

## **DISABILITY DISCRIMINATION ACT & ITS IMPLICATIONS FOR EDSC**

### **The Definition of Disability**

**A disabled person is someone who has a physical or mental impairment that has a substantial and long term adverse effects on his or her ability to carry our normal day to day activities**

#### **For the purpose of the act:**

- 1) A substantial disability means neither trivial nor minor.
- 2) Long term means that the effects has lasted or is likely for at least one year.
- 3) Normal day to day activities including everyday things such as eating, washing, walking and going shopping.
- 4) Included in the act are those capacities which affect mobility, manual dexterity, speech, hearing, seeing and memory.

The DDA 2005 amended the definition of disability to include people with HIV, cancer and multiple sclerosis from point of diagnosis.

#### **The DDA instructs an organisation like our swimming club to;**

- 1) Eliminate harassment of disabled persons that is related to their disability.
- 2) Promote the equity of opportunity between disabled persons and other persons.
- 3) Take steps to take account of the disabled person's disabilities even when that involves treating a disabled person more favourably than other persons.
- 4) Promote a positive attitude towards disabled persons.

**There must be no discrimination of disabled swimmers which means that for a reason which relates to the disabled person's disability, they are treated less favourably than others.**

#### **Treatment or failure to comply with a duty of the DDA is only justified if;**

- 1) Treating the disabled person equally favourably would, in the particular case, involve substantial extra costs and, having regard to resources, the extra costs in that particular case would be too great.
- 2) That in the individual case, non – compliance with the act is necessary for the protection of rights or freedom of other people.

#### **Implications of DDA for the club and its members**

- 1) We need to actively promote that we welcome disabled swimmers to the club in our mission statement.
- 2) We need to ensure that any people with a disability are registered with us as disabled and that we understand their needs.
- 3) We need to train our coaches and any other relevant personnel on disability courses so that they understand the issues of disabilities.
- 4) We need to promote a positive attitude towards disability and ensure that there is no harassment or teasing from other swimmers.
- 5) We need to ensure that disabled swimmers are given the necessary time and attention that their disabilities require.
- 6) We need to ensure that our Open Meet provides opportunities for disabled swimmers to take part.