

DISABILITY ACCESS POLICY



M.E.A.T (Ipswich) Limited

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Statement of Policy

The [Equality Act 2010](#) provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by removing anomalies and inconsistencies that had developed over time in the existing legislation, and it extends the protection from discrimination in certain areas.

The law on disability discrimination is different from the rest of the Act in a number of ways. The overriding principle of equalities legislation is generally one of equal treatment. However, the provisions in relation to disability are different in that you may, and often must, treat a disabled person more favourably than a non-disabled person.

There are some minor differences around disability in the Act when compared with the previous legislation.

1. The Equality Act does not list the types of day-to-day activities which a disabled person must be unable to carry out to meet the definition.
2. Failure to make a reasonable adjustment can no longer be justified. The fact that it must be 'reasonable' provides the necessary test.



3. Direct discrimination against a disabled person can no longer be justified (bringing it into line with the definition of direct discrimination generally).
4. From September 2012 learning providers and local authorities will be under a duty to supply auxiliary aids and services as reasonable adjustments to learners, where these are not being supplied through an Education, Health and Care Plan (EHCP).

It would be unlawful for MEAT to treat a disabled person unfavourably. Such treatment could amount to:

- Direct discrimination;
- Indirect discrimination;
- Discrimination arising from a disability;
- Harassment.

Direct discrimination can never be justified but a Training Provider could justify indirect discrimination against a disabled person, and discrimination arising from a disability if the discrimination is the result of action that is a 'proportionate means of achieving a legitimate aim'.

Definition of Disability

The Equality Act 2010:

[The Equality Act 2010](#) states a person has a disability if:

1. They have a physical or mental impairment;
2. The impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

For the purposes of the Act, these words have the following meanings:

- a) 'Substantial' means more than minor or trivial;
- b) 'Long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions);
- c) 'Normal day-to-day activities' include everyday things like eating, washing, walking and going shopping.

People who have had a disability in the past that meets this definition are also protected by the [Equality Act 2010](#).

Progressive conditions considered to be a disability

There are additional provisions relating to people with progressive conditions. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairments are automatically deemed to be disabled.

Conditions that are specifically excluded

Some conditions are specifically excluded from being covered by the disability definition, such as a tendency to set fires or addictions to non-prescribed substances. It should be noted that this definition is not just regarding physical difficulties but also covers a wide range of:

- Sensory difficulties;
- Learning difficulties;
- Impairment resulting from, or consisting of, a mental illness.

In addition, there are ranges of 'hidden impairments' such as:

- Dyslexia;
- Speech and Language Impairments;



- Autism;

This is not an exhaustive list.

Impairment does not itself mean that a person is disabled but rather it is the effect on the person's ability to carry out normal day-to-day activities in one or more of the following areas that has to be considered:

- Mobility;
- Manual dexterity;
- Physical co-ordination;
- Continence;
- Ability to lift, carry or otherwise move everyday objects;
- Speech, hearing or eyesight;
- Memory or ability to concentrate, learn or understand;
- Perception of risk of physical danger;
- Reasonable Adjustments.

3. Disabled Learners

MEAT has a duty of care to make reasonable adjustments for disabled learners:

- a) When something we do places a disabled learner at a substantial disadvantage to other learners, we must take reasonable steps to avoid that;
- b) We will be expected to provide an auxiliary aid or service for a disabled learner when it would be reasonable to do so, and where such an aid would alleviate any substantial disadvantage, the learner faces in comparison to his non-disabled peers.

A failure to make a reasonable adjustment can no longer be justified. The test is whether the adjustment is reasonable, and if it is then there can be no justification for why it is not made. We will not be expected to make adjustments that are not reasonable.

Currently it is unclear what may be 'reasonable' although the Code of Practice includes factors that should be taken into account. It will be for MEAT to decide the reasonableness of adjustments based on the individual circumstances of each case.

The reasonable adjustments duty is intended to complement the accessibility planning duties, and the existing EHCP statement provisions, under which Local Authorities have to provide auxiliary aids and services where an EHCP details that provision. When a disabled learner does not have an EHCP (or the EHCP does not provide the necessary aid) then the duty to consider reasonable adjustments and provide such auxiliary aids will fall to MEAT.

As in the previous legislation we are not under a duty to make alterations to the physical environment.

In deciding what a reasonable adjustment is, MEAT will consider;

- a) The financial resources available to the MEAT;
- b) The costs of any particular alteration to the premises, staffing arrangements, or special equipment required;
- c) The practicality of making reasonable adjustments;
- d) The extent to which Auxiliary aids and services will be provided via an Education Health and Care Plan, or by provision paid for outside the MEAT's resources;
- e) Health and Safety requirements of staff and learners;
- f) The interests of other learners.



Aims of the Accessibility Plan

The planning duties on MEAT are the same as the duties in the previous Disability Discrimination Act (DDA). MEAT is required to have an Accessibility Plan detailing how they will improve access to the physical environment, increase access to the curriculum for disabled learners, and how they will improve the availability of accessible information to disabled learners.

MEAT have a commitment to equal opportunities for all and our Accessibility Plan outlines our intention to remove barriers for disabled people and to:

- a) Increase the extent to which disabled learners can participate in the different areas where practicable
- b) Improve where possible the physical environment of MEAT enabling disabled people to take better advantage of learning, benefits, facilities and services provided; and
- c) Improve the availability of accessible information to disabled people.

Furthermore, under our equality duties, MEAT have improved the physical environment to enable any disabled person (learner, parent/carers, employees or visitor) to access facilities and services.

Disability Access Policy and Plan

Compliance with the disability duty under the Equality Act is consistent with MEAT's aims, Equality and Inclusion and Special Educational Needs (SEN) policy.

MEAT strives to ensure that the culture and ethos is such that, whatever the abilities and needs of, everyone is equally valued and treats one another with respect. Learners should be provided with the opportunity to experience, understand and value diversity.

Key Objectives

The key objectives for our Accessibility Policy are as follows:

1. To reduce and eliminate barriers to access the curriculum for learners, and prospective learners, with a disability.
2. We are committed to providing a fully accessible environment which values and includes all learners, staff, parents and visitors regardless of their education, physical, sensory, social, spiritual, emotional and cultural needs. Equally we are committed to challenging negative attitudes about disability and accessibility and to developing a culture of awareness, tolerance and inclusion.
3. We provide all learners with a broad curriculum within the meat industry, differentiated and adjusted to meet the needs of individual learners and their preferred learning styles through:
4. Setting suitable learning challenges
5. Responding to a learner's diverse learning needs
6. Overcoming potential barriers to learning and assessment for individuals and groups of learners.

Related Policies

The Accessibility Plan should be read in conjunction with the following policies, strategies and documents:

- Equality and Inclusion, Policy/Objectives;
- Health & Safety Policy;
- Special Educational Needs Policy;
- Learner Discipline Policy;
- Complaints Policy.



Signed

JANE DALE

Managing Director

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