabilities wherever possible. While it is recognised that major constraints exist due to the historic nature of many of the buildings on campus, when undertaking any significant structural alteration to or renovation of an existing building, College will, insofar as it is reasonably practicable, include in the works such alterations as are necessary to bring the building concerned up to an acceptable standard of accessibility for people with disabilities.

6. REASONABLE ACCOMMODATION

College will ensure that people with disabilities, both new and current staff, will be facilitated to give effective performance in the posts that they hold by providing reasonable accommodation where necessary.

It is acknowledged that an employee may disclose their disability either at the recruitment stage or once in employment. Managers/Heads of School/Department/Area should adopt a positive approach to disclosures of a disability and accommodation requests, from both new and current staff.

The manager/Head of School/Department/Area will work with the employee and the Disability Service to identify the most appropriate means of support, by means of a needs assessment, and ensure their implementation within a reasonable time-frame. The Disability Service will facilitate the employee's needs assessment, which will include additional

supports, environment accessibility and safety and egress considerations. College will require disability/medical evidence for the purpose of the needs assessment. Funding for reasonable accommodation will be provided from a central College fund.

The manager/Head of School/Department/Area will commit to reviewing on a regular basis the accommodations provided with the employee and the Disability Service.

For full details relating to reasonable accommodation procedures and requests please consult the Appendix.

7. STAFF DEVELOPMENT

Staff with disabilities should have the same opportunities as other staff to develop full and rewarding careers in College. College will provide equal access to training and staff development opportunities for staff with disabilities so that they can further their skills and abilities, and fully contribute to College life. All training and development plans and programmes shall be checked to ensure equality of opportunity for staff with disabilities. Responsibility and accountability for this lies with the Staff Development Manager, Director of CAPSL, and the Equality Committee.

Trinity College Dublin commits to the following actions in relation to career development:

- In assigning duties to staff with disabilities, care should be taken to ensure, to the greatest extent possible, that they are given the same opportunities as other staff to acquire the range of skills and experience necessary for their future career development.
- Staff with disabilities should be offered the same access to training as all other staff, and measures should be taken to ensure that they are not inhibited from availing themselves of such opportunities for reasons of physical or sensory access to training centres, conference rooms, format of training materials, etc.

8. EVENTS

The following provisions apply to College events and are a commitment to ensuring that staff with disabilities can participate in all aspects of College life:

- College will ensure, wherever reasonably possible, that all events run for the benefit of staff in general will be accessible to all staff who wish to attend.
- It is recommended that materials relating to training and events carry an invitation to participants to request any accommodation required in advance of the event so as to enable their needs to be met.

9. RETENTION

College acknowledges that any employee can develop a disability at any stage during their working life or may have, or develop, a disability that is progressive in nature. Every effort will be made to retain these employees and assist them in returning to, or continuing in, employment through the provision of reasonable accommodation.

Employees who acquire a disability are encouraged to inform their managers so that the appropriate measures may be put in place to support their employment. The employee will be involved, where possible, at every stage of this process.

10. TRAINING AND AWARENESS

College will seek to promote a disability positive work environment by providing training in the implementation of this policy to all relevant staff, Heads of School/Department/Area and managers. Disability awareness training will be made available to areas and departments who wish to build disability confidence in their staff.

In addition to these targeted measures, College will ensure that an equality and disability perspective is introduced into its general training programmes.

Staff Office, the Disability Service and the Equality Committee have particular responsibility in ensuring these training commitments are implemented.

11. SAFETY AND EVACUATION PROCEDURES

Trinity College Dublin commits to the following actions for safety and evacuation procedures:

College has established programmes of work aimed to continually improve the accessibility of the campus for those staff, students and visitors with disabilities.

In addition to access, College gives due consideration to the problems of egress from buildings faced by people with disabilities given that during an emergency evacuation, lifts will not operate and there will be heavy usage of evacuation routes.

In order to cater for those with disabilities (such as sight, hearing or mobility impairment), Heads of School/Department/Area are responsible for ensuring that there are adequate arrangements for the safe evacuation of such staff. This will be addressed as part of the needs assessment of the staff member.

The College Safety Officer will have special regard to the health and safety of College staff with disabilities.

12. MONITORING AND IMPLEMENTING THIS CODE

All College staff have a role in ensuring that the provisions of this Code are adhered to. Specific responsibility in this regard attaches to Heads of School/Departments/Areas, Supervisors, Group Leaders and Managers, the Staff Office, the Disability Service, the Director of Buildings Office and Equality Officer.

The implementation of this Code will be monitored by the Equality Committee annually by way of an annual report and an action plan devised by the Disability Service in conjunction with other relevant stakeholders.

13. GRIEVANCES

Any member of staff who has a concern that this policy is not being appropriately implemented should raise this through the line management structure in accordance with the College grievance procedures. For particular grievance procedures please contact Staff Office.

Applicants for employment with a complaint relating to the non-

implementation of this policy should write to the Recruitment Manager.

Grievances referring to the non-implementation of the Disability Act 2005 in relation to access to services and information provided by a Public Body should contact the Access Officer, or one of the two Inquiry Officers appointed to investigate complaints. Please refer to the procedures outlined in http://www.tcd.ie/disability/disability_act_2005/

The Equality Committee is responsible for monitoring the implementation and effectiveness of this policy, and any suggestions regarding the contents of the policy should be addressed to this body.

14. USEFUL CONTACTS

Disability Service

Declan Treanor, Director

College Disability Service

By Phone: (01) 896 3475

By Email: declan.treanor@tcd.ie

The Disability Service is located in Room 2054, beside the Lecky Library, in the Arts Building, Trinity College Dublin.

Staff Office

House 4, College

Tel 896 1678

www.tcd.ie/Staff_Office

Equality Officer

Karen Campos McCormack

West Theatre, Trinity College

equality@tcd.ie

www.tcd.ie/equality

Tel: 01 896 3282

Employee Assistance Programme

www.ppconline.info

Tel 1800 409407

College Health Centre

House 47

Tel 01 896 1556

15. LEGISLATION AND OTHER POLICIES

The following legislation is relevant to this policy:

Employment Equality Acts 1998-2004

Disability Act 2005

Equal Status Acts 2000-2004

Safety, Health and Welfare at Work Act 2005

Data Protection Acts 1988-2003

Freedom of Information Acts 1997-2003

Other relevant College Policies

Equal Opportunity Policy

Dignity and Respect Policy

Equal Employment Opportunity and the Selection of Staff: Principles in Employment Practice

Appendices

Appendix 1 Definitions

Appendix 2 Procedures for Reasonable Accommodation

1. Definitions

Employment Equality Acts 1998-2004

The Acts define disability as follows: "Disability" is -

- (a) the total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body,
 - (b) the presence in the body of organisms causing, or likely to cause, chronic disease or illness,
 - (c) the malfunction, malformation or disfigurement of a part of a person's body,
 - (d) a condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
 - (e) a condition, illness or disease which affects a person's thought processes, perception of reality, emotions or judgement or which results in disturbed behaviour,
- and shall be taken to include a disability which exists at present, or which previously existed but no longer exists, or which may exist in the future or which is imputed to a person.

Other legal definitions may apply in certain circumstances, such as the Disability Act 2005 definition for monitoring purposes.

Reasonable Accommodation

(source Part II Section 16, Employment Equality Act 1998-2004)

Nothing in the Act requires an employer to recruit or promote a person who is not fully competent and fully available and capable of undertaking the duties attached to the position. For the purposes of the Act a person who has a disability is considered fully competent and capable on reasonable accommodation (referred to as appropriate measures) being provided by the person's employer.

An employer is obliged to take appropriate measures to enable a person who has a disability –

- to have access to employment
- to participate or advance in employment
- to undertake training

unless the measures would impose a disproportionate burden on the employer.

Appropriate measures are practical measures to adapt the employer's place of business including:

- the adaptation of premises and equipment,
- patterns of working time
- distribution of tasks
- or the provision of training or integration resources

The employer is not obliged to provide any treatment, facility or thing that the person might ordinarily or reasonably provide for himself or herself.

In determining whether the measures would impose a disproportionate burden, account is taken of the financial and other costs entailed, the scale and financial resources of the employer's business, and the possibility of obtaining public funding or other assistance.

2. Procedures for Reasonable Accommodation

Medical and personal information will be treated confidentially.

EXISTING STAFF DISCLOSING A DISABILITY (both existing and new conditions)

A staff member discloses a disability in the course of employment

- 1 Disclosure** It is recommended that the staff member disclose their disability to their manager. If it is an acquired disability, or the staff member has been out sick, disclosure may occur via Occupational Health Clinic (OHC), the College insurers or the manager.

- 2 Initial meeting** Initial meeting with employee and manager to discuss the procedure for determining supports

- 3 Medical Evidence** Staff with disabilities will need to have evidence of disability from a specialist medical practitioner. It is recommended that evidence is provided by the staff member's own medical consultant. College has a 'medical evidence form' to be completed by the relevant medical specialist if required. A detailed job description is provided. In the case of the employee being on sick-leave: The occupational health doctor will determine when the employee is fit to return to work, and make any recommendations that may facilitate this return.

In the event of a staff member not being deemed fit for their post other options such as re-training/applications for other posts/ College disability scheme where applicable, will be discussed with the staff member.

This is the normal procedure for all staff on sick leave.

A staff member discloses a disability in the course of employment

- 4 Disability Service - Needs assessment** Manager organises needs assessment for the employee with the Disability Service. The Disability Officer and line-manager meet to discuss issues in work and needs.
- An assessment of the work environment, accessibility, and safety and egress considerations will be dressed as part of the individual's needs assessment.
- 5 Reasonable accommodation** The Disability Service will discuss recommended reasonable accommodation and supports with the employee and the manager to ensure a fit with departmental needs. A needs assessment report will be completed.
- 6 Accommodation request** The manager submits the report to the Establishment Manager in the Staff Office for reasonable accommodation costs, where relevant, and implements the same in a timely manner.
- 7 Review** Arrangements should be reviewed at least annually by the manager and the staff member.

NEWLY HIRED STAFF

1 Disclosure

Applicants are encouraged to specify if any special arrangements are required when short-listed for interview to the Staff Office representative.

Applicants may disclose a disability during the interview process, on offer, during medical, or when appointed.

Note: Applicants may be asked to fill out a voluntary anonymous equality monitoring form detailing their disability status – this information is not provided to the Staff Office and is not relevant for the purposes of reasonable accommodation.

2 Pre-employment medical

Once the most suitable candidate has been selected, Recruitment organises a pre-employment medical/questionnaire asking the Doctor to determine if the candidate is fit for full duties. The Doctor may use the services of Occupational Health Clinic if required.

This procedure is the same for all new appointments. If the applicant discloses through the questionnaire or to the Doctor, Recruitment is only to be informed if reasonable accommodation is required.

3 Disability Service- Needs assessment

The Staff Office interviewer organises needs assessment for the employee with Disability Service. An assessment of the work environment, accessibility, and safety and egress considerations will be addressed as part of the individual's needs assessment.

NEWLY HIRED STAFF

4

Reasonable

Accommodation

The Disability Service will discuss recommended reasonable accommodation and supports with the employee and the manager to ensure a fit with departmental needs. A needs assessment report will be completed.

5

Accommodation

request

The manager submits the report to the College Central Fund for reasonable accommodation costs, where relevant, and implements the same in a timely manner.

6

Review

Arrangements should be reviewed at least annually by the manager and the staff member.

Note:

Throughout the procedures 'manager' is used to refer to the employee's line manager – be it Head of School, Head of Department, Head of Area, Supervisor etc.

Employee/Staff member is used to refer to all categories of College staff (academic, administrative, support etc).

Declaration of understanding of Code of Practice and consent to release information:

Please sign and date below if you agree with the disclosure of this information on these conditions

I request additional supports from Trinity College Dublin Disability Service and have understood my rights and responsibilities in the delivery of any such additional supports. The Disability Service will also ensure that all personal data contained in this form will only be used to facilitate the required levels of disability services. It may be necessary for the Disability Service to disclose appropriate and relevant details to facilitate the required levels of support.

I consent to information relating to my personal details (e.g., name, staff number), nature of disability, and academic and support requirements being forwarded from the Disability Service to the following departments/support services: - Please tick.

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Line-Manager
<input type="checkbox"/>	<input type="checkbox"/>	Staff Office
<input type="checkbox"/>	<input type="checkbox"/>	Other:
<input type="checkbox"/>	<input type="checkbox"/>	Other:

I understand that my personal details will be retained within DS for the duration of my time as a staff member requiring support for disability related matters in College.

Yes No

Non-disclosure of information: Please note that if you have ticked 'No' in any of the above boxes, you may not be able to receive those reasonable accommodations that require disclosure of information.

Staff Name:
(BLOCK CAPITALS) _____

Staff Number: _____

Signed: _____ Date: _____

Witnessed by: _____