

Employment of Disabled People

Part 1 – Policy statement

Statement of commitment

- 1.1 We are committed to ensuring that disabled people are afforded equality of opportunity in respect of entering and continuing employment with us. By 'employment', we mean all stages from recruitment and selection, terms and conditions of employment, access to training and career development, and, eventually, exit.
- 1.2 As part of continuing development of good practice, we will take reasonable steps to ensure that our employment policies, procedures, and working environments are as inclusive and accessible as possible. We also recognise that our ability to respond to specific requirements depends on two-way communication. For that reason, disabled applicants and employees will be actively encouraged to advise us of any special requirements they may have.
- 1.3 We have been “double-tick” Positive About Disabled People Symbol users since 2000. As symbol users, we have pledged to:
 - interview all disabled applicants who meet the essential criteria for a job vacancy and consider them on their abilities;
 - ensure there is a mechanism in place to discuss with disabled employees at any time, but at least annually, what can be done to make sure they can develop and use their abilities;
 - when employees become disabled, make every effort to make sure they remain in employment;
 - take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work; and
 - review the above commitments and what has been achieved, plan ways to improve on them, and let employees and the Employment Service know about progress and future plans.
- 1.4 We joined the Mindful Employer scheme in 2008, which commits us to supporting people with mental health problems in the workplace. By signing the charter, we have pledged to:
 - show a positive and enabling attitude to employees and job applicants with mental health issues. This will include positive statements in local recruitment literature;
 - ensure that all staff involved in recruitment and selection are briefed on mental health issues and the Disability Discrimination Act, and given appropriate interview skills;
 - make it clear in any recruitment or occupational health check that people who have experienced mental health issues will not be discriminated against and that disclosure of a mental health problem will enable both employee and employer to assess and provide the right level of support or adjustment;
 - not make assumptions that a person with a mental health problem will be more vulnerable to workplace stress or take more time off than any other employee or job applicant;
 - provide non-judgemental and proactive support to individual staff who experience mental health issues; and
 - ensure that line managers have information and training about managing mental health in the workplace.

- 1.5 In developing and implementing this policy, we have been and will continue to be informed by statutory Codes of Practice and supplementary guidance provided by the Equality and Human Rights Commission (and its predecessor commission), the Employers Forum on Disability, the Equality Challenge Unit for Higher Education, Mindful Employer, and the views of disabled employees.

Legal context

- 1.6 The Disability Discrimination Act 1995 (DDA) defines disability as 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.
- 1.7 This Act and subsequent legislation placed obligations on employers not to discriminate against disabled people. It also placed on employers an obligation to make reasonable adjustments where existing employment policies, practices or other arrangements put disabled people at a disadvantage; and to promote equality of opportunity between disabled people and others.
- 1.8 The Disability Discrimination Act 2005 extended employment protection to people with health conditions such as cancer, HIV/AIDS, and multiple sclerosis, and introduced positive public duties on public bodies including Higher Education Institutions. These duties require public bodies to eliminate disability discrimination, actively promote equality of opportunity, and actively promote positive attitudes towards disabled people in carrying out their functions, including those related to employment.
- 1.9 The Equality Act 2010 consolidated discrimination legislation, including disability discrimination legislation, and takes effect beginning October 2010.

Part 2 – Managing employment of disabled people

Recruitment and selection

- 2.1 The recruitment process is often the first encounter a prospective member of staff has with us, and it is important that all stages of the recruitment process demonstrate our commitment to promoting equality of opportunity for disabled people. It is a requirement that Chairs of selection panels must have attended Equality and Diversity in Recruitment and Selection training, and refresher training at regular intervals. This requirement has been extended to all other members of selection panels.
- 2.2 HR Services will take steps to encourage applications from disabled people. This includes use of the Employment Service "double tick" *Positive about Disabled People* logo on recruitment advertising, promotion of the Job Interview Guarantee Scheme within recruitment literature, and provision of recruitment information in alternative formats as required, including on-line. We have also engaged Disabled Go to provide accessibility information about our premises on their website, which we publicise through our job vacancy and other pages.
- 2.3 HR Services will provide advice, training and support to managers of employing Faculties and Support Services to ensure that:

- a) Job descriptions, person specifications and recruitment advertisements are drafted so that they do not unjustifiably dissuade disabled applicants
 - b) Reasonable adjustments to job descriptions and person specifications are considered to accommodate the needs of a disabled person
- 2.4 In order to facilitate the interview process, HR Services will ask all short-listed candidates of any special access requirements they may have. Where these have been conveyed to us, HR Services will notify relevant parties in respect of any reasonable adjustments required.
- 2.5 Managers will take all reasonable steps to ensure that the working environment does not prevent disabled people taking up positions for which they are suitably qualified. Where adaptation of premises is required to enable a particular disabled person to take up employment, the matter should be discussed with HR Services, who will liaise with the relevant internal departments as appropriate.
- 2.6 The Access to Work scheme, managed by JobcentrePlus, may be able to provide financial support where extra costs are incurred in making reasonable adjustments.
- 2.7 In cases where expert advice is needed on the wider implications of recruiting a disabled employee, HR Services will consult our Occupational Health provider, the Employers Forum on Disability, Equality Challenge Unit, and/or the Equality and Human Rights Commission, as appropriate.
- 2.8 HR Services will take action to raise the awareness of all employees about disability issues and ensure that key staff are fully informed and know about their personal role responsibilities in making sure unfair discrimination does not occur.

During employment

- 2.8 All employees are expected to treat disabled staff, students and visitors with dignity, courtesy and respect, in accordance with our Dignity at Work and Study Policy. Where special steps need to be taken to ensure the health and safety of a disabled employee and/or their colleagues, a Risk Management Officer and a representative of HR Services will advise members of the Faculty/Support Service concerned.
- 2.9 We will take steps to ensure that disabled people have the same opportunity as other employees to develop their potential and progress their careers. As part of the annual appraisal process, line managers will discuss with disabled employees what actions can be taken to help them develop and use their abilities, including training and development.
- 2.10 When an employee develops a disability or long-term mental or physical health condition during the course of their employment, we will take reasonable steps to make sure he/she maintains or returns to a role appropriate to his/her experience and abilities. Consideration will be given to reasonable adjustments to the job and working conditions, including the possibilities of flexible working, and restructuring the job itself. Any arrangements will be made in consultation with the disabled employee, and will be kept under review.
- 2.11 Senior Managers have a particular responsibility to encourage the involvement and participation of disabled employees to ensure that, wherever possible, employment practices and procedures recognise and meet their needs.
- 2.12 If the disabled employee's performance deteriorates to the extent that – even with reasonable adjustments in place – they can no longer carry out their existing job as a result of their disability, HR Services will advise whether the disabled employee could be transferred into alternative employment with us, with appropriate training and support.

- 2.13 As in recruitment, HR Services will seek any necessary expert help required in assessing the nature of the disability and exploring possibilities for appropriate and practical reasonable adjustments.
- 2.14 If, having explored the above options, it becomes apparent that the employee cannot realistically continue in employment, the employee may wish to consider resignation or retirement on ill-health grounds. If, however, it becomes necessary to dismiss the employee, the decision will be taken in accordance with our employment procedures.

Other employment situations

- 2.15 In the event of a redundancy situation, we will ensure that disabled employees are treated fairly. His/her particular circumstances will be given appropriate consideration and reasonable adjustments will be made to any selection criteria.
- 2.16 When a disabled employee's conduct or work performance is unacceptable for reasons not related to their disability, our disciplinary procedures will be followed. This includes the right to appeal against a formal disciplinary warning or a dismissal decision.

Part 3 – Monitoring and review

- 3.1 HR Services will collect equality data during the recruitment and selection process, and during employment. Data will be analysed and used, at least annually, to review employment targets and measure progress.
- 3.2 Senior managers have a responsibility for implementing this policy in their areas. There will be an annual review of organisational performance by the Equality and Diversity Group, and progress will be reported to the Corporate Management Team Group and/or Board of Governors as appropriate.
- 3.3 This procedure is subject to review in the light of relevant developments in legislation and employment relations practice, and in any case no later than [three years from approval date]. We reserve the right to amend from time to time this procedure at our discretion, in consultation with employee representatives.

Approved by the Board of Governors

April 2000, revised July 2006

Reviewed and updated June 2010

Re-approved July 2010