

  **disability**
  **confident**



Recruiting, managing and developing people with a disability or health condition

A practical guide for line managers



In collaboration with:

CIPD
*Championing better
work and working lives*

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The Disability Confident scheme aims to help employers make the most of the opportunities provided by employing and developing disabled people.

It is voluntary and has been developed by employers, disabled people's representatives and the government. The scheme has three levels that have been designed to support employers on their Disability Confident journey. It is free and easy to [sign up](#).

In collaboration with:



The CIPD is the professional body for HR and people development. The not-for-profit organisation champions better work and working lives and has been setting the benchmark for excellence in people and organisation development for more than 100 years. It has 150,000 members across the world, provides thought leadership through independent research on the world of work, and offers professional training and accreditation for those working in HR and learning and development.

This guide has been produced with the support of a number of individuals and organisations. Disability Confident and the CIPD are enormously grateful for their advice and feedback.



Introduction to updated guidance - disabled people and COVID-19

The coronavirus pandemic has brought with it unprecedented challenges for individuals and businesses alike.

Employers and managers had to adapt quickly to ensure organisations can operate effectively, customers' needs are met, and colleagues can work safely and efficiently.

Workforce inclusion and diversity has a vital role to play in businesses' response to the pandemic and indeed, a safe and rapid recovery.

The same principles of inclusive employment of disabled people apply now as they did before. Being a Disability Confident employer can still bring many benefits to your organisation, and the advice and tips in this guide remain important and relevant – whether you are making adjustments or managing performance, recruiting new staff or considering redundancies.

Disability Confident and the CIPD have updated this guide to reflect changes in the world of work since the pandemic outbreak, and have added a range of additional links to further guidance from expert organisations. These can be found in this new introduction and in the 'Further information and support' section at the end of the guide.

Stay up-to-date with the latest [Government coronavirus guidance](#), and [advice for businesses and self-employed people](#) on gov.uk.

CIPD have produced a range of resources for businesses, HR professionals and managers in their [Responding to the coronavirus hub page](#).

New ways of working

Disabled people have undoubtedly faced difficulties during the pandemic. However, the flexibility many businesses have shown and the changes they have made to their ways of working, present some real opportunities to adapt to the needs of disabled workers in future.



The CIPD have produced a [Flexible working during the pandemic and beyond](#) guide and top tips on [Getting the most from remote working](#).

There is guidance from Acas on [working from home](#) and from the Health and Safety Executive (HSE) on [protecting home workers](#).

Better communication and support for wellbeing

Employers have also had to think about different ways of communicating with their teams, to ensure every team member receives the information and support they need.

The NHS [Every Mind Matters](#) website has a section on coronavirus and wellbeing.

Mind has a range of information about [work, mental health and coronavirus](#) for business. Mental Health at Work have also brought together a range of resources in a [toolkit for employers](#).

You can also listen to a CIPD podcast on [Managing the wellbeing of remote workers](#).

Employees with a mental health condition can access confidential advice and support as part of the Access to Work Mental Health Support Service. Find out more about the Service by visiting: [Able Futures](#) or [Remploy](#).

Workforce restructuring and change

Of course, the pandemic has had an enormous economic impact and meant some businesses are having to take difficult decisions about workforce restructuring in order to adapt to new circumstances.

Having an inclusive approach is important to ensure decisions meet the requirements of equality law, and do not disproportionately impact on disabled people. In addition, maintaining a diverse workforce can also support a business' recovery. Following inclusive principles can be used as a framework for sound decision-making in a business.



The Equality and Human Rights Commission (EHRC) provides [advice and guidance](#) on equality legislation and [reasonable adjustments for employees](#) in the pandemic.

CIPD have produced a [COVID-19: redundancy guide](#). Acas guidance covers issues such as [redundancy, sick pay for self-isolation and disciplinary procedures](#) during coronavirus. There is a [redundancy support factsheet](#) for employers on gov.uk.

Making a safe return to the workplace

The understanding employers and managers have gained during the pandemic will inform the decisions businesses are making about returning safely to the workplace – how can people balance their home and work responsibilities, what is the impact of COVID-19 on different groups of employees, and what adjustments might now be needed to ensure a COVID-secure workplace?

A range of guidance and support is available to help make the right decisions for organisations and their employees.

The Government has produced [guidance on safe reopening](#) for a range of different business types in England. Guidance from the [Scottish Government](#), [Welsh Government](#) and [Northern Ireland Assembly](#) is also available.

The HSE has produced a step-by-step guide to [Make your workplace 'COVID-secure'](#).

There is a range of CIPD guidance on returning to work, including

[Mental health and returning to the workplace guide](#)

[Flexible working measures for returning to the workplace guide](#)

[FAQs on COVID-19](#) and protecting your workforce, including on the end of shielding.

The Society of Occupational Medicine have produced [returning to the workplace toolkits](#) with partners, including Acas, Mind, Business in the Community and the CIPD.



If you have disabled employees, there may be a number of questions you need to consider when making arrangements for returning to the workplace, including getting to and from work, the work environment, and changing behaviours.

The Business Disability Forum has produced a [COVID-19 toolkit](#) about the coronavirus and disabled employees, and a guide on returning to work, [Back to business: supporting disabled employees-post-lockdown](#).

Since the start of the pandemic, Do-IT, Seetec Pluss, KPMG and AdviserPlus delivered a series of webinars for Disability Confident employers covering a range of issues including supporting disabled people, the transition back to work, and mental health and wellbeing. These are all available to view on the [Do-IT website](#).

During the coronavirus outbreak, individuals can still get help from [Access to Work](#) if they have a disability that makes it hard for them to do their job. This could include help with working from home, at the normal workplace, or a combination of both. Also, if they cannot use public transport safely because of their disability, funding may be available for extra travel costs.

Introduction

Promoting and supporting diversity in the workplace is an important aspect of good people management - it's about valuing everyone in the organisation as an individual. However, to reap the benefits of a diverse workforce it's vital to have an inclusive environment where everyone feels able to participate and achieve their potential.ⁱ

The [Disability Confident](#) scheme has been designed by employers and disabled people's representatives to support and recognise businesses that are actively inclusive in their recruitment and retention practices. Scheme members have free access to guidance, peer support groups and specialist events to give them the skills and confidence to employ disabled people. Members also receive accreditation when they join the scheme, including a certificate and Disability Confident badge to use on their website and in recruitment adverts. Employers can join Disability Confident [here](#).

The CIPD's Health and Wellbeing at Work survey reportⁱⁱ found that the knowledge and confidence of line managers is the most common challenge their organisations experience in managing people with a disability or long-term health condition. That's why Disability Confident and the CIPD have worked in partnership to develop this guide which aims to support line managers and anyone who leads another individual or team – from those working in large organisations to owner-managers of small firms. We also hope it will be a useful resource for HR professionals or anyone with an interest in the management of people with a disability or long-term health condition.

We know that managers are busy people who want to enable everyone in their team to fulfil their potential. This guide therefore aims to be a quick and easy reference tool for managers to use in their daily work, providing key information and advice on the employment of disabled people. It doesn't aim to answer every question a manager might have, but it's a starting point and includes links throughout to further, more detailed information.



Using this guide should help managers to:

- Attract the most suitable talent to the organisation
- Be confident about managing and supporting colleagues with a disability or health condition, from recruitment and induction through to training, development and progression
- Understand, identify and reduce the barriers that could potentially be preventing a colleague with a disability or health condition from performing and/or developing to their full potential
- Identify appropriate workplace changes or adjustments to support team members with a disability or health condition to reach their full potential and thrive at work
- Ensure fair treatment for colleagues and foster an inclusive working environment.

Users of this guide will also find that much of the advice is relevant to enable all team members to perform at their best, regardless of their identity, background or circumstance, and whether they have a disability or not.

Why it makes good business sense

Employers are increasingly recognising the importance of employing a diverse workforce and of being inclusive to attract, retain and develop people with the skills they need. However, some groups remain under-represented in the jobs market meaning a loss of skills and talent to the economy and employers.

There are around 7.7 million people of working age with a disability or long-term health condition in the UK and yet only around half of them are in workⁱⁱⁱ. This represents a huge pool of untapped talent which businesses can't afford to ignore, particularly in view of the ageing population and the likelihood that a greater proportion of the workforce will develop a health condition or disability.

Organisations with a diverse and inclusive workforce can tap into the different perspectives and skills which can boost innovation and performance. Those that aren't inclusive and don't manage health and disability effectively risk their wider reputation as an employer and business, and also risk legal action if they don't comply with equalities law.

But organisations that have a positive and inclusive approach to managing disability can reap benefits in terms of increased loyalty and commitment from staff. It also makes commercial sense. The best businesses like to reflect the make-up of their consumer base in their workforce – disabled customers and their families have a spending power worth £249 billion.^{vi}



The role of the line manager

Line managers have a vital role in creating an inclusive working environment to attract and retain valuable skills and talent - providing day-to-day leadership, removing barriers and building a culture in which everyone is respected and has the opportunity to reach their potential.

Effective management of people with a disability or health condition will help you to improve your team's performance and morale, retain valuable team members and reduce sickness absence.

It's the line manager who:

- Has the ongoing responsibility for implementing the people management policies and practices that will affect how supported someone with a disability or health condition feels, and whether they can be effective in their role
- Will typically be the first point of contact if someone needs to discuss their health concerns or a change or adjustment to their work or working hours, to enable them to perform to their full potential
- Is usually responsible for managing absence and keeping in touch if someone is off work ill or because of their disability, as well as supporting an effective return to work.

It's therefore essential that a line manager is knowledgeable about the organisation's framework for managing people with a disability or health condition, and understands their role within that. This includes the organisation's responsibility to make reasonable adjustments.

The type of relationship that a manager builds with team members is also key. A management style based on trust is essential if someone with a disability is going to feel comfortable and empowered to discuss their condition and receive the support they need.

This approach will also help to develop an open and inclusive culture based on respect. This means line managers having regular one-to-ones with staff, being comfortable having sensitive conversations and asking how people are on a regular basis. If people in your team (or those joining you) know you have a positive approach to equality and inclusiveness, they will be much more likely to tell you about their disability or health condition.

There is more information on CIPD's website about [diversity and inclusion in the workplace](#).



Legal responsibilities and definitions

The Equality Act 2010 protects people against discrimination at work because of their disability or long-term health condition.

The definition of disability

The Act defines a disability as a physical or mental impairment which has a substantial and long-term adverse effect of a person's ability to carry out normal day-to-day activities. This covers a wide range of people and impairments, some of which may not be immediately obvious. For example, 3.4 million people have mental health-related impairment, 2 million have a learning disability and 1.7 million have a visual impairment^{iv}.

'Reasonable' adjustments

Employers also have a duty under the Equality Act to make 'reasonable adjustments' for people with a disability if there are any aspects of a job or workplace which put them at a disadvantage. An employer failing to make 'reasonable adjustments' for a disabled job applicant or employee is one of the most common types of disability discrimination.

Sources of advice

There is more information on the [Equality Act at Equality Act 2010: guidance - GOV.UK](#) and the definition of disability at [Equality Act 2010: how it might affect you - GOV.UK](#). Acas has also produced a guide on [Disability discrimination: key points for the workplace](#).

You can find more on making workplace adjustments later in this guide. the Business Disability Forum have produced information on managing adjustments, 'What are barriers, and why should I remove them?' Information is also available from Acas on ['reasonable adjustments'](#).

TOP TIPS

- Legal definitions may sound complicated, so the [Business Disability Forum \(BDF\)](#) says it is better to concentrate on what adjustments you can make to ensure all employees – whether they have an apparent disability or not – have the support needed to do their job to the best of their ability.
- [Many adjustments are straightforward](#), don't cost anything and can be implemented easily.



Language and behaviour

The disability charity [Scope](#) have found that two-thirds of people say they feel awkward when they meet disabled people. There can be a variety of reasons for this – some people may not know many disabled people and some simply worry about saying or doing the wrong thing.

Some basic advice on situations you may encounter at work is outlined below. If you would like more information and guidance, Scope's '[End the awkward](#)' initiative provides more practical tips on what to do and what not to do in a variety of situations.

Language

Disabled people will often have different preferences and views on what language they find appropriate or inappropriate. If you are unsure about how to say something, ask the person what they would prefer.

In general, don't worry about using common expressions, such as 'see you later' in front of someone who has a visual impairment or 'I've got to run' in front of a wheelchair user.

'[End the awkward](#)' provides tips on preferred language, but there are a few general rules to be aware of:

- Avoid saying someone is 'suffering from' as it encourages a view of that person as a 'victim'
- Don't use collective terms or labels like 'the disabled', 'the deaf', 'the blind'
- Don't describe people by their impairment, for example, 'she is a diabetic'
- Don't describe people without a disability as 'able bodied' or 'normal' – not all disability is physical. People with conditions that are not physical, such as autism, may also describe themselves as disabled.

Be respectful in the language you use about disability, and expect the same of others, whether a disabled person is present or not.

Communication

There are simple principles you can bear in mind when thinking about how you communicate about disability at work:

- Talk to a disabled person as you would to anyone else – focus on a person’s ability rather than their disability
- How much someone wishes to talk about their disability depends on their individual preferences
- Speak directly to the disabled person, not their support worker or interpreter
- If you are having trouble understanding someone’s speech, it’s okay to ask them to repeat themselves. Don’t pretend to understand or finish someone’s sentences – be patient.

Offering assistance

- Don’t assume a disabled person wants or needs your help
- As a basic courtesy, ask before you help and wait until the disabled person accepts your offer. Once the person has accepted your offer, listen or ask for specific instructions
- Don’t worry if your offer is turned down.

Sources of advice

More advice on language and behaviour is available at [‘End the awkward’](#). Remploy have also produced some hints and tips on [‘disability etiquette’](#).

TOP TIPS

Following some basic principles in your day-to-day interactions will help:

- **Don’t make assumptions – everyone is different, so take your lead from the individual.**
- **Treat everyone with respect – talk to disabled people in the same way as you talk to everyone else.**
- **Don’t worry – being over-sensitive will stop you doing or saying anything.**



Workplace adjustments

Certain aspects or conditions of a job or the workplace can represent a barrier for someone with a disability which can mean they are disadvantaged. As explained in the section on ‘Legal responsibilities and definitions’, employers have a duty to make ‘reasonable adjustments’ for people with a disability to help remove that disadvantage.

Adjustments are changes that are made to the work environment or the way the work is carried out, so that someone with a disability can do their job more effectively.

Half of disabled employees state that workplace adjustments are the single most important factor helping them to remain in work⁴. It’s important to remember that:

- Not all adjustments relate to the physical working environment, such as wheelchair ramps
- Other adjustments can be less tangible but just as important, such as changing work hours or increasing one-to-one supervision
- Workplace adjustments can be made for anyone, and not just employees with a disability or health condition – for example, changing the working hours of someone who has caring responsibilities.

The cost of adjustments and Access to Work

Some employers worry that employing disabled people and making adjustments will result in significant additional costs, but most adjustments cost nothing or very little.

Where there are costs, financial support may be available for individuals through, for example, the government’s [Access to Work](#) scheme.

Access to Work can provide practical and financial support for people with a disability or long term physical or mental health condition. It can pay for adaptations to the workplace both on recruitment and during employment. This includes specialist equipment, premises alterations, assistance travelling to and from work, and some personal support.

Applications must be made by the employee (although managers should ensure that an application has been made if funding is needed).



Examples of adjustments

Workplace adjustments can include:

- A more flexible working arrangement, for example, allowing someone to work from home or changing their hours so they don't have to travel to work in the rush hour
- Arranging more one-to-one supervision or additional training, or providing a mentor
- Making a physical change to the workplace or workstation, for example, changing a desk height, or moving office furniture to improve access
- Altering assessment procedures – such as giving extra time, providing assistive technology or offering a 'work trial' instead of a traditional formal interview
- Providing extra equipment or assistance, for example, a new chair or specific software.

Consider ways you can be flexible about how a job is done. By discussing with the employee how a job can be done differently, you can often find ways it can be done better. Usually, the individual will have the best ideas on what changes can make the biggest difference to how well they can do their job. [Many adjustments are straightforward](#), don't cost anything and can be implemented easily.

You should keep agreed adjustments under review to see how well they are working and if any others are needed.

Once an adjustment has been agreed, it should be implemented as soon as possible. Keep a written record of any agreed adjustments. This will help you and your team member to review the adjustments made. This can also be used to pass information to a person's new manager if they move jobs in the future.

Sources of advice

You are not expected to be an adjustment expert, so take specialist advice where necessary:

- Use your HR or Occupational Health team if you have one
- If you don't, you could contact [Fit for Work](#) or the [Access to Work](#) service at Jobcentre Plus
- Remploy have produced a Disability Guide providing practical advice for employers on supporting people with a range of disabilities in the workplace. They also have [awareness factsheets](#) on a range of disabilities and health conditions
- The Equality and Human Rights Commission has a guide on '[Employing people: workplace adjustments](#)'
- The Business Disability Forum have produced information on managing adjustments, '[What are barriers, and why should I remove them?](#)'
- Specialist disability groups can also provide [advice and information](#) on workplace adjustments for people with particular disabilities. Links to a range of these are on pages [40-41](#).

TOP TIPS

- **Don't make assumptions about an individual's abilities or requirements. Some people with a disability or long-term health condition don't need any adjustments.**
- **Treat each employee as an individual. An adjustment for one person may not be appropriate for someone with the same condition.**
- **Talk to the person who may need an adjustment to find out specifically the problems they are experiencing and what would make the most difference – they will be the best judge of their ability and some may be able to suggest an adjustment themselves.**



Recruiting people

When recruiting a new member of your team, the aim should be to hire the most suitable person for the job, so the person with the skills, qualities and experience needed for the role. Therefore, job and person specifications, application forms and interview questions etc. should focus on these.

Attracting a wide range of applicants

You are more likely to find the most suitable person if your recruitment processes are designed to attract a wide range of talent and give all candidates, including those with a disability or long-term health condition, the opportunity to demonstrate their abilities and potential.

To attract a wide range of applicants:

- Make it clear in your recruitment literature that your organisation is committed to inclusion and diversity, and welcomes applications from people with a disability or long-term health condition
- Display your [Disability Confident](#) badge
- Advertise your vacancy through a [range of media](#) to appeal to a diverse audience and consider using a mix of channels, including those that specifically reach disabled people
- Provide a contact point for people who may have questions about the recruitment process
- Consider offering disabled people an interview if they meet the minimum criteria for the job.

Making adjustments to your recruitment process

You may need to make adjustments to each stage of the recruitment process to make sure you don't put any candidate at a disadvantage because of their disability or health condition.

You can't ask questions about an individual's health or disability during the recruitment process (except in limited circumstances). However, as part of the recruitment process it's important to ask all applicants whether they need any particular adjustments or arrangements for any part of the recruitment or selection process.

Make sure you give every candidate the opportunity to discuss these in advance of an interview or other selection test. You shouldn't make assumptions about what adjustments are needed or are feasible.

Adjustments to your recruitment or selection processes could include:

- Ensuring that the interview room is accessible or appropriately equipped
- Allowing a support worker to attend an interview if required
- Offering communication support if needed
- Adapting tests or selection exercises, for example, by granting some additional time for completion, or questioning whether timed tests are needed at all.

You might want to consider whether you could take an alternative approach to get the best outcome, for example, by asking:

- Do you need to have traditional face-to-face interviews
- Can you give the option of an interview via video-link or online if it suits the candidate better
- Would a 'work trial' rather than a formal interview give you a clearer indication of a person's suitability for the job (by giving them an opportunity to show you what they can do, rather than tell you about it)?

Remember, many adjustments are straightforward and can be implemented easily, at little or no cost.

Sources of advice

Do seek expert advice where necessary:

- Use your HR or Occupational Health team if you have one
- If you don't, [Jobcentre Plus](#) offers help for recruiters and there are a number of organisations who specialise in supporting disabled people into work, including [Ingeus](#), [Remploy](#), [Shaw Trust](#), [Reed in Partnership](#) and [Pluss](#)
- Specialist disability groups can also provide advice on workplace adjustments for people with particular disabilities. Links to a range of these are on pages [40-41](#).
- Your local Jobcentre or disability groups may be able to put you in touch with local support networks.

Further information on recruitment is available at www.gov.uk/recruitment-disabled-people.

TOP TIPS

- **You can't ask questions about an individual's health or disability during the recruitment process (except in limited circumstances).**
- **But you should ask all applicants whether they need any particular arrangements or adjustments for any part of the recruitment or selection process.**
- **State clearly that adjustments are available – for the application process, the interview and the job itself – so applicants understand why telling you might be beneficial.**
- **Think about possible barriers and adjustments before you start the recruitment process. You may need to make adjustments at each stage to ensure all candidates have the opportunity to demonstrate their abilities.**

Welcoming new starters

Starting a new role or job can be stressful, so a good induction for all new starters in your team is important to help them settle in and familiarise themselves with the workplace, colleagues and their role. If you can, you might also want to consider having a mentor or ‘buddy’ for new starters.

Making adjustments for new team members

If you’re aware that your new team member has a disability or health condition, arrange to talk to them as soon as possible after their appointment to discuss any adjustments they may need in their new job, so these can be put in place before they start. It might be useful to confirm next steps and any agreed adjustments in writing.

As with all employees, you should discuss the job with the new starter on their first day, to familiarise them with workplace policies and practices and to outline your expectations. Ensure your new team member has the equipment and adjustments needed to do the job as soon as they start. If anything is not in place, tell the individual what you are still waiting for and when it is expected.

Once the new team member is in post and has a clearer sense of their day-to-day work, it may be worth having a further discussion with them to ensure the agreed adjustments are meeting their needs.

Keep a written record of any agreed adjustments. This will help you and your team member to review the adjustments made and how well they are working. This can also be used to pass information to a person’s new manager if they move jobs in the future.

Sources of advice

The [Business Disability Forum](#) have developed a template for managers to record adjustments. Further information on [workplace induction](#) is available from Acas.

TOP TIPS

- **It is important that your team's induction processes are accessible for all new starters and are personalised to their particular needs so they can quickly become productive.**
- **Talk to your new team member as soon as possible after their appointment to welcome them and to discuss any adjustments they may need in their new job.**

‘Disclosure’ and confidentiality

An individual’s disability or long-term health condition may not be visible. For example, you may not know about a person’s mental health problem unless they tell you about it.

An individual’s choice to tell you about their disability

Employees vary in their preferences regarding what they tell their employer about their disability or health condition. Some choose not to say anything because, for example, they are concerned it will jeopardise their future career prospects, or they are simply daunted by the prospect of the discussion. There is no legal requirement for someone to disclose a disability to their employer.

The benefits of disclosure

Sharing information about a disability or health condition can be beneficial for both the individual and the employer. If an employee informs their employer about their disability or health condition, effective adjustments can be put in place for that individual, giving them the opportunity to fully utilise their skills and abilities.

Encouraging disclosure

Actively promoting a positive approach towards health and wellbeing by the organisation, and a clear commitment to disability and inclusion, can encourage your team members to feel more confident about telling you about their disability or long-term health condition.

The discussion doesn’t need to be daunting. The term ‘disclosure’ sounds formal and has negative and/or legal connotations for some people. Using more informal, everyday language might help to break down the barriers around discussing disability. Ask people to “share” or “tell” rather than “disclose” or “declare”.

Someone’s health or disability can be a sensitive issue, but most people would prefer a concerned and genuine enquiry about how they are as opposed to silence.

Often employees will not feel confident in speaking up, so a manager making the first move to open up the conversation can be important. Disability charity Scope’s report [‘Let’s talk: improving conversations about disability at work’](#) includes tips for employers to encourage employees to share information about their disability or health condition.



In the case of someone who may be stressed or experiencing a mental health issue, NHS Every Mind Matters offers expert advice and practical tips on looking after mental health and wellbeing. Mind and the CIPD have also developed a [good practice guide for managers to help them manage mental health issues at work](#).

Employees with a mental health condition can also access confidential advice and support as part of the Access to Work Mental Health Support Service. Find out more about the Service by visiting: [Able Futures](#) or [Remploy](#).

If a member of your team wants to discuss their disability or health condition, conversations should be private and in a place where the individual is comfortable. Listen with empathy and respond with openness and common sense. You may also start to discuss possible adjustments and support.

Confidentiality and consent to share information

If an employee has told you about their disability or health condition, as with any personal information, this should be treated as confidential. You should give all members of your team reassurance of this.

Consent to share information about a disability or health condition must always be sought from the individual concerned. If a person doesn't give you consent to share their information, this must be respected.

If your team member gives permission for information about their disability to be shared, discuss with them who will be told and by whom, and what they want and don't want colleagues to know.

Sources of advice

You can find further advice on sharing information in Acas's '[Do employees have to tell their employers they have a disability?](#)' guide. Acas have also produced guidance on [handling difficult and sensitive conversations](#).

CIPD have further information on [health and wellbeing at work](#).

TOP TIPS

- **Your team members are more likely to tell you about their disability or health condition if they feel comfortable doing so.**
- **A positive, open culture about health and wellbeing can increase an individual's trust and confidence to raise any issues with you.**
- **Using everyday language can help to reduce any stigma an individual may feel about telling you about their disability or health condition.**
- **Make sure you have consent from an employee before sharing their details with anyone. This should include what can be shared and with whom.**

Retaining people

The overwhelming majority of people with a disability or health condition develop it during their working life.

An effective framework for retention

Having an effective framework in place to retain people with a disability or health condition is crucial – it saves money on recruitment and training, and prevents businesses from losing valuable skills and talent.

If a member of your team becomes disabled or if their existing condition worsens, as far as you can, treat them in the same way as a new starter who has a disability. But be aware that they may still be coming to terms with their disability and how it is affecting their day-to-day life.

Initially someone may not want to discuss their disability with you. If this is the case, make sure there is signposting for the individual to have a confidential discussion with someone else, for example, a well-being champion or HR adviser.

Returning to work

If a person is looking to return to work after a long absence, make it clear you are open to having a discussion with them about making adjustments to help ease them back into work. These could include, for example:

- A phased return to work initially working certain days a week or having shorter days for a period of time (and adjusted duties during that time)
- Re-designing a person's job role
- A move to a different role.

Sources of advice

You are not expected to be an adjustment expert, so take specialist advice where necessary:

- Use your HR or Occupational Health team if you have one
- If you don't, you can get help from the Employer Adviser and Work Psychology Services at [Jobcentre Plus](#), or you could contact [Fit for Work](#) or the [Access to Work](#) service
- Remploy provide a range of specialist, practical advice and guidance for employers to support people in the workplace with a range of disabilities and health conditions. This includes mental health and wellbeing, a disability guide, disability awareness factsheets and training
- The Equality and Human Rights Commission has a guide on '[Employing people: workplace adjustments](#)'
- Specialist disability groups can also provide advice on workplace adjustments for people with particular disabilities. Links to a range of these are on pages [40-41](#).

TOP TIPS

- **Don't make assumptions about an individual's abilities or requirements.**
- **Talk to the person about potential workplace adjustments. However, if they have only recently acquired their disability, they may not know the barriers they are likely to face at work yet, or how they can be overcome.**
- **Keep a written record of any agreed adjustments and keep them under regular review to see how well they are working.**

Managing performance and development

There should never be assumptions about someone's ability to perform to a high standard due to a disability or health condition. Developing an inclusive culture means recognising that people with a disability or long-term health condition can thrive at work if they have the appropriate understanding and support.

Access to training and development

Ensure all team members have equal access to training and development and career opportunities. If training is being delivered outside your team member's workplace, check that the training is accessible.

Making adjustments to the performance management process

Most large and medium-sized employers have formal performance management and appraisal processes in place. You may need to consider adjustments to these to ensure a disabled team member can participate fully and is not disadvantaged by any part of the process. Adjustments could include, for example:

- Using accessible meeting rooms
- Allowing the team member longer to prepare for meetings and appraisals
- Having a work colleague or advocate present to support them.

Discussing performance

Remember that performance management should, in essence, be a positive process and focus on the support needed to help everyone perform to the best of their ability.

To effectively manage your team's performance, you should have regular discussions with all of your team members on a one-to-one basis. These discussions can be formal meetings focused on the individual's work, providing constructive feedback and identifying development needs.



However, a more informal approach can be an effective way of giving ongoing feedback and exploring any issues which may be affecting an individual's performance, such as an underlying health condition. Informal conversations can be used to identify possible solutions to overcome any barriers a person is facing, and to help them perform to the best of their ability.

Discussions or meetings about performance should focus on the employee's work, but asking straightforward, open questions about how they are and whether anything is affecting their performance can encourage people to open up about any health issues.

Adjustments and improving performance

It's important that the performance management process takes full account of any health condition or disability where there is under-performance on the part of an individual. These should be fully explored and discussed before any formal process is initiated. The focus of any performance management process should be on positive improvement, and supportive measures put in place to help someone reach their potential.

If under-performance is an issue, you need to discuss potential adjustments or support that could help bridge someone's gap in performance. Possible adjustments could include extra training or supervision, providing a mentor or adjusting someone's responsibilities.

Sources of advice

Acas have produced guidance on [good performance management](#).

TOP TIPS

- **Ensure all team members have equal access to training and development and career opportunities.**
- **An informal element to performance management is key to encouraging trust and openness. This will then make it easier for an individual to disclose any underlying health issues (if they choose to do so) and identify any adjustments needed.**

Sickness absence

Don't assume that team members with a disability or health condition will have more sickness absence than any other team members – this is often not the case. For example, [Mencap](#) have found that if placed in the right job, people with a learning disability actually have fewer sick days than people without a learning disability.

Effective absence management

Employees may need time off for a variety of reasons, from short-term sickness to longer-term health issues. Effective absence management is vital to support the needs of individuals and minimise the impact on the business.

As a line manager, you have a crucial role to play in this, from day-to-day management of sickness absences to creating an open and inclusive working environment where colleagues feel able to discuss health and wellbeing issues.

These also link to effective management of people with a disability or health condition in your team. This could be, for example:

- Recognising when absences might be related to a disability
- How to support an individual where this could be the case
- How you manage an individual's absences related to their known disability or health condition.

If one of your team members is taking a lot of time off sick, and you are not aware of any disability or health condition, discuss this with them to find out exactly the cause of the problems they are experiencing and whether workplace adjustments can be made to help them.

Discussions about health issues can be difficult for both employees and managers. An informal approach can be a good way to encourage an open, two-way dialogue about any barriers your team member is facing, and how they might be overcome.



Long-term absence and returning to work

Stay in regular contact with any employee who is absent for a long time, not only to find out how they are, but also to keep them in touch with work. This will make the transition back to work easier for the person when they are ready to return.

If a person is looking to return to work after a long-term absence, discuss with them adjustments which can help to ease them back into the work routine.

These could include, for example:

- A phased return to work initially working certain days a week or having shorter days for a period of time (and adjusted duties during that time)
- Re-designing a person's job role
- A move to a different role.

Disability-related absence

In some circumstances, some people with a disability or long-term health condition may need to take additional time off, for example, for medical treatment or rehabilitation.

Standard treatment and recording of these absences can mean that that person faces a disadvantage as a result of their disability. Expert organisations such as the Business Disability Forum recommend recording 'standard' sickness and disability-related absence separately to avoid this. Some employers have a 'disability leave' policy to help managers to do this.

Sources of advice

A number of organisations have produced advice and guidance on managing absence, including the [Health and Safety Executive](#), [CIPD](#) and [Acas](#).

[Fit for Work](#) offers free and impartial advice to anyone looking for help with issues around health, work and sickness absence.

TOP TIPS

- **Creating an open and supportive environment can help give team members the confidence to discuss an underlying health condition or disability, and explore possible adjustments to help them overcome any barriers they face.**
- **Record disability-related absence separately from other sickness absences, so that employment decisions, such as bonuses or disciplinary action, are not affected by a person's disability.**
- **Be clear, consistent and open about your approach on sickness absence to avoid misunderstanding and concern.**

Career progression

Disabled people and those with long-term health conditions should have the same opportunities for promotion and progression as all team members. You might want to explore additional opportunities to support progression for disabled team members, such as mentoring or peer support with other disabled employees.

Adjustments and moving jobs

If a disabled member of your team is moving to another part of your organisation, their new manager will need to know the adjustments they need as soon as possible. Remember to ask your team member if you can pass on any information and reports on workplace adjustments so they can be put in place automatically.

Leaving the business or organisation

There are a number of other reasons an employee may leave your team. These include voluntary resignation, dismissal, redundancy and retirement.

Dismissal

If you are considering dismissing an employee with a disability, you need to make sure you have taken all reasonable steps to, for example, improve that person's performance or attendance.

Exit interviews

All employees who resign should be offered an exit interview. They can be asked if their decision to leave was influenced by a disability or health condition. The feedback can be used to see what could be done differently in future.

Redundancy criteria and processes

If you are considering making redundancies, you need to make sure that people with a disability or health condition are not placed at a disadvantage because of their condition.

Think carefully about the criteria you use to select employees for redundancy, which should be objective. You will need to make adjustments to any criteria that would place a disabled employee at a disadvantage. For example, if sickness absence is a criterion, you could exclude disability-related absence from the absences you take into account.

You will need to make sure that the way you manage the redundancy process doesn't disadvantage a disabled person. For example, by making alternative arrangements if someone is unable to attend a meeting about the terms of the redundancy for a reason related to their condition.

Sources of advice

For further information on changing and leaving employment, the Acas [Advice](#) section covers [Disability discrimination: key points for the workplace](#) guide covers promotion, dismissal and redundancy.

The Equality and Human Rights Commission have produced guidance on '[Avoiding unlawful discrimination when dismissing a worker](#)'.

TOP TIPS

- **If your team member who is moving jobs has a workplace adjustment agreement, sharing this with their new line manager is often the best way to pass on information.**
- **If a disabled member of your team asks you for a reference, remember to focus on that person's skills, experience and qualities. Don't mention their disability or health condition.**
- **If you are considering making redundancies, make sure disabled people are not disadvantaged in your redundancy selection criteria or in the way you manage the process.**

Further information and support

Information and guidance on COVID-19 and disability

General coronavirus guidance

The latest [Government coronavirus guidance](#), and [advice for businesses and self-employed people is on gov.uk](#).

CIPD have produced a range of resources for businesses, HR professionals and managers in their [‘Responding to the coronavirus’ hub page](#).

New ways of working

The CIPD have produced a [Flexible working during the pandemic and beyond guide](#) and top tips on Getting the most from remote working.

There is guidance from Acas on [working from home](#) and from the Health and Safety Executive (HSE) on [protecting home workers](#).

Supporting wellbeing

The NHS [Every Mind Matters](#) website has a section on coronavirus and wellbeing.

Mind has a range of information about [work, mental health and coronavirus](#) for business. Mental Health at Work have also brought together a range of resources in a [toolkit for employers](#).

Employees with a mental health condition can access confidential advice and support as part of the Access to Work Mental Health Support Service. Find out more about the Service by visiting: [Able Futures](#) or [Remploy](#).

Workforce restructuring and change

The Equality and Human Rights Commission (EHRC) provides [advice and guidance](#) on equality legislation and [reasonable adjustments for employees](#) in the pandemic.

CIPD have a [COVID-19: redundancy guide](#). Acas guidance covers issues such as [redundancy](#), [sick pay for self-isolation and disciplinary procedures](#) during coronavirus. There is a [redundancy support factsheet](#) for employers on gov.uk.

Making a safe return to the workplace

The Business Disability Forum has produced a [COVID-19 toolkit](#) about the coronavirus and disabled employees, and a guide on returning to work, [Back to business: supporting disabled employees post-lockdown](#).



The Government has produced [guidance on safe reopening](#) for a range of different business types in England. Guidance from the [Scottish Government](#), [Welsh Government](#) and [Northern Ireland Assembly](#) is also available.

The HSE has produced a step-by-step guide to [Make your workplace 'COVID-secure'](#).

There is a range of CIPD guidance on returning to work, including

[Mental health and returning to the workplace guide](#)

[Flexible working measures for returning to the workplace guide](#)

[FAQs on COVID-19](#) and protecting your workforce, including on the end of shielding.

The Society of Occupational Medicine have produced [returning to the workplace toolkits](#) with partners, including Acas, Mind, Business in the Community and the CIPD.

Equality and inclusion – good practice and the law

The following organisations provide a range of information and guidance on workplace inclusion and the legal framework – the Equality Act 2010.

[Chartered Institute of Personnel and Development \(CIPD\)](#)

CIPD is the professional body for HR and people development. It provides information on a range of people management issues, including diversity, inclusion and wellbeing in the workplace.

[Equality and Human Rights Commission \(EHRC\)](#)

The EHRC promotes and monitors human rights. It has a range of information on disability discrimination, including:

- [Guidance for employers on the Equality Act 2010](#)
- [Employing people, workplace adjustments](#)

[Advisory, Conciliation and Arbitration Services \(Acas\)](#)

Acas provides free and impartial information, advice, and training to employers and employees on all aspects of workplace relations and employment law, including a number of disability discrimination and health at work:



Employers Network for Equality and Inclusion (enei)

enei is an employer network promoting workplace equality and inclusion of employers. It can provide training, consultancy and information for members.

Advice and support on disabilities and health conditions for employers

The following are sources of information and advice on recruiting, retaining and developing disabled people.

Disability Confident

The Disability Confident webpage provides guidance and resources about employing disabled people and how the Disability Confident employer scheme can help your business. There is also a range of [case studies](#) available on the webpage.

GOV.UK

Gov.uk includes guidance for employers on [employing disabled people](#), information about [Access to Work](#) and the services provided by [Jobcentre Plus](#).

Business Disability Forum (BDF)

Business Disability Forum is a not for profit member organisation that offers information, support and advice to help businesses across all sectors to recruit and retain disabled people and to serve disabled customers. It can help employers to make sure that their recruitment tools and processes are fully accessible for disabled people.

Purple

Purple seeks to bring disabled people and businesses together and provides a range of support services.

British Association for Supported Employment (BASE)

BASE is the national trade association involved in securing employment for disabled people. Their 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.

Ingeus

Ingeus deliver specialist services in employment and health, working with employers to support their workforce development and recruitment.



Pluss

Pluss is a social enterprise which supports disabled people into work and provide disability employment services tailored to employers.

Reed in Partnership

Reed in Partnership provides services that positively transform people and their communities. They deliver employment support, skills training, youth services, health interventions and business support.

Remploy

Remploy is the UK's leading disability specialist, with more than 70 years of experience delivering employment and skills support. They provide a bespoke range of resources for [employers](#) including:

Attracting, developing and retaining an inclusive workforce

Mental health and wellbeing

Training

A disability guide

Disability awareness factsheets.

Workplace adjustments advice and guidance

Skills and apprenticeship programmes

Shaw Trust

Shaw Trust provide [specialist services for employers](#) UK-wide, including training and consultancy, accessibility and absence management services. Shaw Trust [accessibility services](#) also advise on making digital and physical environments accessible.

Disability organisations

The following are organisations which represent disabled people and therefore have specialist knowledge on a range of disabilities and health conditions and offer advice and guidance for employers:

- [Scope](#) provides information on a range of disabilities and health conditions
- [Leonard Cheshire Disability](#) can help businesses make their workplaces as inclusive as possible
- [Disability Rights UK](#) provides a number of services for employers

The following are organisations which can provide support and information on particular disabilities and health conditions:

- Alzheimer's / dementia – [Alzheimer's Society](#)
- Arthritis – [Versus Arthritis](#)
- Attention Deficit Hyperactivity Disorder (ADHD) – [AADD-UK](#)
- Autism – [Autism Alliance UK](#), [Autism Plus](#) and [The National Autistic Society](#).
- Back-related pain – [BackCare](#)
- Diabetes – [Diabetes UK](#)
- Dyslexia – [Dyslexia Action](#) and [British Dyslexia Association](#)
- Dyspraxia – [Dyspraxia Foundation](#)
- Epilepsy – [Epilepsy Action](#)
- Hearing impairment – [Action on Hearing Loss](#), [British Deaf Association](#) & [UK Council on Deafness](#)
- Heart disease – [British Heart Foundation](#)
- Learning disabilities – [British Institute of Learning Disabilities](#), [Mencap](#)
- Mental health – [Mind](#), [Rethink Mental Illness](#), [SANE](#) and [Time to Change](#).
- Multiple Sclerosis – [Multiple Sclerosis Society](#)
- Muscular Dystrophy – [Muscular Dystrophy UK](#)
- Speech impairment – [The British Stammering Association](#)



- Spinal injuries – [Spinal Injuries Association](#)
- Strokes - [Stroke Association](#)
- Visual impairment - [RNIB](#)

Endnotes

- i <https://www.cipd.co.uk/knowledge/fundamentals/relations/diversity/factsheet>
- ii <https://www.cipd.co.uk/knowledge/culture/well-being/health-well-being-work>
- iii <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/labourmarketstatusofdisabledpeoplea08>
- iv <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-201617>
- v https://businessdisabilityforum.org.uk/media_manager/public/261/STAGE%20%20RETAINING%20DISABLED%20TALENT%20STATE%20OF%20THE%20NATION%20REPORT%20FINAL.pdf
- vi https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/531242/family-resources-survey-2014-15.pdf



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