

ECA Employees' Duties to Disabled People

All Employees of HE Institutions like Edinburgh College of Art (eca) have a duty to ensure there is a level playing field for all students and potential students participating in or hoping to participate in their courses. Providers of goods and services within eca are also bound by this legally enforceable duty as are agents of eca. All barriers preventing disabled people from learning need to be identified and removed.

This duty is a duty of every individual within eca.

Individuals in eca have to anticipate the needs of disabled students and potential students. People who are disabled by unnecessary barriers will expect college employees to work with them and make any adjustments deemed reasonable so that they can participate in and succeed in their chosen course of study.

Disclosure

If one employee of eca knows that a person is disabled then eca is deemed to know. This means that issues of disclosure arise. It is important to understand what these are.

If a student discloses a disability or suggests they might have an undiagnosed disability to you, it is important to record this. The student may request that you make an adjustment to your teaching so that they can learn from you but they may also request that you keep the information confidential. It would be prudent to explain that you cannot guarantee confidentiality. You could however fill in a disclosure form with them and explain to them that if staff members don't know about their disability "the college may not be able to fulfil its duty to make reasonable adjustments" for them. They would then have to sign this and you would keep it on file should you ever need to protect yourself or the college from claims of discrimination.

Language of Disability

It is always important to use language sensitively. Many words and phrases traditionally used to describe people who are disabled are now considered offensive. This is often because they are rooted in history, dating back to times when fear and ignorance of disability issues were normal. Just take for instance the words handicap (from cap in hand) and invalid (in valid).

However, we will not always get our language right. What is offensive to one person may not be offensive to another. What was acceptable yesterday may no longer be acceptable today. Fear of not being politically correct (PC) should not rule out frank and open discussion with a person to help them identify what barriers could be disabling to them and how the barriers could be removed by making some reasonable adjustment