



Adapting Technology ■ Changing Lives

AbilityNet Factsheet – September 2017

## Disability and Employment

Nearly one-in-five of people living in the UK have a disability, including over eight million people of working age. This factsheet summarises the steps employers can take to recruit and support people with an impairment or long-term health condition in work. It also highlights the range of high quality paid for and free services that AbilityNet provides to help disabled people succeed at work. Employing disabled people is good for business. It can help you to:

- draw on a much broader talent pool
- employ and retain high quality staff who are skilled, loyal and hard working
- improve employee morale and reduce absence through sickness
- create a diverse workforce that more closely reflects your range of customers and the community where you operate.

Under the law, there can also be serious penalties for treating someone less favourably because of a personal characteristic, such as being disabled.

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## 1. What is disability?

The Equality Act 2010 states that a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

### Disability discrimination

Under the Act, it is unlawful to discriminate against an employee because of a disability, either directly or indirectly. Direct discrimination occurs when someone is treated differently and less well than other people because of their disability. Indirect discrimination can arise when a workplace rule, practice or procedure is applied to all employees but disadvantages those who are disabled.

Any employee who feels they have been discriminated against may take their claim to an employment tribunal – if they have been unable to resolve the issue with their employer informally.

## 2. What should employers do?

The Equality Act places a duty on employers to ensure that employees with a disability are able to perform effectively. If necessary, an employer must make 'reasonable adjustments' to ensure that disabled job applicants or employees are not disadvantaged by their workplace or working practices.

Disabled members of staff should enjoy equal access to everything involved in doing their job and progressing at work as any non-disabled colleague.

Employers therefore need to make any reasonable adjustments that may be required. They should also have rules and procedures in place to prevent disability discrimination in every aspect of employment, including:

- recruitment and selection
- determining pay, terms and conditions
- managing sickness absence
- training, development and promotion
- redundancy and dismissal.

### 3. What are reasonable adjustments?

There are myriad ways that employers can make reasonable adjustments to ensure that their disabled job applicants and employees are not disadvantaged. Any adjustments required do not have to cost a lot of money, and what may be deemed reasonable will depend in part on the size and nature of the organisation.

Making reasonable adjustments involves taking steps to remove or prevent the obstacles a disabled job applicant or worker faces. It could include:

- adapting the workplace or the working environment
- removing physical barriers
- making some changes to how work is organised
- ensuring that information is provided in accessible formats
- modifying or acquiring equipment – including assistive digital technology
- offering specialist training and support
- providing more flexible employment – including part-time hours and a phased return to work.

Continued advances in digital technology mean that an increasing range of assistive devices, hardware and software is now available to help disabled employees overcome potential barriers and succeed in work.

### 4. Recruiting disabled people

Employers must not discriminate against disabled people at any stage of the recruitment process, from advert to selection. They should employ the best person for the job based on their application and performance at interview.

In recruiting new staff, employers must not ask about a job applicant's health until they have been offered 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 (anonymously) applications received from disabled people.

Employers who are signed up to the Government's *Disability Confident* scheme can use the *Disability Confident* symbol on adverts to show that they encourage applications from disabled people. Information about how to [become a Disability Confident employer](#) is available online.

## 5. Employing disabled people

### Making reasonable adjustments

Employers must make reasonable adjustments to ensure their disabled employees can overcome any substantial disadvantages they may have doing their jobs and progressing at work.

Different people will need different adjustments, even if they appear to have similar impairments. Government guidance on [Employing disabled people and people with health conditions](#) includes information on how different specific conditions can affect people. It also gives related examples of potentially helpful adjustments that employers could quite easily make for staff with such impairments.

## 6. How do you assess individual needs?

No two people are the same and, when it comes to reasonable adjustments, one size certainly does not fit all! The various ways and extent someone may be affected by different impairments are unique to them, their workplace environment and the particular demands of their role.

### Comprehensive assessments

An individual assessment is therefore essential. As a starting point, AbilityNet recommends that job applicants and employees generate a [Clear Talents profile](#). Answering a few simple questions about your circumstances generates an easy to use report that can be used by employers to review your needs. Typically, this will identify all the adjustments you may require without the need for a full expert assessment. *Clear Talents* also provide useful tools, advice and guides to help anyone with an impairment perform at their best.

A truly holistic, one-to-one assessment can only be conducted by expert practitioners such as those found in AbilityNet's own professional assessment team. This includes chartered physiotherapists, occupational health specialists and ergonomists. How much will it all cost?

Very many reasonable adjustments cost little or nothing to make. Free and easy changes can be made utilising existing hardware and software, or by making simple alterations to work patterns or responsibilities.

Practical advice on how to achieve the optimum setup for your computing equipment is available on *My Computer My Way*.



This covers all the accessibility features built into your computer, tablet or smartphone, and all the main operating systems – Windows, Mac OS, iOS and Android. You can use it for free at [www.mycomputermyway.com](http://www.mycomputermyway.com)

### **Access to work**

Where reasonable adjustments are more costly, help for employers may be available under the government's [Access to Work](#) programme. This can assist with the cost of providing an individual with required support or adaptations. Grant support can be provided for:

- special aids and equipment (including adaptations)
- travel to and from work
- communications support, at interviews and in work.

### **Specialist advice and training**

Getting the most out of assistive technology often requires receiving adequate training. Employees also need sufficient opportunity to become familiar and proficient with new products. Generally, training is most effective when it is spread over time and specifically geared towards the individual and their particular circumstances and requirements.

## **7. Other useful links and resources**

### **Acas**

Acas publishes extensive help and guidance for employers and employees on all aspects of disability discrimination at [www.acas.org.uk](http://www.acas.org.uk)

It also operates a free and confidential helpline providing impartial advice for employers, employees or representatives. The number is 0300 123 1100.

### **Business Disability Forum**

The Business Disability Forum is a not-for-profit member organisation that makes it easier and more rewarding to do business with and employ disabled

people. It aims to build disability-smart organisations to enhance participation and improve business performance.

For more information, visit [www.businessdisabilityforum.org.uk/](http://www.businessdisabilityforum.org.uk/)

### **Disability Confident employer scheme**

Guidance and resources about employing disabled people and how the Disability Confident employer scheme can help businesses are available at [www.gov.uk/government/collections/disability-confident-campaign](http://www.gov.uk/government/collections/disability-confident-campaign)

### **Disability Rights UK**

Disability Rights UK works and campaigns to create a society where everyone can participate equally.

Its factsheet on careers and work for disabled people can be downloaded from [www.disabilityrightsuk.org/careers-and-work-disabled-people](http://www.disabilityrightsuk.org/careers-and-work-disabled-people)

### **Equality and Human Rights Commission (EHRC)**

The EHRC is Great Britain's national equality body. It aims to safeguard and enforce the laws that protect people's rights to fairness, dignity and respect. The EHRC publishes extensive guidance to help people understand their rights and responsibilities under the Equality Act 2010. For information about disability discrimination visit [www.equalityhumanrights.com/en/advice-and-guidance/disability-discrimination](http://www.equalityhumanrights.com/en/advice-and-guidance/disability-discrimination)

### **Health and Safety Executive (HSE)**

The HSE states that health and safety legislation should not prevent disabled people finding or staying in employment. It should not be used as a false excuse to justify discriminating against disabled workers.

HSE guidance helps those employing disabled people to understand their health and safety responsibilities. Guidance for both employers and employees can be downloaded from [www.hse.gov.uk/disability/index.htm](http://www.hse.gov.uk/disability/index.htm)

## **8. About AbilityNet**

AbilityNet is the national charity that supports people with any disability, of any age. Our specialist services help disabled people to use assistive technology and the internet to improve their lives, whether at work, at home or in education. We offer:

## **Digital Accessibility Services**

The AbilityNet team of expert consultants and user testers help businesses, charities and public bodies ensure that their websites, apps and other digital services are usable, accessible and comply with current legislation.

[Find out more about our Accessibility Services](#)

## **Workplace Services**

Even small adjustments to equipment and work patterns can transform the lives of people with disabilities and have a profound impact on well-being and productivity. Our team of expert assessors identify the Reasonable Adjustments that help employees achieve their full potential.

[Read more about our Workplace Services](#)

## **DSA/Students Services**

Technology can help disabled people of all ages succeed in education. AbilityNet has a network of DSA Assessment Centres and is one of the largest providers of specialist assessments to HE students in the UK.

[Find out more about our DSA/Students Services](#)

## **Free IT Support for disabled and older people at home**

AbilityNet has a national network of disclosure checked volunteers offering support to disabled people and older people. Our volunteers have relevant IT skills to help people get the most from computer systems, laptops, tablets and even some smartphones.

[Find out more about our IT Can help Volunteers](#)

## **Expert Resources**

Our free expert resources have been produced for people with any disability of any age, as well as their employers, family, friends, colleagues and anyone else with an interest in helping disabled people achieve their goals.

[Find out more about our expert resources](#)

## Call the Helpline

Call our free Helpline on **0800 269 545** to ask anything about how computers can be adapted to meet the needs of disabled people.

## Support us

Visit [www.abilitynet.org.uk/donate](http://www.abilitynet.org.uk/donate) to learn how you can support our work.

## Contact us

- Telephone      0800 269 545
- Email            [enquiries@abilitynet.org.uk](mailto:enquiries@abilitynet.org.uk)
- Web:             [www.abilitynet.org.uk](http://www.abilitynet.org.uk)

We are always keen to help share knowledge about accessibility and assistive technology. If you have any questions about how you may use the contents of this factsheet, please contact us at AbilityNet and we will do all we can to help.

## Copyright information

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