



Disability Policy

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The East of England Ambulance Service NHS Trust (the Trust) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of: age, disability, gender reassignment, race, religion/belief, sex, sexual orientation, marriage/civil partnership and pregnancy/maternity. The Trust will not tolerate unlawful discrimination on the basis of, spent criminal convictions, Trade union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity for and fostering good relations between; people from different groups and people with protected characteristics.

All Trust policies can be provided in alternative formats if required. Please contact the Human Resources Department if you require an alternative format.

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1. Policy Statement

- 1.1 East of England Ambulance Service is committed to supporting all staff and recognises that staff with disabilities (temporary or permanent), or those who may be developing a disability, may require additional support to enable them to remain in the workplace.
- 1.2 As an NHS employer of choice, and as good practise, the Trust will also consider making reasonable adjustments for any staff that may not be deemed as having a disability as defined by the Equality Act 2010 and the EAST Reasonable Adjustment Guidance.
- 1.3 As well as being an NHS Employer of choice, the Trust is a Disability Confident employer and has made a commitment to not only abide by the essential actions, but wherever operationally possible, to go beyond any statutory legal requirement to support staff who develop a disability to stay in the workplace.
- 1.4 This policy is designed to support staff with existing disabilities, staff who may be developing a disability, as well as the recruitment of staff with disabilities. The policy should also encourage all staff to work within the principles and spirit of this policy, regardless of whether they identify with a disability.
- 1.5 Disability is a protected characteristic in law, this allows the employer to treat staff more favorably than their non-disabled colleagues, however, not to the detriment of staff with other protected characteristics as covered by the Equality Act 2010.
- 1.6 This policy is based on best practise, NHS Employers advice, the disability confident commitment, and recognises the need to protect against discrimination due to disability as defined in the Equality Act 2010, case law precedent, as well as the UN Convention on the Rights of persons with Disabilities, Article 27.

1.7 This policy will be jointly reviewed regularly by staff side, HR and the Disability Network Group, to ensure compliance with current legislation, best practise, and to monitor the implementation across the Trust via the Staff Partnership Forum.

2. The definition of 'disability' under the Equality Act 2010

2.1 The Equalities Act 2010 defines a person with a disability as '...someone who has a mental or physical impairment that has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities.

2.2 The person must have a visible or invisible impairment that is either physical, mental or neurodiverse, this includes sensory impairments such as those affecting sight or hearing.

2.3 Long-term means that the impairment has lasted or is likely to last for at least 12 months or for the rest of the affected person's life.

2.4 Substantial means more than minor or trivial long-term adverse effect.

2.5 Where a person is taking measures to treat or correct an impairment (other than by using spectacles or contact lenses) and, but for those measures, the impairment would be likely to have a substantial adverse effect on the ability to carry out normal day to day activities, it is still to be treated as though it does have such an effect.

2.6 This means that invisible impairments for example, mental illness or mental health conditions, diabetes and epilepsy will count as disabilities where they meet the definition in the Act.

2.7 The key thing is not the impairment but its effect. Impairments can include: sensory impairments, such as those affecting sight

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or hearing; conditions which can range from myalgic encephalomyelitis (ME), diabetes and arthritis to depression, schizophrenia, phobias, personality disorders, autism, dyslexia, learning disabilities and injury to the brain; those affecting body organs such as asthma and heart disease; musculoskeletal conditions - injury, damage and disorders which affect bones, muscles, joints ligaments, tendons and nerves; conditions/effects produced by injury to the body and terminal illnesses. This list is a guide and is not exhaustive.

- 2.8 Cancer, HIV infection, and Multiple Sclerosis are deemed disabilities under the Act from the point of diagnosis. In some circumstances, people who have a sight impairment are automatically treated under the Act as having a disability
- 2.9 Those registered with a Local Authority or certified by a consultant ophthalmologist as blind, severely sight impaired, sight impaired or partially sighted, are deemed to have a disability without the need to prove the stages of the definition.
- 2.10 Where an individual has a "progressive condition", initially the effect on their ability to carry out normal day-to-day activities may not sufficiently serious to amount to a substantial adverse effect. However, they are considered as having a disability if the condition is likely to have a substantial adverse effect on their day-to-day activities in the future. This means that an individual with a progressive condition may be considered for support under this policy before the adverse effects of the condition become more serious. Progressive conditions can fluctuate and increase in severity over time requiring additional support and ongoing review, for example include dementia, muscular dystrophy, and motor neurone disease.
- 2.11 It is no longer a requirement for a condition to be medically diagnosed. If the employer is aware, or it could be reasonable to expect them to be aware, they need to apply this policy when managing the staff member.

2.12 In most circumstances, people who have had a temporary and fluctuating disability in the past are protected from discrimination even if they have since recovered.

3. Disability Discrimination

3.1 Direct discrimination

This is where a person with a disability is treated less favourably. Examples of what could be considered direct discrimination:

3.1.1 Offering alternative duties to a member of staff without a disability, while denying a member of staff with a disability the opportunity. *Also, refer to section 1.5 of this Policy.*

3.1.2 Reducing someone's sick pay, as part of their contractual arrangements, while refusing to consider alternative duties or other reasonable adjustments.

3.1.3 Putting someone with a disability through a competitive process for interview, when redeployment is needed on disability grounds, unless they are competing against individuals who are also subject to change due to a protected characteristic.

3.1.4 Asking pre-employment health questions prior to offer may be considered discriminatory, with some qualified exceptions, including:

- Monitoring diversity, as a positive action.
- If the disability is a requirement of the job.
- If reasonable adjustments are needed for the interview.

This list is not exhaustive.

3.1.5 Direct discrimination cannot be objectively justified.

3.1.6 Discrimination arising from disability can be justified in cases where the Trust did not know there was a disability and could not reasonably have been expected to know.

3.2 Indirect discrimination

This is where a provision, criteria or practise puts those with a disability at a disadvantage.

3.2.1 The employer would need to have knowledge or be reasonably expected to know the member of staff had a disability.

3.2.2 Indirect discrimination can be justified if a proportionate means of achieving a legitimate aim.

3.3. Discrimination arising from disability

This is where a person is treated unfavourably because of something arising from disability.

3.3.1 The employer would need to have knowledge or be reasonably expected to know the member of staff had a disability.

4. Equality duty in the public sector

Public authorities, public, private or voluntary organisations carrying out public functions have an Equality Duty. In summary, those subject to the duty must:

4.1 Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

4.2 Advance equality of opportunity between people who share a protected characteristic and those who do not.

4.3 Foster good relations between people who share a protected characteristic and those who do not.

5. Reasonable Adjustments

The Equality Act 2010 requires employers to consider what reasonable adjustments can be made to support a member of staff with a disability to overcome a provision, criteria, practice or physical feature that puts a person with a disability at a substantial disadvantage, because of their disability, in comparison with those who are not considered to have a disability..

5.1 The Trust is obliged to consider making reasonable adjustments when:

- they know, or could be reasonably expected to know, that an employee, or a job applicant has a disability, and is likely to be at a substantial disadvantage as a result.
- an employee or job applicant with a disability asks for adjustments
- an employee with a disability is having any difficulty with any part of their job
- an employee's absence record or delay in returning to work is because of or linked to their disability.

The Trust must make the adjustments if they are reasonable.

5.2 What is "reasonable" will depend on each situation. Careful consideration will be given to if the adjustment:

- Will remove or reduce the disadvantage for the person with the disability
- Is practical and affordable to make
- Could harm the health and safety of others

5.3 The duty to review reasonable adjustments is ongoing.

5.4 Reasonable adjustments can include:

5.4.1 Changes to working hours to accommodate medication or ease travel.

- 5.4.2 Changes to workplace to enable access, or to reduce travel.
- 5.4.3 Adaptations, such as voice recognition software, visual aids, adjustable desk/chair. (Grants towards the costs of workplace adaptations can be made through the Access to Work programme). <https://www.gov.uk/access-to-work/what-youll-get>
- 5.4.4 More regular access to facilities or more regular breaks.
- 5.4.5 Time off during working hours for rehabilitation, assessment or treatment.
- 5.4.6 Redeployment as a temporary or permanent adjustment. This should be in line the Sickness Policy's Reasonable Adjustments Toolkit. <http://east24/HR/Documents/Sickness%20Hub/Toolkit%20for%20Managing%20Reasonable%20Adjustments%20in%20Reasonable%20Adjustment%20Review%20Template.pdf>
- 5.4.7 The Trust will consider reasonable adjustments, depending on each employee's circumstance, which may include redeployment. Redeployment as a reasonable adjustment by the Trust, will be considered on its specific facts, on a case-by-case basis, however, where an employee has chosen to apply for an alternative vacancy and meets the essential criteria, the Trust's guaranteed interview scheme will apply. Therefore, staff members must be given prior consideration for vacancies that arise. Please refer to paragraph 1.5 of this Policy.
- 5.4.8 Where staff with disabilities do not meet all of the essential criteria for the role, reasonable training and support can be given to allow them to fulfill the role, along with the removal of parts of the role – which could be deemed a reasonable adjustment.

5.4.9 Reallocation of duties to another person to allow the role to become more suitable – this can be a temporary or permanent measure.

5.4.10 As recognised by NHS Employers disability and ill health are not the same thing. Disabled staff may, however, may require time off work to help them manage their disability e.g. to attend appointments or consultation or have treatment related to the ongoing management of their disability.

5.4.11 Disregarding some sickness absence relating to disability when considering the management of, trigger points and sanctions relating to sickness absence.

For paragraphs 5.4.10 and 5.4.11 please refer to Section 2, Disability related absence, Guidance relating to disability for the NHS' (included as Appendix 1).

5.4.12 It may be necessary to provide:

5.4.13 Training for managers to better understand the issues of their staff who have a disability acquire a disability. Compulsory training of managers may also be considered a reasonable adjustment in certain circumstances.

5.4.14 The Access to Work Programme is available through Job Centre Plus. Access to Work can provide grants to help pay for various adjustments. For details contact: <https://www.gov.uk/access-to-work>

5.5 The larger the employer the greater the requirement for fully exploring reasonable adjustments.

6. Sickness Management

6.0 This Policy must be read in conjunction with Sickness Absence Management policy, and advice sought from HR Operations when managing employees who managers feel may come

under the Equality Act 2010. This contains vital information and guidance that will facilitate appropriate management of such cases

- 6.1 Managers conducting return to work interviews should carefully consider whether the staff member has a disability under the Equality Act, 2010, or be developing a disability. Reasonable adjustments should be explored to assist the employee to remain or re-enter the workplace and maintain attendance with ongoing support.
- 6.2 Sickness absence related to disabilities must be recorded as such where the Trust knows, or can reasonably be expected to know, that the employee has a disability.
- 6.3 Disregarding sickness relating to disability is best practise and in some cases a legal requirement. For example, an employee experiencing side effects from chemotherapy should have their sickness disregarded for the purposes of applying any sanctions, this would be seen as a reasonable adjustment.

7. Medical evidence

- 7.1 Evidence of a disability could be from the employee, their GP, consultant or physiotherapist.
- 7.2 Only a judicial body can definitively make a judgement over a disability, however the onus is on the employer to have acted reasonably.
- 7.3 Occupational Health may be asked for their opinion as a supportive measure where a reasonable adjustment may be required. Having a disability does not necessarily affect an employee's health or work and so insisting on a medical report or OH referral because of a disability may be unlawful discrimination.
- 7.4 It is not necessary for mental health conditions to be clinically recognised to provide protection under the Equality Act.

8. Confidentiality

- 8.1 All reasonable steps should be made to maintain confidentiality in managing staff with disabilities.
- 8.2 Where there is a physical adjustment in place that is apparent to colleagues, the Trust and all staff will be expected to act in accordance with the dignity at work policy.

9. Disability Confident Commitment

- 9.1 As a Disability Confident Employer, The Trust is committed to successfully employ and retain disabled people and those with health conditions wherever they can. Employers must provide a reasonable level of support/assistance and adjustment wherever necessary to help people get the most out of their time as an employee.

Employers committing to the Disability Confident scheme promise to:

- Actively look to attract and recruit disabled people
 - Provide a fully inclusive and accessible recruitment process
 - Offer an interview to all disabled people who meet the minimum criteria for the role they have applied for
 - Demonstrate flexibility when assessing applicants so disabled people have the best opportunity to demonstrate that they can do the job they have applied for.
-
- inclusive and accessible recruitment
 - communicating vacancies
 - offering an interview to disabled people
 - providing reasonable adjustments
 - supporting existing employees

9.2 Reasonable adjustments

You must make reasonable adjustments to support disabled job applicants and employees. This means ensuring disabled people can overcome any substantial disadvantages they may have doing their jobs and progressing in work ([Equality Act 2010](#)).

An individual can take you to an employment tribunal if they think you have not made reasonable adjustments.

Many reasonable adjustments involve little or no cost and could include:

- making changes to a disabled person's working pattern
 - providing training or mentoring
 - making alterations to premises
 - ensuring that information is provided in accessible formats
 - modifying or acquiring equipment
 - allowing extra time during selection 'tests'
- Find out more about what reasonable adjustments are and what you may do.

Access to Work can help towards the costs of making reasonable adjustments.

More information on reasonable adjustments, including examples, is in Chapter 6 of the [Equality Act 2010 Code of Practice](#).

9.3 Help with the extra costs disabled people face in work

You may be able to get help from Access to Work towards some costs where an individual requires support or adaptations. Find out more in the [Employer's guide to Access to Work](#).

Access to Work usually provides a grant to pay for the cost of the support. For example, it can provide funds towards:

- special aids and equipment

- adaptations to equipment
- travel to and from work
- communication support at interview
- a wide variety of support workers

Access to Work also has a Mental Health Support Service. This can offer support to individuals with a mental health condition who are absent from work or finding work difficult.

9.4 Supporting older workers

Older workers often have a vast amount of experience, knowledge and skill. By not retaining older workers you can face a loss of output and extra recruitment costs.

Our [help and support for older workers](#) page provides information on employing older workers.

9.5 Supporting disabled people to remain in work

You can get help from the Employer Adviser and Work Psychology Services at Job Centre Plus if an employee:

- becomes disabled
- has a change in their impairment or health condition that could mean they face barriers to remaining in work

For more information [contact Job Centre Plus](#).

9.6 Work and Health Programme

The Work and Health Programme (WHP) was launched throughout England and Wales on a rolling basis between November 2017 and April 2018. It predominantly helps people with a wide range of health conditions or disabilities, as well as the long-term unemployed, and certain priority groups, to enter into and stay in work, using the expertise of private, public and voluntary, and community sector providers.

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WHP providers are building strong links to national and local employers to identify employment needs, identify roles and provide more individual training to better match people’s skills to jobs. They also offer light touch in-work support from job start for the participant if they need it, and ensuring that appropriate arrangements for continuation of support, including Access to Work is in place before the provider support ends.

For more information on available support, employers can contact the following WHP providers:

Area	Provider
Central and Home Counties	Shaw Trust
North East	Reed in Partnership
North West	Ingus
Southern	Seetec Pluss
Wales	Remploy

9.7 Disability law

9.7.1 Discrimination

It is against the law to treat someone less favorably than someone else because of a personal characteristic, such as being disabled. There are different kinds of discrimination.

Discrimination does not have to be direct to be illegal. You can discriminate indirectly with working conditions or rules that disadvantage a group of people more than another.

Discrimination can include, for example:

- not hiring someone because of their disability

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- selecting a particular person for redundancy because of their disability
- paying someone less than another worker without good reason

Find out how to avoid discriminating against disabled people during the recruitment process and while they work for you.

9.7.2 Dealing with performance issues

All employees, whether or not they are disabled, have changes in their performance levels. These could be problems with attendance, behaviour or conduct.

Before starting action to deal with poor performance, you must make reasonable adjustments to allow a disabled employee to improve their performance. If you don't, they could take you to an employment tribunal.

9.8 How to recruit disabled people

9.8.1 Accessible job adverts

You must not discriminate against disabled people at any stage of the recruitment process.

You must make job adverts accessible to all those who can do the job, whether or not they are disabled.

When writing job adverts:

- use a font that is easy to read and large enough to read
- make sure that they don't exclude any section of the community
- state clearly that you welcome applications from all sections of the community and that you have an equal opportunities policy
- include in your person specification only the skills and experience which are vital to the job

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- do not set criteria which automatically exclude certain groups, for example stating that applicants must have a driving license when there is no requirement for travel within the role
- provide the contact details of someone in your organisation who can provide further information and discuss any reasonable adjustments that the applicant may need
- offer alternative formats for applications, for example if the application is to be made online, provide a paper based form as an alternative

9.8.2 Conducting interviews

Under the [Equality Act 2010](#) you must not ask about a job applicant's health until you have offered them a job, except to:

- find out whether they need any reasonable adjustments during the recruitment process
- find out if they can carry out an essential function of the job
- monitor whether applicants have a disability (this must be anonymous)

Ask applicants if they need an adjustment to the interview process to allow them to be considered for the job. Make any adjustments if they are reasonable, for example:

- use premises that are fully accessible
- change lighting or room layout
- show a visually impaired applicant to their seat
- offer an alternative to a standard interview, for example a working interview or allow extra time
- allow applicants to complete a written test using a computer

When interviewing a disabled applicant, help them to perform to the best of their ability by:

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- speaking directly to them rather than any support worker
- telling them about any flexible working patterns that you may be able to offer them
- making sure that you ask each applicant the same questions, whether or not they are disabled

9.8.3 Disability Confident symbol

The Disability Confident symbol replaced the 'Two Ticks' (positive about disabled people) symbol in 2016.

Disability Confident is creating a movement of change, encouraging employers to think differently about disability and take action to improve how they recruit, retain and develop disabled people.

Being Disability Confident is a unique opportunity to lead the way in your community, and you might just discover someone your business cannot do without.

Sign up to the Disability Confident scheme and you can use the Disability Confident symbol on adverts to show that you encourage applications from disabled people.

Find out how to sign up to the Disability Confident Scheme and get the Disability Confident symbol.

9.9. **Advice on specific conditions**

9.9.1 Mental health conditions

Mental Health conditions cover a wide range of illnesses which can affect how people feel, think and behave. They can include:

- depression
- anxiety
- bipolar disorder

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According to the Mental Health Foundation, 1 in 4 people experience a problem with their mental health every year. It's likely you will at some point employ someone with a mental health condition. Being in work can improve someone's mental health. With understanding and support from an employer, there is no reason that someone with a mental health condition cannot succeed in the workplace.

Adjustments for employees with a mental health condition include:

- offering flexible working patterns, including changes to start and finish times and adaptable break times
- changing their working environment, for example providing a quiet place to work
- working with them to create an action plan to help them manage their condition
- allowing them leave to attend appointments connected with their mental health

For more information and support visit:

- [Mind](#)
- [SANE](#)
- [Time to Change](#)

9.9.2 Hearing impairment

Someone with a hearing impairment may have:

- partial or complete hearing loss
- had their impairment from birth or it may have increased gradually over time
- a temporary or permanent impairment

The proportion of people with a hearing impairment who are in work is below the national average. However, there are many

people with a hearing impairment who are in work and even more who would like the opportunity to be in work.

The National Deaf Children's Society (NDCS) has developed a collection of resources with the Department for Education (DfE) to support the transition young people with a hearing impairment make into employment. These resources include a personal profile template for young people to complete about their working environment needs, an employer handbook and short videos aimed at young people, parents and employers.

Adjustments for an employee with a hearing impairment include:

- providing information in accessible formats
- seating an employee in a quiet area, away from distracting noises
- using adapted telephones with adjustable volumes and lights

For more information and support visit:

- [Action on Hearing Loss](#)
- [British Deaf Association](#)
- [UK Council on Deafness](#)

9.9.3 Visual impairments

There are almost 80,000 registered blind and partially sighted people of working age in the UK (not including conditions which can be corrected by glasses or contact lenses). The majority have some useful vision. They represent a huge pool of potential employees.

Advances in technology mean that blind and partially sighted people can now overcome many of the barriers to work that they faced in the past. With the right training, skills and experience a blind or partially sighted person can do just about any job. Just like any other worker, they will need the right tools to do the job, for example additional tools that reduce or eliminate the need for eyesight.

Adjustments for a blind or partially sighted employee include:

- offering additional training about visual impairments for other colleagues
- making alterations to the working environment
- supplying documents in audio or Braille formats
- carrying out a risk assessment of the workplace
- arranging a tour of the workplace
- providing software or technology that magnifies onscreen text and images or converts text to sound

For more information and support visit the [RNIB](#).

9.9.4 Physical impairments

A physical impairment is one which limits a person's ability to do physical activity such as walking. These impairments may be as a result of:

- amputation
- cerebral palsy
- injury
- muscular dystrophy
- multiple sclerosis

Some physical impairments may not be visible such as epilepsy or respiratory disorders.

Many people with physical impairments have mobility aids to assist them. You may only need to take a few simple steps to ensure an employee with a physical impairment can fulfil their potential at work.

Adjustments for a physically impaired employee include:

- providing assistive computer equipment such as modifications to hardware or voice activated software
- agreeing an emergency evacuation procedure with them if they require assistance

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- making sure that the layout of the working environment is accessible and free from obstructions

For more information visit:

- [Cerebral Palsy](#)
- [Leonard Cheshire Disability](#)
- [Muscular Dystrophy UK](#)
- [Multiple Sclerosis Society](#)

9.9.5 Hidden impairments

Hidden impairments are conditions that are not apparent to others. They are thought to affect 10% to 15% of the population. They include:

- autistic spectrum conditions (ASCs)
- dyslexia, dyspraxia, attention deficit hyperactivity disorder, dyscalculia
- learning disabilities

Autistic spectrum conditions (ASCs)

In the UK, half a million adults are thought to have an ASC. They may have difficulties with:

- communication
- understanding the feelings of others
- meeting new people
- adapting to change and new routines

People with an ASC may also have high levels of accuracy, attention to detail and a good memory for figures.

Adjustments for an employee with an ASC include:

- maintaining a structured working environment and routine
- avoiding language which is hypothetical or abstract
- avoiding making statements which could be taken literally

For more information and support visit:

- [Autism Alliance UK](#)
- [Autism Plus Autism Plus](#)
- [The National Autistic Society](#)

Dyslexia

About 10% of the UK population are thought to be affected by dyslexia. Even where literacy skills have been mastered, people with dyslexia have difficulties with reading efficiently and spelling. They may struggle with tasks such as:

- organisation and time-management
- writing or structuring documents
- retaining information (without written back-up)
- note taking in meetings
- working under pressure of time

Potential strengths of people with dyslexia include creative and innovative thinking and good communication skills.

Adjustments for an employee with dyslexia include:

- providing text-to-speech or speech-to-text software
- allowing meetings to be recorded
- giving instructions verbally
- providing written information on coloured paper

For more information and support visit:

- [Dyslexia Action](#)
- [British Dyslexia Association](#)
- [Dyslexia Adult Network \(DAN\)](#)

Dyspraxia (developmental co-ordination disorder)

Co-ordination difficulties associated with dyspraxia (DCD) can affect many areas of everyday life, such as learning to drive or ride a bicycle and acquiring fluent word processing skills. Some people

with dyspraxia appear clumsy, with weak muscle tone. They may also have poor social skills and come across as abrupt. Dyspraxia also affects the ability to organise ideas, language and information.

Tasks with the following elements are challenging for people with dyspraxia:

- sequencing, organisation, time-management and prioritising
- managing change and coping in unfamiliar situations
- extracting information from charts or diagrams and following maps
- learning new skills
- working at speed or to deadlines

Attention deficit hyperactivity disorder (ADHD)

ADHD is often associated with specific learning difficulties and a range of mental health issues. People with ADHD show signs of inattention, impulsivity, over-activity and restlessness.

Difficulties in the following areas characterise ADHD:

- poor listening skills and being easily distracted
- difficulties maintaining attention, concentration and focus
- problems with planning, organisation and time-management
- talking excessively, interrupting or intruding on others
- problems with controlling and switching their attention as needed, for example starting, switching or finishing tasks and activities
- failure to take account of feedback
- poor self-regulation of actions and emotions

Dyscalculia

Dyslexia and dyspraxia may affect numeracy skills, but the term dyscalculia refers to more severe difficulties with numeracy and concepts involving numbers. It affects around 5% of the population.

People with dyscalculia struggle in the following areas:

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- handling money, budgeting and dealing with finances
- time-telling, such as recording times, dates and appointments correctly
- using pin numbers and dialing phone numbers
- remembering personal information, like date of birth, addresses and post codes
- travelling and directions, reading road numbers and making sense of timetables

Learning disabilities

It is estimated that up to 1.5 million people in the UK have a learning disability. They may have difficulties learning new skills and coping independently with everyday tasks.

Many people with a learning disability are in work and with the right support can be hard-working and reliable employees.

Adjustments for an employee with a learning disability include:

- altering the recruitment process to allow work trials instead of formal interviews
- using supported employment providers to offer in work support to help learn a role
- providing information in accessible formats

For more information and support visit:

- [British Institute of Learning Disabilities](#)
- [Mencap](#)

Neurodiversity at work

Neurodiversity refers to the different ways our brains work and interpret information.

The CIPD neurodiversity at work guide aims to raise employer awareness of neurodiversity in the workplace. It provides information about neurodiversity, the benefits for organisations, and how to support neurodivergent people at work.

9.9.6 Epilepsy

Epilepsy is a condition that affects the brain. When someone has epilepsy, it means they have a tendency to have epileptic seizures.

Anyone can have a one-off seizure, but this doesn't always mean they have epilepsy. Epilepsy is usually only diagnosed if someone has had more than one seizure, and doctors think it is likely they could have more.

Epilepsy can start at any age and there are many different types. Some types of epilepsy last for a limited time and the person eventually stops having seizures. For many people epilepsy is a life-long condition.

For more information and support visit:

- [Epilepsy Action](#)

9.9.7 Stammering

Stammering is hard to define even though everyone knows it when they hear it. Stammering is typically recognised by a tense struggle to get words out, characterised by repetition or prolongation of sounds, and silent blocks (known as 'overt stammering'). However, many people who stammer have developed techniques to hide it (known as 'covert stammering').

We know that stammering has no influence on someone's intelligence or abilities. However, personal experiences can affect educational attainment, career choice, professional success and even mental health.

Stammering varies tremendously from person to person and is highly variable for the person who stammers. They may be fluent one minute and struggling to speak the next.

Stammering affects about 500,000 adults in the UK, including 380,000 adults of working age.

For more information and support visit:

- [The British Stammering Association](#)

9.10. Guidance from other organisations

The [Advisory, Conciliation and Arbitration Service \(ACAS\)](#) provides free advice for employers on employment legislation including advice on age and the workplace.

The [Equality and Human Rights Commission \(EHRC\)](#) promotes and monitors human rights. It protects, enforces and promotes equality across 9 areas: age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment.

The [Business Disability Forum \(BDF\)](#) is an employer organisation that offers information, support and advice on disability as it affects business. It can help employers to make sure that their online recruitment tools and processes are fully accessible for disabled people.

[Clear Talents](#) can help organisations identify and manage reasonable adjustments for job applicants, employees and students. It is free to use for applicants.

The [British Association for Supported Employment \(BASE\)](#) is the national trade association involved in securing employment for disabled people. The website offers guidance for employers on disability and work. BASE members work closely with disabled jobseekers and employers to help find sustainable work for the disabled person.

[The Disability Action Alliance](#) brings together disabled people's organisations with other organisations to work in partnership to change the lives of disabled people.

[Vercida](#) is a place for the diversity industry, employers, and jobseekers to communicate. The site brings together the best of what the industry has to offer with a broad range of views from employers, jobseekers, and diversity policy makers.

[The Mental Health Foundation](#) is a leading mental health charity for research, policy and improving services. It offers a range of training and courses for individuals and employers.

[Remploy Employment Services](#) provides wide ranging support to help employers to recruit and retain talented and motivated disabled people.

The [Do It Profiler](#) has resources for employers to help them to understand specific learning disabilities and their relevance to the workplace.

[Evenbreak](#) is a social enterprise run by and for disabled people, helping employers attract more talented disabled people through their specialist job board, and gain confidence and competence around disability inclusion through their best practice portal.

9.11. Toolkits

The [Age Action Alliance employer toolkit](#) has guidance for managers of older workers across all business sectors.

The Autism Centre for Research Employment (ACRE) [Autism Employment Toolkit](#) – for the Employment Profiling Assessment services for Adults on the Autism Spectrum. The portal aims to introduce you, or the person you support, to the most relevant work issues you need to know about.

The Business in the Community and Public Health England – [Mental Health toolkit](#). The ambition of this toolkit is to help your organisation – whether business, public sector or charitable – support the mental health and wellbeing of your employees. It will help you take positive actions to build a culture that champions

good mental health and provide a greater understanding for how to help those who need more support.

The Business Disability Forum [Disability Standard criteria](#) (log in required) highlights business areas to consider to meet the needs of disabled people as customers, employees and stakeholders.

[Clear Talents](#) is an online toolkit that simplifies the process of identifying, implementing and tracking the reasonable adjustments that allow your employees to perform at their best.

The [DWP autism and neurodiversity toolkit](#) is a resource to support awareness and understanding of autism spectrum conditions and hidden impairments. It provides practical guidance for supporting people who have neurodiverse conditions, including examples of reasonable adjustments. Employers are encouraged to use the toolkit to help support employees with autism spectrum conditions and hidden impairments.

Do-IT Solutions [Neurodiversity Workplace Toolkit](#) provides, helps to unlock the hidden talents in your employees and provide guidance for you and them.

How to implement the [Thriving at Work Mental Health Core Standards in your workplace](#). The Government's independent review, 'Thriving at Work', includes 6 core and 4 enhanced standards for how organisations can better support employees' mental health.

10. References

ACAS: <http://www.acas.org.uk/index.aspx?articleid=1859>

Access to works scheme: <https://www.gov.uk/access-to-work>

Disability Rights Commission:

<http://www.disabilityrightsuk.org>

Equality advisory support service:

<http://www.disabilityrightsuk.org/how-we-can-help/helplines/equality-advisory-support-service>

Equality and human rights commission:

<http://www.equalityhumanrights.com/>

Public Sector Equality Duty:

<http://www.equalityhumanrights.com/public-sector-equality-duty>

Guidance relating to disability for the NHS. NHS Employers January 2014. (Attached as Appendix A).

Guidelines on prevention and management of sickness absence. NHS Employers November 2013.

HSE: <http://www.hse.gov.uk/disability/law.htm>

Institute of Employment Rights <http://www.ier.org.uk>

Sickness absence and disability discrimination TUC. 17 May 2016.

<https://www.tuc.org.uk/research-analysis/reports/sickness-absence-and-disability-discrimination-updated>

The Equality Act 2010, which supersedes and includes the Disability Discrimination Act (DDA) 1995.

<https://www.gov.uk/guidance/equality-act-2010-guidance>

<https://www.equalityhumanrights.com/en/equality-act-2010/what-equality-act>

11. Policy Review

- 11.1 This policy will be reviewed on a three yearly basis or amended in the light of new employment legislation and/or relevant case law.

Appendix A

Guidance relating to disability for the NHS (January 2014) [Online]

<http://www.nhsemployers.org/~media/Employers/Documents/Pay%20and%20reward/Guidance%20relating%20to%20disability%2028%20Jan.pdf>

Appendix B

Equality Impact Assessment

EIA Cover Sheet															
Name of process/policy	Disability Policy														
Is the process new or existing? If existing, state policy reference number	POL093														
Person responsible for process/policy	Head of HR														
Directorate and department/section	Workforce														
Name of assessment lead or EIA assessment team members	Equality panel members														
Has consultation taken place? Was consultation internal or external? (please state below):	INTERNAL CONSULTATION This policy has been written in partnership by management and staff side, and in accordance with current employment legislation.														
The assessment is being made on:	<table border="1"> <tr> <td>Guidelines</td> <td></td> </tr> <tr> <td>Written policy involving staff and patients</td> <td></td> </tr> <tr> <td>Strategy</td> <td></td> </tr> <tr> <td>Changes in practice</td> <td></td> </tr> <tr> <td>Department changes</td> <td></td> </tr> <tr> <td>Project plan</td> <td></td> </tr> <tr> <td>Action plan</td> <td></td> </tr> </table>	Guidelines		Written policy involving staff and patients		Strategy		Changes in practice		Department changes		Project plan		Action plan	
Guidelines															
Written policy involving staff and patients															
Strategy															
Changes in practice															
Department changes															
Project plan															
Action plan															

	Other (please state) Training programme.
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Equality Analysis

What is the aim of the policy/procedure/practice/event?

This policy is designed to support staff with existing disabilities, staff who may be developing a disability, as well as the recruitment of staff with disabilities. The policy should also encourage all staff to work within the principles and spirit of this policy, regardless of whether they identify with a disability.

Who does the policy/procedure/practice/event impact on?

- | | | | | | |
|------|---|----------------------|---|----------------------------|---|
| Race | × | Religion/belief | × | Marriage/Civil Partnership | × |
| Sex | × | Disability | × | Sexual orientation | × |
| Age | × | Gender re-assignment | × | Pregnancy/maternity | × |

Who is responsible for monitoring the policy/procedure/practice/event?

Head of HR/Workforce

What information is currently available on the impact of this policy/procedure/practice/event?

Workforce Race Equality Standards

Workforce Disability Standards

EDS2 – Equality Delivery System

Compliance with Public Sector Equality Duty and Specific Duty

Gender Pay Gap

Five Diversity Networks within EEAST e.g. AWE Women’s Network, Multi-Faith Network, Disability Network, LGBT Network, BAME Network, Equality Diversity Inclusion Group.

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? **No**

The policy links in with Equality Diversity and Inclusion Policy.

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, If yes please provide evidence/examples:

Who does the policy/procedure/practice/event impact on?					
Race	×	Religion/belief	×	Marriage/Civil Partnership	×
Sex	×	Disability	×	Sexual orientation	×
Age	×	Gender re-assignment	×	Pregnancy/maternity	×

Please provide evidence:

The policy is designed to have a positive impact on all the protected characteristics and has been produced in consultation with the Union and staff representative groups.

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? No, if so please provide evidence/examples:

- | | | | | | |
|---------------|--------------------------|-----------------------------|--------------------------|-----------------------------------|--------------------------|
| Race | <input type="checkbox"/> | Religion/belief | <input type="checkbox"/> | Marriage/Civil Partnership | <input type="checkbox"/> |
| Gender | <input type="checkbox"/> | Disability | <input type="checkbox"/> | Sexual orientation | <input type="checkbox"/> |
| Age | <input type="checkbox"/> | Gender re-assignment | <input type="checkbox"/> | Pregnancy/maternity | <input type="checkbox"/> |

Please provide evidence:

No concerns identified

Action Plan/Plans - SMART

Specific

Measurable

Achievable

Relevant

Time Limited

Evaluation Monitoring Plan/how will this be monitored?

Who

How

By

Reported to