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<b>DISABILITY AND SPECIAL NEEDS</b>		

## Introduction

A disabled person is defined as someone with a physical or mental impairment that has a 'substantial' and 'long-term' effect on their ability to do normal daily activities (*Equality Act 2010*).

Nearly 7 million people of working age in the UK are disabled or have a health condition. Historically there has been a significant gap between the proportion of disabled people employed compared with non-disabled people.

Employers 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*).

## Support

Staff with a recognised disability may be able to get help from Access to Work towards some costs if they require support or adaptations. 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.

## Discrimination

It is against the law to treat someone less favourably 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. Employers 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.
- selecting a particular person for redundancy because of their disability.
- paying someone less than another worker without good reason.

## Recruitment

Employers must not discriminate against disabled people at any stage of the recruitment process. They 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 do not exclude any section of the community.
- State clearly that the Semi-independent welcomes applications from all sections of the community and has an equal opportunities policy.
- Include in the person specification only the skills and experience which are vital to the job.
- Do not set criteria which automatically exclude certain groups, for example stating that applicants must have a driving licence when there is no requirement for travel within the role.
- Provide the contact details of someone in the 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.

Under the Equality Act 2010 an employer must not ask about a job applicant's health until they 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 are disabled (this must be anonymous).

Employers have to ask applicants if they need an adjustment to the interview process to allow them to be considered for the job and 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 employer must help them to perform to the best of their ability by:

- Speaking directly to them rather than any support worker.
- Telling them about any flexible working patterns that the Semi-independent may be able to offer them.
- Making sure that they ask each applicant the same questions, whether or not they are disabled.

## Redundancy and Retirement

A person with a disability cannot be chosen for redundancy just because they are disabled. The selection process for redundancy must be fair and balanced for all employees. An employer cannot force a member of staff to retire if they become disabled.

## Mental Health Issues

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

According to the Mental Health Foundation, 1 in 4 people experience a problem with their mental health every year. It is 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 to leave to attend appointments connected with their mental health.

## 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.

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.

## Visual Impairment

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.

### Physical Impairment

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 impairment may not be visible such as epilepsy or respiratory disorders.

Many people with physical impairments have mobility aids to assist them. An employer 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.
- making sure that the layout of the working environment is accessible and free from obstructions.

### 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.

## **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.
- Dyspraxia (developmental coordination 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:

- 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.

## **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 does not 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.

## **Summary**

SJD Homes is fully committed to protecting the rights of any employee suffering from a disability or with a recognised special needs, and endeavours to fully comply with the legislation contained in *the Equality Act 2010*. If a member of staff considers they have been treated unfairly due to them have a disability or recognised special need they should first aim to resolve the matter with their line manager.

If an acceptable resolution cannot be found, then it would be referred to senior management for consideration. If this fails then staff should contact the Advisory, Conciliation and Arbitration Service (ACAS) who will attempt to obtain a solution or, the Citizen's Advice Bureau who will advise whether or not the case should be ref

