

Guidance Notes: Disability Discrimination Act 1995

1. Narec welcomes applications from all sectors of the community and we particularly wish to employ more people with disabilities within our workforce. We want to support you through the application process.
2. Narec is committed to offering fair and equal opportunities to applicants with disabilities during the recruitment process and will endeavour to provide additional help and support where needed.
3. If you believe that you are disabled under the definitions given within the Act please tick the appropriate box on the application form. This will help ensure that you are given all the help and support possible throughout the selection process and, if successful, your employment with us.
4. All job applicants are strongly advised to read this before completing the relevant section/s on the application form.

Defining a disabled person

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities. People who have had disabilities in the past are included.

What impairment covers

It covers physical and mental impairment (excluding mental illness and behaviour problems), including learning disabilities and hearing and sight impairments.

Substantial adverse effect – something which has more than a minor or a trivial effect and is beyond the normal differences in ability which exist among people.

A long term effect or an impairment is one which has lasted or is likely to last for at least twelve months or for the rest of the life of the person. It excludes the loss of mobility due, for example, to a broken leg which is likely to heal within twelve months.

Substantial effects of a disability which have ceased but are expected to recur at least once a year, e.g. rheumatoid arthritis or epilepsy, are included in the definition.

Normal day-to-day activities are those carried out by most people on a fairly regular and frequent basis. It does not include activities which are normal only for a particular person or group of people such as playing musical equipment or a sport to a professional standard or performing a skilled or specialist task at work.

An impairment has a substantial adverse effect if it affects:

- mobility
- manual dexterity
- physical co-ordination
- continence
- ability to lift, carry or otherwise move everyday objects
- speech, hearing or eyesight (excluding people who wear spectacles)
- memory or ability to concentrate, learn or understand; or
- perception of risk

People with severe disfigurement are covered by the Act. They do not need to demonstrate that the impairment has a substantial adverse effect on their ability to carry out normal day-to-day activities.

People with progressive illness such as cancer, multiple sclerosis, HIV infection (with AIDS symptoms) and muscular dystrophy are covered the moment the condition leads to an impairment which affects day-to-day activities.