



Disability Employment Policy

1 - Introduction

We recognise that people with disabilities are under-represented in our workforce and are committed to working to increasing their number. The aim of this policy is to ensure that people with disabilities are given equality of opportunity in all employment matters including recruitment and selection, promotion, progression, training and development, and to enable us to fulfil our obligations under the DDA and our Equality and Diversity Policy.

We are committed to working with our recognised Trades Unions to ensure that the objectives of the policy are achieved.

2 - Objectives of the Policy

- To promote a positive working environment so that people with disabilities can play a full part as members of our community.
- To ensure that job applicants with a disability receive fair treatment and are considered solely on the basis of their skills and experience to do the job.
- To retain and support staff who become disabled in their current role wherever possible, or to find a suitable alternative role if available and provide retraining where necessary.
- To ensure that, where practicable, all our new and existing buildings are accessible and comply with the DDA and other legislation.
- To raise awareness of disability issues and develop a programme of training for staff on both the disability legislation and the Disability Employment Policy

3.1 - The Disability Discrimination Act 1995 (DDA)

The Definition of Disability

The DDA defines someone as disabled if; **" s /he has a physical or mental impairment which has a substantial and long term adverse effect on her or his ability to carry out normal day-to-day activities."** We will use this definition as the standard when applying to employment policy.

A disability includes progressive conditions, such as multiple sclerosis or cancer; conditions which recur, such as epilepsy and people with a history of disability who have recovered but still find their job prospects diminished by fears of a relapse. Severe disfigurement and HIV

status are specifically included in the Act. The term "mental impairment" covers only clinically recognised conditions.

The disability must be substantial i.e. have more than a minor effect and must last or be expected to last for 12 months or more.

An impairment must affect normal day to day activities which include:

- mobility
- manual dexterity
- physical co-ordination
- continence
- ability to lift, carry otherwise move everyday objects
- speech, hearing or eyesight
- memory or ability to learn or understand
- perception of the risk of physical danger

3.2 - The Scope of the Act

Under the DDA we have a legal obligation to ensure that we do not treat a person with disability less favourably than others for reasons connected with the disability, unless there is a justifiable reason. This applies to **all** employment matters including recruitment and selection, training and development, pay and promotion and dismissal. Contract workers (i.e. agency and self-employed) with disabilities have substantially the same protection as if they were directly employed.

The Act imposes a duty on us to make **reasonable adjustments** to working arrangements or physical features of premises which place the disabled person at a substantial disadvantage in comparison with others who are not disabled. The factors involved in judging **reasonableness** include:

- the effectiveness of the step in preventing the disadvantage
- the practicability of the step
- the financial and other costs of the adjustment and the extent of any disruption caused
- the extent of the employer's financial or other resources

Our duty to make **adjustments** covers the following areas:

- adjustments to premises, plant and machinery
- allocating some of the disabled person's duties to someone else
- transferring the disabled person to fill an existing vacancy
- providing flexible working hours
- changing the place of work
- allowing the disabled person to be absent during working hours for treatment,

- assessment or rehabilitation
- providing special aids to employment
- special arrangements for training
- modifying equipment, instructions, reference manuals or policies
- providing a reader or interpreter
- providing supervision

Under the Act there is a clear expectation that we will make **reasonable adjustments** to recruit or retain people with disabilities. In terms of recruitment this means that there may need to be different treatment afforded to a person with a disability to allow them to participate in order to ensure equality of outcome.

If a prospective or existing member of staff believes that they have been discriminated against on grounds of disability they can make a claim to an Employment Tribunal. We would, however, invite them first to approach HR Services as we will endeavour to resolve complaints through our internal procedures.

The Act abolishes the former Registration and Quota Scheme.

The different sections below are intended as guidance on good practice in order that we can meet our stated objectives.

4 - Recruitment

We aim to encourage and develop the employment of people with disabilities through review of recruitment and selection practice by managers and HR Services and positive recruitment initiatives.

4.1 Advertising and Recruitment Literature

We will use positive recruitment initiatives to attract people with disabilities, for example, positive statements on adverts and wider use of the disability press where resources permit. All material will be made available in alternative formats and adequate time allowed to arrange this on request. We will also ensure that there is sufficient time between advertising and shortlisting to accommodate the needs of people with disabilities. HR Services will develop closer contacts with the local Disability Employment Adviser (DEA) and will inform the DEA about permanent and advertised temporary vacancies.

Our recruitment literature explains that support is available to candidates with disabilities when applying for posts, for example, when there are special access, communication or other requirements. The Access to Work Scheme can also provide assistance/support to job applicants with disabilities. Further information about Access to Work can be found at

4.2 Job Descriptions and Person Specifications

Managers and HR Services will have responsibility for reviewing job descriptions and person specifications to ensure that they are non discriminatory and include only criteria which are objectively necessary for undertaking the duties of the post concerned. Imposing rigid requirements for jobs may exclude many suitable candidates and can disproportionately affect people with disabilities.

Examples:

1. Stipulating that an applicant should be energetic when the job is largely sedentary could unjustifiably exclude some people whose disabilities result in them getting tired more easily than others.
2. Stating that applicants must have a certain level of educational qualifications, when this is not necessary to do the job, could discriminate against someone who has a learning disability, which has prevented them from obtaining that qualification.
3. Stating that applicants must have good communications skills without stating what type of communication and with who could discriminate against candidates with hearing disabilities.

Careful consideration should be given to the actual requirements for and skills needed in the job and what is to be achieved rather than how it is to be achieved.

4.3 Shortlisting

Under the Government's "positive about disabled people" symbol, we run a Guaranteed Interview Scheme (GIS) which means that all candidates with disabilities who meet the minimum criteria for a post will be interviewed. It is important, therefore, that the minimum criteria for a post are truly the essential criteria.

Candidates who indicate they have a disability automatically apply under the scheme. HR Services will monitor returned shortlists to ensure that candidates with disabilities who meet the minimum criteria have been shortlisted and will follow up with the chair of the interview panel if any such candidates who meet the minimum criteria have not been shortlisted initially. Any such candidates who meet the minimum criteria will be included. HR Services will monitor the GIS closely and will have overall responsibility for it.

4.4 Interviews

HR Services will liaise with managers and other staff as appropriate when a candidate with a disability has indicated that special facilities will be needed for interview or any other aspects

of the selection process, for example, a presentation or test. Advice on and assistance with interview arrangements for a candidate with a disability is available from JobcentrePlus.

Example: A hearing impaired candidate has substantial difficulties with the interview arrangements. The interviewers may simply need to ensure that they face the candidate and speak clearly and be prepared to repeat questions. Alternatively the candidate may need a signer and HR Services will check with the candidate whether they would prefer to organise a signer themselves or if they would prefer us to do it. We will pay for the service regardless of who organises it. The interview may need to be re-scheduled in order to make arrangements for a signer.

Consideration should be given as to whether selection tests should be adjusted in order to take account of the needs of any disabled candidates and to ensure that they do not unlawfully discriminate. Further guidance on this is available from HR Services, including the Equality and Diversity Unit.

Shortlisting and interview decisions should be fully and accurately recorded.

At the interview stage, the ability of a candidate to undertake the duties of the job should be the only consideration.

Consideration should be given to any reasonable adjustments such as changing the working location or altering the duties of the post **before** the selection decision is made. It is recommended that the following question be asked towards the end of the interview to cover this:

"We have explained the duties of the role. You have indicated that you have a disability. Can you tell us if there are any adjustments that you feel would need to be made in order for you to perform the role should you be successful? Is there any other additional assistance you will need relating to your disability?"

If a person with a disability is the best person for the post they will be appointed provided that reasonable adjustments can be made to facilitate their carrying out the duties of the post. JobcentrePlus and/or the DEA can provide advice and assistance and undertake an assessment of the person and reasonable adjustments necessary. Arrangements for advice and assessment under the Access to Work Scheme should be made through HR Services.

5. - Working Environment

We are committed to working to ensure that our buildings are accessible and for promoting a

positive general working environment for people with disabilities.

5.1 Induction

Induction and support for all new members of staff with disabilities will be provided. This may mean that adjustments are made to the usual induction programme so that a person with a disability is introduced to the organisation in a clearly supported and structured way. A mentor will be allocated by the Dean of School/Director of Service.

5.2 Access

Previous Disability Access surveys and any action plans will be reviewed regularly and plans for changes/improvements to estates will specifically consider disability.

Consideration will be given to addressing difficulties faced by staff with disabilities in accessing our buildings and facilities including working with Jobcentre Plus to obtain help and funding for aids and access improvements.

We will make every effort to ensure that designated car parking spaces for people with disabilities are not used for any other purposes and are kept clear.

6. Current Staff

We are committed to retaining staff who become disabled in their current role wherever possible, or to find a suitable alternative role if available and provide retraining where necessary. An initial risk/needs assessment will be undertaken by our Occupational Health (OH) Advisor.

We will seek advice about how to retain or redeploy staff who become disabled from the OH Advisor as well as the local DEA and other specialist organisations/advisors as appropriate. We will give serious consideration to all recommendations arising out of assessments carried out under the Access to Work Scheme and consult fully with the OH Advisor/HR Services and staff member concerned in relation to them. We will provide reasonable adjustments and other support identified as essential under such assessments.

Arrangements for assessments under the Access to Work Scheme must be made through HR Services .

6.1 Support

The needs of staff who are, or who become disabled, will be dealt with in a supportive way.

Deans of School and Directors of Service are key in this regard and will be supported by HR Services. Every effort will be made to ensure that staff with disabilities are treated in a non-discriminatory way and that they are provided with the same opportunities for promotion, career development and training as other staff. The Access to Work Scheme can assist with achieving this.

Consideration will be given to requests for special leave to facilitate newly disabled staff adjusting to changes in their working and private life.

The needs of staff with disabilities will be reviewed at least once a year to ensure that we are providing sufficient support and are meeting the standards under the two ticks symbol.

6.2 Reasonable adjustments

Consideration will be given to requests for flexible working and/or special contractual arrangements in order to assist people with disabilities to continue in their employment.

Our objective is to retain staff who are, or who become disabled. Every effort will be made to retain staff through reasonable adjustments such as acquiring or modifying equipment or allowing absences during working hours for rehabilitation and to seek advice from local DEAs, specialist advisers and the OH Advisor.

Where it is not possible for the disabled staff member to continue in their current role we will make every effort to identify suitable alternative employment. This will entail HR Services meeting with the staff member and seeking advice from the DEA, specialist organisations and the OH Advisor as appropriate. The DEA and JobcentrePlus may be able to provide training for staff towards a suitable alternative post.

HR Services will review any proposed termination of employment of an employee with a disability to ensure that it does not unjustifiably relate to disability.

Where it is not possible to retain or redeploy a member of staff with a disability their employment will be terminated. HR Services in conjunction with the staff member will contact the DEA and other specialist organisations so that outplacement advice and assistance can be given to the member of staff after they have left UEL's employment.

7. Awareness Raising/Education

We will aim to provide a programme of awareness raising and training on Disability and other equality and diversity issues but it is recognised that any programme will take place within the context of limited resources. Such a programme may include:

- providing managers and staff with information, training, support, and advice so that we can achieve the objectives of our Disability Employment Policy.
- consulting on disability initiatives with staff with disabilities, and with staff who have knowledge of disability issues.
- producing information about disability issues in a format which is easily accessible to staff.
- producing information regularly about disability and disseminate via the network, web-site and our other publications.

8. Responsibilities

All staff, irrespective of seniority have responsibility for the fair and equal treatment of others with a disability. The University Management Team is responsible for actively promoting the employment and retention of people with disabilities and is responsible for making the necessary resources available to support this objective wherever possible.

9. Sources of Help

- HR Services including the OH Advisor, and the Mentoring and Equality Unit will provide advice and guidance about disability issues, sources of assistance both financial and in terms of equipment as well as our obligations under the DDA.
- Our Disability Access Centre can undertake work-related assessments.
- JobcentrePlus provides advice and help to people with disabilities and employers through its local Disability Employment Advisers and the Access to Work Scheme. Further information about Access to Work can be found at [www.jobcentreplus.gov.uk/JCP/Customers/HelpForDisabled People/AccessToWork/](http://www.jobcentreplus.gov.uk/JCP/Customers/HelpForDisabled%20People/AccessToWork/)
- Our recognised Trades Unions can provide advice and support on disability issues to their members.

Policy approved by the Board of Governors

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