



DISABILITY & DISCRIMINATION POLICY

1. The Disability Discrimination Act 1995

It is the policy of Old College Lawn Tennis & Croquet Club to adopt as policy the requirements in all areas of its activities of the Disability Discrimination Act 1995 as amended in 2005 (see <http://www.legislation.gov.uk/ukpga/2005/13/contents>). This is consistent with the best practice as set out by the LTA (see <http://www.lta.org.uk/NewWebsite/LTA/Documents/Clubs%20Parks%20and%20Schools/Disability%20Discrimination%20Act%20Guidance%20Note.pdf>)

The Disability Discrimination Act 1995 including amendments in 2005 requires freedom from discrimination in employment and training and fair access to goods and services. This includes:

- The promoting of disability equality within the public sector.
- The recognition of HIV, cancer and multiple sclerosis as disabilities from the moment they are diagnosed.
- The prohibition of transport operators discriminating against disabled persons.
- The increase of accessibility and adaptability of rental accommodation for disabled persons.
- Private members' clubs i.e. clubs in excess of 25 members.
- Bodies that award qualifications e.g. A levels.
- Protection of disabled counselors.

2. Definitions

A disability is 'a physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'.

- Physical impairment includes a weakening of the body caused through illness, accident or congenitally, for example blindness, deafness, heart disease, paralysis.
- Mental impairment can include learning disabilities and all mental illnesses.
- Long term means that the impairment has lasted or is likely to last for

- 12 months or more or the rest of the person's life.
- Day to day activities include normal activities carried out by most people regularly involving one of the following: mobility, manual dexterity, physical co-ordination, continence, ability to lift carry or move ordinary objects, speech, hearing, eyesight, memory or ability to concentrate, learn or understand, or being able to recognise danger.

3. Unlawful Discrimination

A person discriminates against a disabled person if, for a reason which relates to the disabled person's disability, he treats him less favourably than he treats or would treat other people and that treatment cannot be justified. The justification has to be both material and substantial.

Direct discrimination cannot however, be justified if a disabled person is treated less favourably than someone else who does not have the disability, where the relevant circumstances including his abilities are not materially different.

A person also discriminates if he fails to make reasonable adjustments for the disabled person. If there is a provision, criterion or practice or physical feature which puts the disabled person at a substantial disadvantage in comparison with people who are not disabled, there is a duty on the employer to take such steps as are reasonable in all the circumstances to prevent the effect of that provision or feature.

Employers must not discriminate against disabled persons in connection with recruitment and retention, promotion or transfers, training or development, pay or benefits.

4. Exemptions

Persons suffering from alcoholism or drug abuse are not classed as disabled, although physical or mental conditions arising from drug or alcohol abuse may be classed as a disability (e.g. liver damage from alcohol abuse).

5. Membership Applications

The Club will avoid any form of discrimination towards those applying for membership or being members, including:

- Advertising must not unreasonably discriminate against disabled persons.
- Following good practice to encourage disabled persons to apply for membership.
- Following good practice to avoid making unnecessary statements about fitness.

6. Staff

The Club will avoid any form of discrimination towards those applying for employment, or employed, by the Club, including:

- Advertising must not unreasonably discriminate against disabled persons.
- Following good practice to encourage disabled persons to apply for the position.
- Following good practice to avoid making unnecessary statements about fitness.

Authorised by: Club Committee

Date: 17th December 2013