



# Policy

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## Disability

<b>Policy number</b>	HR PL 004
<b>Version</b>	Final
<b>Managed by</b>	Human Resources Department
<b>Approved by</b>	EXCO
<b>Approval date</b>	
<b>Implementation date</b>	01 January 2013
<b>Review date</b>	01 January 2017

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## **1. PREAMBLE**

The Management College of Southern Africa (MANCOSA) is committed to redressing past and present inequalities with respect to persons with disabilities. In this regard, MANCOSA recognises that:

- disabled people have been and continue to be subject to multiple forms of marginalisation and exclusion;
- as a result, the majority of persons with disabilities live in conditions of relative social, cultural and economic disadvantage; and
- the need to lend its full support to measures and programmes which provide for the social, educational, economic and cultural integration of persons with disabilities.

## **2. PURPOSE OF THE POLICY**

The purpose of this policy is to:

- state the role of MANCOSA in regard to disability;
- clarify the rights of staff, students and visitors;
- define concepts in relation to disability.

## **3. DEFINITIONS**

### **3.1. Disability**

A "person with a disability" is defined by the South African ADA and Section 504 of the Rehabilitation Act as "any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such impairment."

Students are eligible for protection under these laws if they have a disability, have declared that disability, provided appropriate documentation, and are "otherwise qualified" to participate in the institution's programmes and activities. A "qualified" individual is a student who meets the requisite academic and other learning required for admission to MANCOSA.

### **3.2. Discrimination on the basis of disability**

Discrimination on the basis of disability refers to imposing any distinction, exclusion or restriction of persons on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, on all human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It encompasses all forms of unfair discrimination, whether direct or indirect, including denial of reasonable accommodation.

### **3.3. Reasonable Accommodation**

Reasonable Accommodation refers to necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

### **3.4. Universal Design**

Universal Design means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design.

### **3.5. Staff member**

Staff member means an employee of MANCOSA and includes an applicant for employment at MANCOSA.

### **3.3. Student**

Student means a registered student of MANCOSA and includes an applicant for study at MANCOSA.

### **3.4. Visitor**

A visitor is any member of the public present on MANCOSA property who is not a member of staff or a student, including persons with contractual relationships with MANCOSA and persons otherwise legitimately commercially active or employed within the MANCOSA environment.

## **4. REASONABLE ACCOMMODATION**

MANCOSA recognises the right of staff and students with disabilities to request accommodations that will facilitate their full and equal participation in the services and facilities of MANCOSA. The Dean's office will play a facilitative role in the fulfilment of this responsibility.

MANCOSA will seek medical confirmation of impairment where a request for the provision of accommodation warrants this. In such cases supporting documentation will be provided to the Dean's office from a registered medical doctor in the case of physical and sensory impairments, and from a clinical or educational psychologist or psychiatrist in the case of cognitive and psychological impairments. In the case of scarce facilities and resources the Dean's office will have the right to request a second opinion regarding the need for an accommodation at its own cost.

## **5. DISCLOSURE OF DISABILITY, RECORD KEEPING AND DATA MANAGEMENT**

MANCOSA is committed to creating an institutional climate in which disclosure of disability would be both advantageous and safe. Disclosure of disability is necessary where a student/staff member/visitor requests support and/or accommodation provision. Disclosure will be made to the Dean's office. Information about an individual's impairment will be made available to persons tasked with facilitating or providing specific accommodations to the extent that this information is necessary to facilitate the accommodation.

Disclosed information will be treated as private and confidential. It will be used to monitor progress in employment and student equity, to comply with the reporting requirements of the South African Employment Equity Act, for strategic planning and to maximise levels of service provision.

## **6. ACCESS TO THE BUILT ENVIRONMENT**

MANCOSA faces particular challenges providing access to the built environment for people with disabilities. These include the spread of its facilities over the regions.

MANCOSA will identify, and where possible, address barriers to facilities and services at MANCOSA. In order to do this, MANCOSA will budget each year for retrofitting of access solutions. Improved access to students and staff with disabilities will be formally included as a performance objective of the relevant members of MANCOSA.

MANCOSA endorses the principle of Universal Design as a feature of all new infrastructure development, and will formulate and implement standards and guidelines which ensure that Universal Design Principles are applied in the design and construction and/or maintenance of all buildings, thoroughfares, facilities, security systems, information technology and all other infrastructure for which MANCOSA is responsible.

## **7. HEALTH AND SAFETY**

MANCOSA recognises the importance of the application of principles of Universal Design in improving aspects of well-being, safety and security for all present at MANCOSA.

MANCOSA will therefore develop and implement a strategy for addressing deficiencies in effective lighting in and outside buildings; the presence of balustrades, handrails, stair markers and effective signage; and the presence of reachable controls/buttons. MANCOSA will put in place emergency evacuation procedures for persons with disabilities. It will ensure that all relevant personnel receive the necessary occupational health and safety training.

## **8. ACCESS TO HIGHER EDUCATION FOR PEOPLE WITH DISABILITIES**

MANCOSA acknowledges that inequalities of access to education throughout the education system for persons with disabilities mean that students with disabilities have in the past been – and continue to be – especially vulnerable to exclusion from higher education. Consequently MANCOSA commits itself to developing admission, recruitment and retention practices and policies for persons with disabilities which will enhance participation in higher education at MANCOSA.

## **9. TEACHING AND LEARNING SUPPORT FOR STUDENTS WITH DISABILITIES**

MANCOSA will provide for the learning needs of students with disabilities, and recognises that this may in some cases entail modifying, substituting or supplementing curricula and course work requirements, including possible alternative, but equivalent, assessment modes; ensuring at all times that academic standards are not compromised and that students will graduate with the requisite skills and competencies.

## **10. EMPLOYMENT EQUITY AND EMPLOYEE SUPPORT**

MANCOSA must include disability in its employment equity plan and targets. It must put in place measures to facilitate the recruitment, retention and career advancement of people with disabilities, including such reasonable accommodations as will optimise their ability to meet the requirements of their job.

## **11. COMMUNICATION**

MANCOSA will undertake to ensure access to information and communication services to staff, students and visitors with disabilities, including where appropriate. It will strive to maximise, through appropriate dissemination of information, opportunities for staff and students with disabilities to participate in all MANCOSA-wide grievance mechanisms and decision-making processes.

## **12. RESEARCH, TEACHING AND LEARNING**

MANCOSA recognises the value of research and teaching in disability-related fields and acknowledges the growing stature of Disability Studies as a relevant academic discipline along with other social justice disciplines.

## **13. EXTENSION SERVICES/SOCIAL RESPONSIVENESS**

MANCOSA recognises its obligation to the broader community including disabled people not currently working or studying at the institution. It recognises, too, that it is in a position to play a leadership role to support and encourage initiatives that will contribute to the improvement of the quality of their lives in all spheres.

## **14. PROCEDURE FOR CHANNELLING AND MONITORING COMPLAINTS OF DISCRIMINATION ON GROUNDS OF DISABILITY**

Complaints should be lodged through the normal procedure. The standard procedure for investigating complaints will be followed, as would be done in equivalent forms of discrimination as for instance on the grounds of race, gender or sexual orientation.

## **15. PERFORMANCE MANAGEMENT AND APPRAISAL**

Where it is necessary, a new staff member who has a disability will have a conversation with his or her line manager and an HR representative to: determine the nature of the accommodations s/he will need; identify areas of the job which may pose challenges; and agree on a way to address these. This may entail the purchase of technology or equipment; adjustments to the physical workspace, or minor adjustments to job descriptions.

## **16. ADVOCACY, AWARENESS AND EDUCATION**

MANCOSA undertakes:

- To support, and make resources available for, initiatives to raise awareness throughout its community of staff and students in order to foster respect for the rights and dignity of people with disabilities;
- To promote positive perceptions and greater social awareness; and
- To promote recognition of the skills and abilities of people with disabilities.