

States of Guernsey disability review: Supporting disabled employees

Exploring the experiences of disabled employees and line managers

June 2017

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Executive summary

The States of Guernsey's Disability and Inclusion Strategy contains an action for the States of Guernsey to commission an audit of the States' employment practices, buildings and services to ensure they meet the requirement of new legislation, new policies and plans. The States has commissioned Business Disability Forum (BDF) to assess its current state of preparation for future disability discrimination legislation as both an employer and service provider.

This report focus on the extent to which the needs of disabled employees are currently considered and actively met.

To this end we:

1. Sent a survey to all employees. The survey was designed to assess disabled employees' experience of requesting and receiving support as well as the skills and confidence of line managers in providing support.

A total of 435 employees responded to the survey, of which 156 employees considered themselves to have a disability or long term health condition and 143 employees indicated that they were line managers.

2. BDF facilitated two focus groups. One with disabled employees and the other with line managers who manage (or have managed) disabled employees.
3. BDF carried out interviews with strategic leads from the States of Guernsey (for example, HR and Occupational Health) and three disabled employees.
4. Carried out a review of disability-related policy and guidance and written summaries submitted by strategic leads.

In commissioning this review in the absence of legislation, the States of Guernsey has communicated a strong, positive message to its employees and customers that it wishes to take steps to understand and remove disability-related barriers to customers with a disability, long-term injury or health condition. This is a very positive step which in itself represents best practice.

Key findings

Our review has identified that some good work already takes place. For example:

- There is tangible evidence of commitment to improve the experiences of disabled employees. Examples include: the employment-related elements of the Disability and Inclusion Strategy (including the commissioning of this review) and the high visibility of the States' Disability Officer which was recognised by both disabled employees and line managers.
- A number of disabled employees reported positive experiences of requesting and receiving support.
- The States has developed online disability awareness training. Our review identified good awareness of the training and a number of participants reported that it had been effective.
- A central fund of £20,000 exists for making workplace adjustments for disabled employees (e.g. for procuring software or equipment), although the fund is not well known about.

We also identified areas where practice had not gone so well. For example:

- A number of disabled employees and line managers highlighted a lack of practical support, guidance and resources as barriers to supporting disabled staff.
- 19.6% of disabled survey respondents who required a reasonable adjustment reported that it took over one year to implement.
- Every candidate applying for a role via the States' online job portal is asked generic pre-employment medical questions. The experience of BDF members suggests that these questions rarely elicit useful information and often put talented people off applying to an employer who they fear will use the information to discriminate against them.
- Three disabled survey respondents (out of 156 disabled survey respondents) and an interviewee reported that they have been bullied or harassed by colleagues and managers.

In summary, our review has identified that:

- Organisational commitment to disability inclusion does not yet translate into a positive lived experience for all disabled employees.
- The knowledge, skills and confidence of line managers is inconsistent.
- The provision of reasonable adjustments, which should help disabled employees reach their full potential, is inconsistent.
- There is a perception that a lack of resources and a focus on saving money is inconsistent with action to improve the organisation's disability performance.

Key recommendations

We have made a number of recommendations arising from our desktop and qualitative research. We are confident that implementing our recommendations will improve the experience of disabled employees whilst at the same time bringing benefits to the organisation, such as improved employee satisfaction, reduced sickness absence and greater productivity. In this respect, we believe that implementing our recommendations will directly support the States' activities under the Public Sector Reform Framework, especially with regard to improving employee satisfaction, improved leadership, estates optimisation and making better use of technology.

Priority recommendations include:

- Ensure that the States' corporate commitment to disability inclusion translates into improved lived experience of disabled employees. For example, by ensuring that senior colleagues oversee the implementation of the recommendations in this report.
- Adopt a States-wide commitment to making reasonable adjustments to prevent disabled candidates and employees from being disadvantaged by any aspect of the States' activities.
- Ensure that the organisation provides timely and effective adjustments for all disabled employees by defining an agreed process which incorporates best practice elements such as a process owner who responsible for seeing requests through to completion within agreed timeframes.
- Ensure that the needs of disabled employees are understood and accounted for in relation to changes made as part of the estates optimisation and IT Improvement programmes.

The action plan set out in Appendix D contains a summary of our recommendations and we suggest that these are taken forward by an implementation group comprising strategic leads working across the broad areas covered in our review.

Introduction

Business Disability Forum (BDF) is a not for profit membership organisation that makes it easier and more rewarding to employ people with disabilities or long-term injuries or health conditions and to serve disabled customers.

Our members employ almost 20% of the UK workforce and, together, we seek to remove the barriers between public and private organisations and disabled people. We provide pragmatic support by sharing expertise, giving advice, providing training and consultancy and facilitating networking opportunities.

The States of Guernsey's Disability and Inclusion Strategy contains an action for the States of Guernsey to commission an audit of the States' employment practices, buildings and services to ensure they meet the requirement of new legislation, new policies and plans. To this end, the States has commissioned BDF to assess its current state of preparation for future disability discrimination legislation as both an employer and service provider.

This report focuses on the extent to which the needs of disabled employees are currently considered and actively met.

Disability legislation

In this project we have explored the States of Guernsey's practice in relation to supporting its disabled staff and customers. The review was prompted by a decision to prepare legislation in the next few years. In our review, and in the absence of a legislative framework, we have used our experience of working with other large organisations, to set out how we believe the States' practice compares to best practice.

A core focus of our work is to explore to what extent the States makes adjustments in order to enable disabled employees to perform to their full potential. The duty to make 'reasonable adjustments/accommodations' is a key pillar of legislation in a number of countries (including the UK), and our discussions with key leads from the States of Guernsey suggests that a similar duty is likely to be adopted in any future legislation.

Regardless of the exact requirements of any future legislation, we strongly advise that the States adopt a commitment to making adjustments to every aspect of its activities to prevent disabled employees from being placed at a disadvantage. In addition to simply being the right thing to do, in the experience of BDF's members, this has proven to bring business benefits such as increased employee engagement and productivity, and a reduction in sickness absence.

Methodology

The methodology was selected to ensure an understanding of the States of Guernsey and its approach to meeting the needs of disabled employees.

In summary, there were four key phases to this work:

1. A survey was disseminated to all employees. The survey was designed to assess disabled employees' experience of requesting and receiving support as well as the skills and confidence of line managers in providing support. Appendix A contains the full survey.

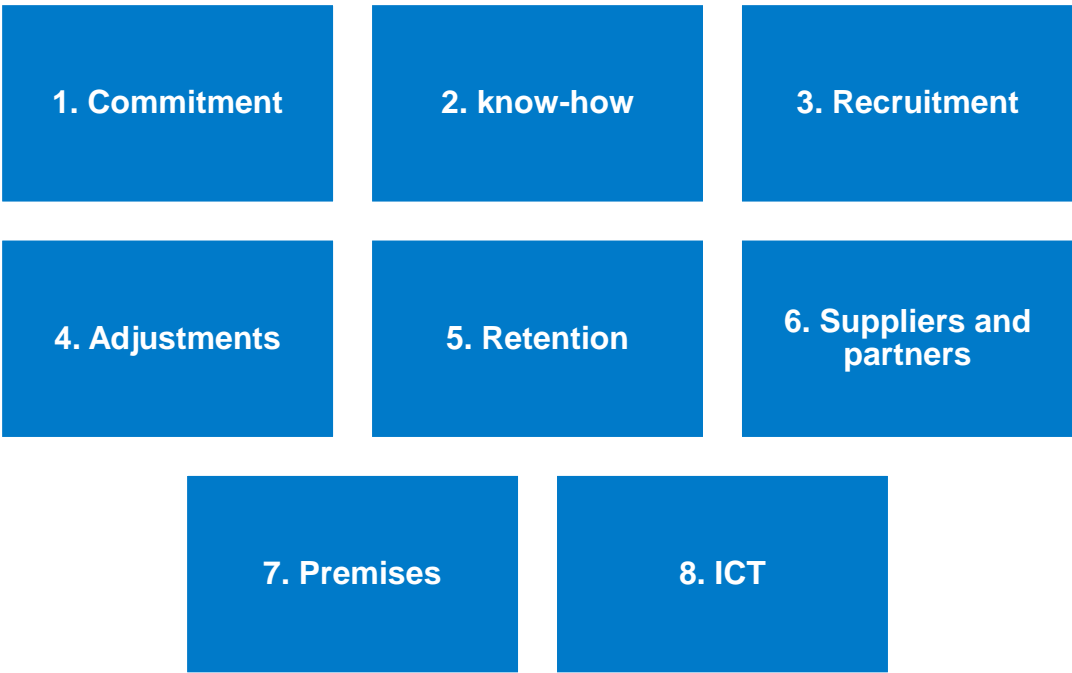
A total of 435 employees responded to the survey, of which 156 employees considered themselves to have a disability or long term health condition and 143 employees indicated that they were line managers. It is acknowledged that a survey can only provide a snapshot of where an organisation is at any one time, however, this sample size provides useful data.

2. BDF facilitated two focus groups on 20 March, 2017. One focus group was with four disabled employees and the other was with five line managers who manage (or have managed) disabled employees.
3. BDF carried out interviews with:
 - 10 strategic leads from the States of Guernsey, for example, HR and Occupational Health. Appendix B contains the full list of interviewees.
 - Three disabled employees
4. A review of disability-related policy and guidance and written summaries submitted by strategic leads. For a full list of the documents we reviewed, see Appendix C.

Analysis of overall disability performance

To facilitate an understanding of the good practice already underway and where practice might be improved we have grouped our analysis under themes explored during our interactions with staff either via the survey or face to face in interviews and focus groups. These cover organisational commitment, knowledge and skills of key colleagues, recruitment, making adjustments for disabled employees, retention, suppliers and partners, premises and Information and Communication Technology (ICT).

Figure one: structure of our analysis



1. Commitment

In this section we analyse how the States of Guernsey promotes its commitment to best practice on disability internally and externally.

This review was commissioned as part of the States' work under the Disability and Inclusion Strategy which contains an action to commission an audit of the States' employment practices, buildings and services to ensure they meet the requirements of new legislation, new policies and plans. In commissioning this review, the States has communicated a strong, positive message of commitment.

Our review identified varying perceptions on the part of disabled employees and line managers in relation to the States' commitment to improving its disability performance. Some positive examples include:

- A line manager commented during a focus group that disability has become much more visible since the appointment of the States' Disability Officer. This is positive feedback and it should also be noted that the creation of such a role is also evidence of commitment to improving the experiences of disabled people.
- A disabled survey respondent indicated that they would feel 'confident that [the States] would do their utmost to make any changes [for disabled employees, if] required'.
- Another disabled survey respondent who stated that their 'experience had been great' noted that 'empathy and understanding [had] been key'.

Despite these positive examples, not all employees reported such a positive perception. For example, disabled survey respondents suggested a need for the organisation to:

- Improve 'organisational philosophy and culture to support and include people with differing abilities and needs and not exclude them'.
- Ensure that its approach to managing disability includes 'kindness' and 'flexibility'.
- Close a perceived 'gap' between senior management statements of commitment to disability issues and actual engagement with them.

Internal communications

As part of this review, a detailed communication plan was developed by the States communication leads. The plan included actions to communicate information about the review via a number of channels, for example at internal meetings and in the employee magazine, The Issue. This is positive practice and should help to improve employee awareness of the States' efforts to become more disability-confident.

The importance of improving the organisational discourse around disability in the organisation was highlighted by some disabled employees. For example:

- Three disabled survey respondents (out of 156 disabled respondents) commented that they had been ‘badgered’, ‘bullied’ or ‘harassed’ in relation to their disability.
- A interviewee with a non-visible condition reported that they had experienced some negativity (‘eye rolling’) from colleagues who did not understand their condition or the flexibility they required. This individual felt strongly that more work should be undertaken to raise the awareness of non-visible disabilities.
- 14.8% of disabled survey respondents who did not request a workplace adjustment felt that advising the organisation of a disability or long condition might make their working life difficult.

Clearly, these issues are wider than simply how the organisation talks about disability, and we have made detailed recommendations in relation to improving the skills and confidence of line managers in the section on Know How. BDF’s ‘State of the Nation’ research into key aids and barriers to the effective retention of disabled employees suggests that there is a role for the organisation’s communications function. For example, a third of disabled employees indicated that a general lack of visibility of disability within the organisation was seen as a primary barrier¹.

We recommend that the States continues to identify opportunities to ensure that there is a regular ‘drum beat’ of disability-related internal communications. Examples from BDF members include:

- Events and communications to mark the UN’s International Day of Persons with Disabilities which is held annually on December 3² and other national and international impairment-specific awareness days.
- Blogs by designated senior disability champions. Two strong publicly available examples are blogs by the Permanent Secretary for the Department for Transport and Civil Service Disability Champion, Philip Rutman³ and BT’s Chief Procurement Officer and Disability Champion Hari Sundaresan⁴.
- Imaginative campaigns aimed at encouraging employees to be themselves at work, share relevant information about their disability or ask for an adjustment when they need one. For example:

¹http://www.businessdisabilityforum.org.uk/media_manager/public/261/STAGE%20%20RETAINING%20DISABLED%20TALENT%20STATE%20OF%20THE%20NATION%20REPORT%20FINAL.pdf (Accessed 17/05/17)

² <http://www.un.org/en/events/disabilitiesday/>

³ <https://civilservice.blog.gov.uk/2016/03/22/my-priorities-as-civil-service-disability-champion/> (Accessed 15.03.17)

⁴ <https://disability-smart.com/2017/01/23/the-honest-truth-about-red-amber-and-green/> (Accessed 15.03.17).

- The Houses of Parliament's Role Models campaign⁵.
- Barclays' 'This is me' campaign (which focuses specifically on employees with mental health conditions)⁶.
- Fujitsu's 'Be completely you' campaign⁷

External communications

Publicly communicating a commitment to improving disability performance helps position an organisation as an employer of choice for disabled employees. This is especially relevant given that a number of employees highlighted during the review that the nature of island life means that it is vital that the States can attract the best talent.

In addition, one interviewee commented that the States is in direct competition for talented graduates with employers in the financial services sector. The importance of communicating disability commitment to this audience was highlighted in 2011 research by My Plus Consulting, which identified that 49% of disabled graduates said that they were either more likely, or much more likely, to apply to employers that explicitly talk about disability or have disabled staff profiles⁸.

Interestingly, the awareness raising initiatives outlined above (in the section on internal communications) were all conceived as internal campaigns, but in each case, the organisation has identified that there is a benefit to the organisation's brand in making the campaigns public.

The Guernsey Employment Trust Charter

The Guernsey Employment Trust has developed a charter⁹ which enables employers to demonstrate a commitment to developing practices which aid the recruitment and retention of disabled employees and makes it easier for disabled applicants to identify when an employer is making an effort to be inclusive.

The Charter contains a number of good practice commitments relating to the recruitment and retention of disabled employees (See Appendix E for the full charter), and we were pleased to learn that the States is in the process of implementing requirements of the Charter which are not currently in place, in order to then publicly commit to the Charter.

⁵ <https://www.parliament.uk/about/working/workplace-equality-networks/parliamentary-role-models/meet-the-parliamentary-role-models/>

⁶ https://www.youtube.com/watch?v=b7_4S3J_3VA (Accessed 30/03/17)

⁷ <https://www.youtube.com/watch?v=Zbfihita-tjo> (Accessed 30/03/17)

⁸ <https://static1.squarespace.com/static/577fbf413e00be9f47c80f47/t/57d2a37c3e00be654dfb6e7a/1473422204792/Executive+summary+v1.pdf>

⁹ <http://www.get.org.gg/employers/charter>

Framework for Public Sector Reform

In our experience of working with disability-smart organisations for over 25 years, we have found that improving provision for disabled employees can result in wider benefits to the business. For example, work undertaken by BDF Partner Lloyds Banking Group to improve their process for making workplace adjustments for disabled employees, resulted in the following business benefits:

- Reduced sickness absence
- Increased productivity and performance
- Reduced procurement costs (by centralising its approach to acquiring commonly requested items such as ergonomic chairs)
- Increased employee and line manager satisfaction¹⁰.

In this respect, the States' work to measure and improve its performance with regard to disabled employees complements the transformation agenda, especially in relation to the aims to improve staff engagement and satisfaction, and enhance organisational performance measurement and management.

Another key aim of the Framework for Public Sector Reform is to deliver and demonstrate value for money. A consistent theme from our work with the States was a tension between a genuine desire to improve disability performance and concerns about a lack of resources to invest in specific initiatives, or in some cases, make adjustments for disabled individuals.

One disabled employee recommended that the organisation enhance awareness of the 'simple things' that could be done to support employees to stay in employment. This is an important point as the experience of BDF's membership is that many adjustments required by disabled employees often cost nothing, and only require creativity or flexibility on the part of the organisation. For example, by providing flexibility regarding how, when, or where work is done.

Despite this, a number of employees highlighted a lack of resources as a barrier. For example:

- A disabled focus group participant commented that due to a heavy workload: 'most managers are fire-fighting' and as such, supporting disabled staff is a 'little issue'.
- A manager in a focus group noted that: 'cost is the bottom line at the moment' during a discussion about the organisation's ability to support disabled employees.

¹⁰ Scott-Parker (2014), Business Disability Forum Case Study: Emerging best practice in the provision of workplace adjustments. <http://www.businessdisabilityforum.org.uk/about-us/news/case-study-lloyds-banking-group-transforms-workplace-adjustments-process/> (accessed 12/06/17)

- One disabled employee commented that in recent years, the organisation has been trying to achieve more, with less people. The participant commented that: ‘the system ties people’s hands’.
- A disabled survey respondent reported that, although the workplace adjustments they required were put in place, they felt ‘devalued’ by comments made by senior management about cost implications, and colleagues which suggested an unnecessary use of resources, and an implication that the person concerned was ‘making a fuss’.
- A line manager commented during a focus group that they cannot accommodate two people off sick because there is no ‘back fill’. The manager commented that this ‘stops you wanting to do the right thing’.

During our research, a number of employees suggested that, given the organisational benefit associated with improving the experiences of disabled employees (as evidenced by the Lloyds Banking Group experience), some funding for the employee engagement and organisational performance elements of the Framework for Public Sector Reform might usefully be allocated to initiatives to improve provision for disabled employees. This is a recommendation that we would support.

In addition to allocating additional funding, the States should publicise where funding already exists. For example, it was reported by a number of employees that awareness about a £20,000 fund for making adjustments for disabled employees (e.g. procuring software or equipment) was low.

Senior Leadership

The Framework for Public Sector Reform notes that: ‘it will be the leaders across the public service who drive cultural change...Senior leaders set the tone and pace to enable wider change...’. This is a statement that BDF would certainly endorse, in our experience senior leadership is vital to ensuring the success of any programme aimed at improving disability performance.

It is important that the States’ senior leadership not only reaffirms its commitment to making the organisation a more inclusive place for disabled employees, but also commits to implementing the recommendations from this report and communicating regular progress updates.

In many of BDF’s leading member organisations, senior leaders actively champion the interests of disabled employees, bringing resources and influence to the organisation’s disability-related work. Every leader is different but common characteristics of senior disability champions from BDF’s membership include:

- An approach that is shaped by regular and structured contact with disabled employees.

- Regularly referring to their role as disability champion when communicating to internal and external audiences.
- An ambition to drive their organisation away from a focus on legal compliance toward one that prioritises ongoing improvements in disability performance.
- Steering other senior stakeholders to drive systematic improvements in disability performance across the whole organisation (often by heading up a working group focused on measuring and improving performance against BDF's Disability Standard management tool)¹¹.
- Talking publicly in a way that demonstrates knowledge of disability, and specifically, disability as a business issue. This sometimes includes reference to direct, or indirect, personal experience of disability. For example, that they or a member of their family are disabled.
- Sharing best practice with senior champions from other organisations.

Key recommendations for the overarching Disability Action Plan: Commitment

1. Continue to identify opportunities to ensure that there is a regular 'drum beat' of disability-related internal and external communications. Ensure that communications highlight:
 - a) That the States values its disabled employees and is committed to making adjustments to enable them to reach their full potential.
 - b) That disability-related bullying and harassment will not be tolerated.
 - c) The wider business benefits associated with becoming disability-smart and the link to the aims of the Public Sector Reform agenda.
 - d) That not all disabilities are visible.
 - e) The availability of funding for adjustments.
2. Allocate funding for improving the experiences of disabled employees from the Public Sector Reform budget when an action is likely to further the aims of both strategies. For example, where recommendations in this report relate to improving employee satisfaction or to accessing premises or technology.
3. Ensure that senior leadership reaffirms its commitment to making the organisation a more inclusive place for disabled employees and commits to implementing the recommendations from this report and communicating regular progress updates.

¹¹ <http://www.businessdisabilityforum.org.uk/disability-standard/>

2. Know-how

In this section we analyse how the States of Guernsey equips its employees to be confident interacting with disabled people, knowing what to do and how to do it.

Our review identified some positive examples of employees and managers having access to disability-related training, information, advice and guidance. For example:

- The States has developed online disability awareness training. One interviewee reported that ‘all Chief Secretaries have been responsible for cascading the training’ to the wider staff group. A line manager in a focus group reported that they strongly encourage all staff to undertake the training and another commented that staff had ‘embraced’ the training even though it is voluntary.
- Esther Reid, lecturer at The Institute of Health and Social Care Studies has delivered two hour sessions on dignity and diversity at work which includes reference to disability.
- A disabled employee commented during a focus group that there is ‘more awareness now (of disability)...staff have become aware over time’.

Some employees highlighted areas where they felt practice required improvement, for example:

- A line manager commented during a focus group that managers ‘don’t have the tools’ to effectively manage disability in the workplace.
- Another line manager reported that, in their view, the States’ online disability awareness training is ‘too general’ and ‘not aimed at managers because it focuses more on customer service’.
- One disabled focus group member suggested that the provision of disability-related information on the States’ intranet could be improved. The employee suggested that it might be improved with a more logical structure and a designated disability at work section that includes links to practical sources of support.

Policy and Guidance

Line managers and employees need access to good quality guidance on disability. One interviewee suggested that the States’ policies contain little reference to disability and when they do they are ‘only concerned with physical disabilities’. One disabled focus group participant commented that policies on the States’ intranet are ‘disjointed, contradictory and muddled’. In addition, a manager reported during a focus group that they did not know if the States has a specific policy on disability.

Although our review did not identify a dedicated disability policy, we did identify some useful references to disability and reasonable adjustments in existing policy and guidance. For example, the following documents contain references to disability and reasonable adjustments:

- The Sickness Absence Directive (discussed in the Retention section of this report)
- The Staff Handbook (in relation to physical access, discussed in the Premises section of the report).
- The Occupational Health policy (in relation to pre-employment health questionnaires, discussed in the recruitment section of this report).

We recommend that the States improve existing policy based on our feedback and promote the guidance widely. In addition to ensuring that disability is appropriately referenced in existing policy and guidance, many leading BDF members have dedicated pages on their intranet which contain practical information about disability and how to request or implement workplace adjustments.

This approach might improve the experience of employees and managers alike when searching for information. This is especially relevant as one disabled focus group participant commented that disability-related information was ‘hard to find’ and another reported that they had been ‘tipped off by someone in finance’ regarding where to find information about acquiring equipment.

Line managers

The Framework for Public Sector Reform states that ‘the public service needs effective line management to ensure that the right people are doing the right jobs in the right way, reaching their full potential for themselves and for the benefit of the whole organisation’.

Line managers play a key role in ensuring that employees with a disability are treated fairly; have access to any adjustments needed to perform to their full potential and access to learning and development opportunities. In BDF’s research into aids and barriers to the retention of disabled employees, employers and employees shared the concern that line managers are potentially the single biggest barrier to the effective retention and development of employees with disabilities. More than half of all employers and employees confirmed this¹².

¹²http://www.businessdisabilityforum.org.uk/media_manager/public/261/STAGE%20%20RETAINING%20DISABLED%20TALENT%20STATE%20OF%20THE%20NATION%20REPORT%20FINAL.pdf (Accessed 17/05/17)

This highlights the importance of ensuring that managers are skilled and knowledgeable in meeting the needs of disabled employees. This is especially pertinent as discussions with HR leads highlighted a desire to empower managers to play a more active role in supporting disabled employees. This is a move that might be welcomed by line managers as two managers commented in response to the survey, that they thought that the States should 'give managers freedom to operate' in order to exercise the discretion required to adequately support employees with disabilities.

In BDF's experience, when an organisation aims to empower line managers to do more to support disabled employees, it is vital that the expectation of the line manager's role in supporting disabled employees, is clearly defined and understood by all relevant stakeholders, and that managers have access to good quality information, advice and support when required.

Nearly half (46%) of respondents to a survey question about where employees went for guidance about how to obtain an adjustment, went to their line manager. One interviewee commented that there is a: 'wide variety of practice and management capability...it's a bit of a lottery'. This is a common concern in large organisations and our review identified varying levels of line manager practice. For example:

- The managers that attended the focus group all demonstrated a desire and willingness to support disabled employees, and many reported positive examples of having made adjustments for disabled members of their teams.
- One disabled interviewee commented that their manager had been 'amazing'. A disabled focus group participant noted that their line manager is: 'as helpful as they can be but they haven't had training and struggle for time'.
- A disabled focus group manager reported that their line manager: 'threatened me with the capability procedure if I had more time off sick'. The employee commented that the manager 'had not read the policies'.
- A disabled survey respondent reported that: 'managers have in the past used my issues against me and bullied me'.

Managers' confidence

Managers' overall confidence in being able to manage staff with a disability or long term health condition was reported as being high, with 81.7% of respondents reporting that they were "mainly" or "very" confident in this regard. Equally, 78.8% of respondents expressed the same confidence ratings in relation to managing a wider team that may have been impacted by a staff member with a disability or long term health condition.

Despite the high levels of confidence reported via the survey, a line manager when discussing stress and anxiety commented that: 'line managers aren't skilled enough to deal with it'. Another manager reported during a focus group that they had noted an increase in work experience placements with autism. Whilst this was generally viewed as positive, the manager highlighted a lack of confidence and knowledge, commenting that

‘no one knows how to deal with it’. Another manager agreed, noting that they had recently received guidance from an autism charity that would have proved useful in earlier cases.

Training needs analysis

Following on from our review, BDF has committed to develop tailored guidance for line managers and deliver training for both line managers and HR. Our review has included a focus on identifying the knowledge requirements and training needs of both groups.

Line managers

During our review, employees identified the need for more training and guidance on:

- Understanding and recognition of non-visible disabilities. This view was expressed by four line managers in response to the survey. In addition, a line manager commented during a focus group that there is: ‘a lack of support on managing issues relating to mental ill health’.
- A manager commented during a focus group that managers: ‘need guidelines about boundaries’.
- A disabled employee who reported a lack of support while off sick and when returning to work, suggested that there needs to be training for those in managerial positions to understand the return to work process, reasonable adjustments and where to obtain support.
- An interviewee commented that: ‘the notion of Reasonable Adjustments is vague and requires training’.

Based on these comments and our wider analysis, we recommend developing training for line managers that covers the following areas:

1. What is an adjustment? Including a focus on physical and non-physical adjustments.
2. Spotting the signs of when an adjustment might be needed (including as a result of a non-visible disability)
3. Having a conversation with a colleague about adjustments (including a focus on boundaries)
4. Making and reviewing adjustments
5. Managing absence
6. Knowing where to go for support

We can be flexible about the method of delivery of this training and will work with the States of Guernsey to agree a format that will ensure maximum impact.

In addition to training, we have also committed to provide the States of Guernsey with a tailored version of BDF's Line Manager Guide. We will work with relevant leads from the States of Guernsey to ensure that content is appropriately tailored, but as an illustration, we recommend that the guidance is amended to:

- Include an introductory statement from a senior leader that sets out the States of Guernsey's commitment to supporting disabled employees and the expectation of line managers in facilitating this.
- Include guidance about the specific support available to employees and managers working within the States of Guernsey. For example, information about how to make adjustments and the funding that is available for adjustments that cost money.
- Remove references to UK legislation and position making reasonable adjustments in the context of internationally recognised good practice.

Human resources

As advisers to employees and line managers, it is vital HR have detailed and practical knowledge of how to manage disability. This is relevant as levels of line manager confidence were lower in relation to the support provided by HR or other colleagues, with nearly half (48.8%) of respondents stating that they were either "not confident at all" or "sometimes confident" in such support. Survey responses from line managers indicated that respondents were either unclear about the support available from HR or required more guidance from them.

In order to ensure that HR are confident in managing disability as it impacts every element of their role, we recommend training that includes a focus on:

1. Barrier free recruitment
2. Disability and adjustments (including what's reasonable)
3. Attendance management and disability
4. Performance management and disability

We look forward to working with the States of Guernsey to review these recommended training outlines and to discussing the most effective method of delivery.

Key recommendations for the overarching Disability Action Plan: Know How

- Improve the provision of practical disability-related information and guidance on the States' intranet.
- Ensure that the expectation of the line manager's role in supporting disabled employees is clearly defined and understood by all relevant stakeholders.
- Ensure that managers have access to good quality information, advice and support when required to help them discharge their role in supporting disabled employees.
- Work with BDF to agree content for tailored guidance for line managers and training for managers and HR.

3. Recruitment

In this section we analyse how the States of Guernsey attracts and recruits disabled people, giving it access to the widest talent pool at every level.

A review of the States' website, identified that candidates are encouraged to apply for vacancies via an online recruitment system.

A review of the job portal and the 'Careers with the States of Guernsey' section on the States' main website¹³ identified no references to the States' commitment to disability best practice or inclusion more broadly. There is an opportunity therefore, to appeal to a broader pool of talent by promoting the States' disability commitment via the careers section of the website. Simple measure might include:

- Publicising your work with BDF to become disability confident (we can provide you with an electronic version of our logo).
- Referring to the employment-related elements of the Disability and Inclusion strategy.
- Developing testimonials from existing disabled employees. These types of case studies can be effective in attracting disabled candidates who will often look for examples that an organisation anticipates, accommodates, and celebrates disabled employees.
- Adding a question about disability and adjustments to the FAQs in the Careers section of the States' website.

Online accessibility

Some disabled candidates, particularly those with visual, dexterity and learning difficulties can find using the web difficult. Most of these difficulties can be overcome through an individual's use of specialist software (such as a screen reader), or equipment (such as an ergonomic mouse or key board), and by organisations producing well-designed accessible websites.

In order to adequately meet the needs of disabled candidates, recruitment portals should meet a minimum level of 'AA' of the WAI's (Web Accessibility Initiative) Web Content Accessibility Guidelines (WCAG 2.0). A failure to meet these standards may mean that good candidates are prevented from applying.

Whilst a technical audit of the SAP-powered recruitment portal is outside the remit of this review, we recommend that you liaise with SAP to discuss the extent to which they have ensured that the portal is accessible to disabled applicants.

¹³ <https://www.gov.gg/careers>

When a site is not fully accessible, it is important that alternative methods of applying are offered and we were pleased to note that the FAQs in the Careers section of the Guernsey website includes information about applying by alternative means.

Asking about adjustments

In addition to ensuring fair treatment for all candidates, making reasonable adjustments brings business benefits by enabling candidates to perform to their full potential during the recruitment process. This helps to ensure that organisations access the widest possible pool of talent. Practical examples of reasonable adjustments in recruitment might include:

- Allowing a candidate with dyslexia extra time to carry out an online assessment.
- Providing an interpreter for a deaf candidate who uses British Sign Language (BSL) to communicate.

In order to make adjustments in a timely manner, it is best practice to outline your commitment to recruiting disabled people and to invite candidates to request adjustments to each stage of the recruitment process from application to induction.

We were pleased to note in a written summary provided by the States' HR team, that correspondence sent to candidates asks them to let the organisation know if they have any specific requirements for assistance for interviews. This is good practice and we recommend that you review information and correspondence relating to every step of the recruitment process to ensure that candidates are routinely asked about adjustments. In addition, we recommend that you ensure that a robust process exists to enable requests for adjustments to be actioned in a timely and appropriate manner.

This is particularly relevant as a manager responding to our survey suggested that there is a need for more flexibility in the recruitment process (with specific regard to application forms and interview adjustments). Whilst we are unable to verify this manager's experiences, we did note in the written summary provided by the States' HR team that recruitment and selection training is provided for line managers. We recommend that the States' recruitment leads review the training to ensure that it contains guidance on making adjustments for disabled candidates and promote the availability of support from HR on specific cases.

Pre-employment medical questions

All candidates who complete an online application are asked questions relating to their health and sickness absence record in the 'Personal Information' section. Specifically:

- Are you in good health?
- Have you had any serious illness requiring medical consultation or admission to hospital in the last 2 years?
- Have you any health problem(s) that might interfere with work?

- How many days have you been absent from work through sickness in the last 12 months ?

In the UK, the Equality Act 2010 makes it unlawful for employers to ask applicants general questions about their health, medical history or disability prior to making an offer of employment. Employers who ask questions about past sickness absence on application forms, or in references from previous employers requested prior to a job offer, may also be acting unlawfully as this could be interpreted as asking questions about health or disability.

The aim of the legislation is to help employers concentrate on the person's actual abilities rather than making assumptions based on past ill health. Questions must be limited to the applicant's ability to do the job for which they are applying, and any reasonable adjustments they might need. Appendix G contains a summary of the case of Cheltenham Borough Council v Laird (under the UK Equality Act 2010) which highlights the pitfalls associated with asking generic pre-employment medical questions.

Even before pre-employment questions became unlawful in the UK in 2010, some leading BDF members had already stopped using them. These employers found that generic health questionnaires rarely elicit useful information and often put talented people off applying to an employer who they fear will use the information to discriminate against them. In addition, ill health, disability or even sickness absences in the past are not necessarily an indicator of future health or attendance.

Occupational Health Policy (for Health and Social Services Department)

A review of the Health and Social Services Department (HSSD) Occupational Health Service policy, identifies that all HSSD employees are required to complete a Pre-Work Health Assessment form after a conditional offer has been made, but before the employee commences employment.

The policy states that: 'if it is found an employee has provided false or inaccurate information to Occupational Health in order to gain employment, disciplinary action may be taken in line with the HSSD's Disciplinary Procedure'. In light of the case of Cheltenham Borough Council v Laird, we recommend that the States' Occupational Health leads review the questions used as part of these assessments to ensure that they are specific and relate to a candidate's ability to carry out the role for which they are applying.

The policy goes on to state that: 'if a prospective employee is assessed as not suitable for the role during the conditional offer stage, reasonable efforts should be made to make reasonable adjustments to the post where possible'. References to reasonable adjustments also feature in the working of the questionnaire itself, for example:

- 'It may be that adjustments or support is recommended as a result of this assessment to enable you to do the job'.
- 'If you have a health condition or disability that may affect your work and you need support or any adjustments you need to inform Occupational Health'.

These are positive references which we recommend are enhanced further by emphasising the States' commitment to recruiting and retaining disabled employees.

An alternative approach to pre-employment medical questions

Whilst it is unclear if any future legislation in Guernsey will extend to a ban on pre-employment medical questions, we recommend that the States' review its use of such questions as a matter of good practice. We recommend that the States consider the following approach:

1. Identify whether there are any roles that require certain standards of physical fitness or have health requirements for health and safety reasons or in order to comply with other regulations e.g. in order to drive a public service vehicle.
2. Ensure that job descriptions for these roles clearly state the physical requirements of the role: e.g. some lifting of patients required for which training will be provided.

For these roles, all candidates should be advised in advance that they will need to undergo a medical assessment if they are successful at interview, and only candidates to whom job offers are made should have medical assessments. An assessment should be conducted by an Occupational Health adviser who asks questions that relate specifically to the job the person has been offered. Job offers can be conditional upon the outcome of the medical assessment.

3. If the medical assessment identifies any potential problems you should conduct a risk assessment to see if reasonable adjustments can remove any risk identified, or reduce it to acceptable levels. If no reasonable adjustments can be made to enable the candidate to perform the role, you should be able to withdraw the offer.

Monitoring

The 'Diversity Information' section of the online application form contains the following statement:

'The States of Guernsey is committed to equal opportunities and seeks to ensure that there is no discrimination on the grounds of race, ethnic origin, gender, age or disability. Though the information you give plays no part in the selection process and is only used for statistical analysis, we would stress that the information is vital to ensure that our policy is carried out'.

This is a positive statement and we were pleased to note that it contains assurances about confidentiality. This is important as many disabled people will withhold information out of a fear that it will have a negative impact on their prospects.

It is positive that the States is committed to reviewing its recruitment data with regard to diversity. It can be difficult to get accurate data when monitoring disability, as many candidates will choose not to share the information with you at this early stage, or they will simply not consider themselves to be disabled. For these reasons, it is unlikely that your data on disability will ever be 100% accurate; however there are steps you can take to encourage greater participation in the survey. These include:

- Amending the statement to include a sentence about the States' commitment to recruit from a diverse pool of candidates as possible.
- Expanding on the statement to explain why monitoring is useful. For example, to enable the States to identify and remove barriers to its recruitment process for certain groups.

The disability-related question in the monitoring section asks:

'Do you consider yourself to have any disability or impairment?'

Most people who are 'disabled' do not identify as 'disabled' and many will be unfamiliar with the word 'impairment' in this context. In order to convey the breadth of the term 'disabled' in monitoring surveys, many leading BDF members use the terminology of 'disability or long term condition'. Where space permits, this phrase can be supplemented with examples of common examples for example: cancer, dyslexia, back problem, diabetes etc.

The disability question is followed by a supplementary prompt to provide more information:

'I would describe the nature of my impairment/disability as...'

Given many disabled people's reluctance to share any information about their condition, some candidates may be deterred from answering this. We would encourage to you consider why you are asking this question and then make it clear to the candidate why you are asking.

For example, to provide you with more information about the effectiveness of your attraction strategy and inclusivity of your processes, as it relates to groups of disabled people.

Understanding the experiences of disabled applicants

The FAQ section of the careers section of the States' website contains a link to an online survey that asks candidates questions about their experiences of the online recruitment process.

In order to assess the experiences of disabled candidates, we recommend that:

- Answers submitted in the free text section are reviewed to identify any disability-related issues. Where issues are identified, these should feed directly into process improvement.
- Consider including questions that will identify whether candidates experience difficulty as a result of a disability or long term condition. This might be in the form of a single question which can then be used to cut data according to whether or not a candidate identifies as disabled.
- Consider commissioning 'mystery shopping' of the recruitment portal by disabled users. You might consider asking existing employees with a known disability to use the portal and offer feedback.

Induction

The induction period provides an opportunity to ensure that all new employees are aware of the States' ambition to be a disability-smart employer and have an opportunity to request adjustments to their new role. This is important because some disabled candidates may not have shared details about a disability and any adjustment requirements until this point. Similarly, some disabled candidates who requested adjustments during the recruitment process may not require any adjustments to the role, whilst others may require different adjustments.

A manager who responded to a survey question about what improvements could be made to the process for supporting disabled employees, specifically requested better communication at the point after recruitment, to ensure that line managers were made aware which of their new staff had notified a disability or long term health condition.

Whilst we do not agree that managers necessarily need to know about a new recruit's disability, it is important that managers are aware when a new employee requires an adjustment. In this scenario, the process of implementing adjustments should begin as soon as possible. The importance of a timely process was highlighted by a disabled focus group participant who reported that it took two months to acquire the adjustments they needed, even though the organisation knew about his/her disability when s/he was recruited.

A written summary provided by the States' HR team, notes that there is a Corporate Induction (which has largely moved to on-line delivery), as well as service specific inductions. We recommend that these inductions are reviewed to ensure that they include prompts to encourage new recruits to ask for adjustments if they need them.

Key recommendations for the overarching Disability Action Plan: Recruitment

- Enhance the 'Careers with the States of Guernsey' section on the States' main website with information about the States' commitment to disability best practice and practical guidance for candidates about requesting adjustments to the recruitment process.
- Liaise with SAP to discuss the extent to which they have ensured that the States' job portal is accessible to disabled applicants.
- Review information and correspondence relating to every step of the recruitment process to ensure that candidates are routinely asked if they require adjustments.
- Ensure that a robust process exists to enable requests for adjustments made during the recruitment process to be actioned in a timely and appropriate manner.
- Review the recruitment and selection training for managers to ensure that it contains guidance on making adjustments for disabled candidates.
- Review the States' approach to pre-employment medical questions
- Amend the diversity monitoring information on the online recruitment portal as per our recommendations.
- Review corporate and service-specific inductions to ensure that they include prompts to encourage new recruits to ask for adjustments if they need them.
- Amend the current feedback mechanism to ensure that the experiences of disabled applicants are captured.

4. Adjustments

In this section we analyse how the States of Guernsey anticipates the needs of disabled employees and makes adjustments for disabled individuals when required.

Although the concept of making 'reasonable adjustments' is the cornerstone of the UK's Equality Act 2010, the concept is now recognised globally as a good practice measure and the key to the successful recruitment of disabled employees. For example, the International Labour Office has recently produced guidelines on making workplace adjustments for disabled employees for a global audience¹⁴.

The purpose of a 'reasonable adjustment' is to remove or overcome aspects of a disabled employee's role or working environment that place them at a disadvantage. Examples of adjustments might include:

- Providing an employee with a visual impairment with screen reading software.
- Adjusting the working hours of an employee with anxiety so they can avoid the rush hour.
- Ensuring that step free access is available for an employee with a mobility impairment.
- Allowing an employee with cancer to take time off for treatment.

Requirements will vary between individuals and therefore a case by case approach to making adjustments is required.

'Workplace' or 'reasonable' adjustments

Some leading BDF members have replaced the term 'reasonable adjustments' with 'workplace adjustments' or simply 'adjustments' in their policy and communications. This is in recognition that the approach brings business benefits and facilitates a range of other workers such as employees with caring responsibilities. This does not mean that the test of reasonableness does not apply, especially when considering adjustments that might be costly. It simply means that considerations of reasonableness sit with the decision makers at the 'back end' of the process.

When deciding what is reasonable, employers should consider:

- How effective the change will be in avoiding the disadvantage the employee would otherwise experience.
- Its practicality.
- The cost.

¹⁴ http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_536630.pdf

- Their organisation's resources and size.
- The availability of financial support.

Assessing the current approach to making adjustments within the States of Guernsey

Our review identified some good practice with regard to the provision of reasonable adjustments. For example:

- A disabled employee reported that after acquiring a long term health condition, s/he was redeployed to a less-physical role with reduced hours. The employee described the support s/he had received from the organisation and his/her manager as 'amazing' and commented that they were aware of another disabled employee who had received a similar level of support.
- In written summaries submitted to BDF, both the States' HR team and Information Systems and Services (ISS) reported examples of making a range of workplace adjustments for disabled employees.
- 77.1% of disabled survey respondents reported that adjustments put in place were either "effective" or "highly effective" in enabling them to stay in their jobs.

In the absence of a defined process for making adjustments, our review identified that the provision of workplace adjustments is inconsistent. The following section explores some of the key issues.

Type of adjustments

As the table below demonstrates, survey responses indicated that a range of physical and non-physical adjustments had been made for disabled employees.

Table: Type of adjustment required

Adjustment	Percentage of respondents
Adjustments to seating or desk	52%
Altered working hours	52%
Absence during working hours absence for treatment, etc.	48%
Some duties reallocated to another person	26%
Adjustments to premises	22%
New or modified software or equipment	20%
Being assigned to a different place of work	18%
Supervision/other support	16%
Training or mentoring	8%
Redeployment to an existing vacancy	8%
Reader or sign language interpreter	6%

Non-physical adjustments

The most common forms of non-physical or ‘soft’ adjustments related to working hours, either absence to fulfil medical obligations such as rehabilitation, assessment or treatment (48% of respondents), or alterations to hours worked (52% of respondents). Levels of need for adjustments related to training/mentoring, supervision or other support were relatively low, notified by 8% and 16% of respondents respectively.

Similar reviews with other organisations often identify a disparity between the experiences of colleagues who require physical and non-physical adjustments. Our review identified that adjustments to working patterns seem problematic for some disabled survey respondents, with conflict reported between an employee and manager when adjustments were requested, and another respondent appearing to experience ill health as a result of inflexibility.

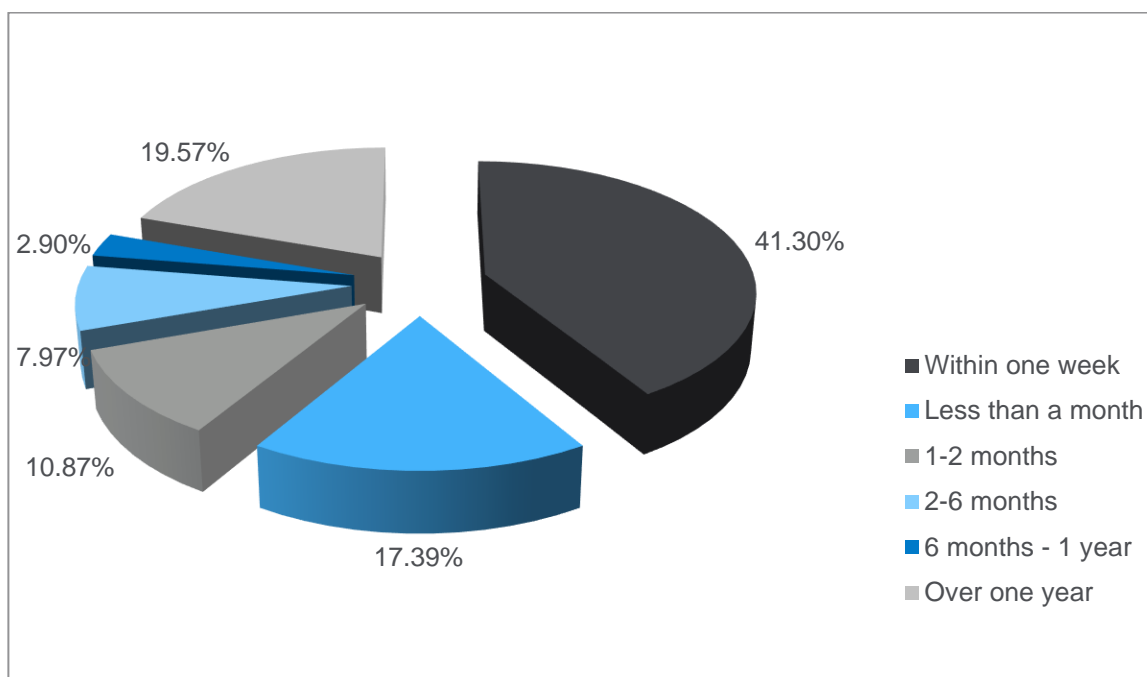
One disabled survey respondent reported that a different shift pattern could not be accommodated and that in continuing without this adjustment in place, the respondent reported ‘get[ting] very tired easily and then...stressed’.

An interviewee commented that: ‘there is not much appetite to reorganise duties’ although another manager did speak of making an adjustment to the duties undertaken by a disabled employee.

Timescales

Our review identified that the timescales involved in making adjustments varies. For 68.7% of adjustments overall were reported as having been implemented, either within a week or between a week and a month. However, 19.6% of respondents reported a wait of longer than a year to have adjustments put in place. From our experience of conducting other adjustment reviews, this represents a higher proportion than average.

Chart: Timescale for implementing adjustments



Survey findings indicate delays in implementing a number of key types of adjustment. For example:

- Nearly half of adjustments requiring adjustments to work stations (seating or desks) were actioned within either a week or a month, but six took between one and two months and a further four took over a year.
- While half of respondents reported that adjustments related to new/modified software or other equipment had been put in place either within a week or between a week and the end of a first month, three respondents reported a wait of over a year.
- Of the three respondents requiring a reader or interpreter, two had access to these within a week, but the remaining employee had waited over a year.

- Nearly two-thirds of adjustments involving reallocation of duties to another person were implemented either within a week or by the end of a first month. However, four respondents reported having to wait for over a year to have this type of adjustment put in place.
- Exactly half of adjustments involving alterations to working hours were put in place within a week. However, three respondents reported waiting for over a year to have this type of adjustment put in place.
- While over two-thirds of adjustments to allow time off during working hours for medical commitments were agreed within a week or by the end of a first month, in two instances it took more than a year for two such adjustments to be put in place.

Seven survey respondents recommended that adjustments should be implemented more quickly. On the basis of a number of comments provided, it appears that a proportion of respondents notifying having waited for over a year for adjustments may still not have had these put in place at the time of survey completion.

Adopting a proactive approach

The responsibility for making adjustments (either out of legal obligation or a commitment to best practice) ultimately rests with the employer. Leading BDF members take a proactive approach by encouraging employees to request adjustments and training managers to spot the signs that an adjustment might be required. The need for a consistently proactive approach was highlighted by a line manager who commented during a focus group that the States' processes 'kick in once things have gone wrong, not before'.

A number of employees reported having to take the initiative with regard to ensuring that the necessary adjustments were implemented. For example:

- A disabled focus group member reported that they visited a trade show to identify suitable equipment. The employee then sent a brochure to HR and 'made the business case' for the equipment being purchased.
- A survey respondent reported that they constructed a model version of the equipment they needed in order to demonstrate the case for a manufactured version to be supplied.
- Another survey respondent reported that their line manager, having approved an adjustment plan (involving modifications to office space and equipment), delegated responsibility for overseeing the implementation process back to the employee.

These examples mean that there is a risk that disabled employees will not get the adjustments they need because they lack the time, expertise or authority to acquire them.

Funding

Our review identified that a central fund of £20,000 exists for making adjustments for disabled employees (e.g. for procuring software or equipment). A disabled focus group participant reported that their adjustments had been purchased using this fund. This is positive practice although we noted that awareness of the fund was limited among both disabled employees and line managers. In addition, an interviewee commented that ‘the funding for aids and equipment generally is limited and not open or transparent’.

At BDF, we recommend that a centralised approach to funding adjustments is adopted. This can be beneficial because line managers often lack resources and may be unable or unwilling to pay for adjustments out of their own budget. In the UK this places an organisation at legal risk because the Equality Act 2010 considers the resources of the organisation as a whole when assessing if a cost is reasonable. In addition, centralising funding for adjustments has been proven to drive down the costs of commonly requested items such as ergonomic chairs. Information supplied by ISS stated that ergonomic chairs are currently purchased on a ‘need and application basis’. Centralising may enable the organisation to benefit from economies of scale.

A number of issues were raised with regard to the funding of adjustments. For example:

- Two disabled survey respondents felt that budgeting concerns had either obstructed or delayed the implementation of effective adjustments. In one of the cases, an adjustment plan was drawn up with initial Occupational Health input, however, the employee reported that they paid for the IT equipment themselves.
- Three strategic leads cited funding as a barrier to the successful implementation of adjustments.

Recording adjustments

In order to ensure that adjustments are effective, it is good practice to ensure that once implemented, they are recorded and regularly reviewed. This is especially relevant as although 77.1% of disabled survey respondents reported that adjustments put in place were either “effective” or “highly effective” in enabling them to stay in their jobs, 22.9% of respondents provided a “not very effective” or “somewhat effective” rating.

Our review identified some good practice. For example:

- Workplace adjustments recommended by Occupational Health for employees in Health and Social Care are recorded in a form which is designed to ensure that ‘recommendations have been implemented, or if they cannot be accommodated, that action is taken to ensure the employee is safe in the workplace’.
- A line manager reported during a focus group that they make adjustments for particular disabled colleagues and that although the arrangement was ‘informal’, they keep a record for HR.

This is good practice and we recommend that the States ensures that workplace adjustments are routinely recorded and reviewed. A potential benefit of this approach was highlighted by a disabled focus group member who reported that their adjustments are an ‘informal arrangement’. The employee commented that: ‘it bothers me because if my manager leaves, then I start again’.

The States might like to review BDF’s Tailored Adjustments Plan (See Appendix I). The purpose of the plan is to:

- Ensure that the employee and line manager have a record of what has been agreed;
- Minimise the need to re-negotiate adjustments each time the employee changes jobs, is re-located, or assigned a new manager within the organisation;
- Provide employees and their line managers with a structure for discussions about workplace adjustments.

Redeployment

If there are no reasonable adjustments that would enable a disabled employee to continue to carry out their role to the required standard, then it is good practice to redeploy the employee to a role which they can do (with or without adjustments). As we have already discussed, one disabled interviewee reported a very positive experience of being redeployed to a more sedentary role after acquiring a physical impairment.

Other employees reported less positive practice. For example:

- A manager commented in a focus group that although there is a redeployment policy, the onus is on the employee to find a role within three months. The manager suggested that this would become a more common problem as the workforce ages.
- A disabled survey respondent said: ‘I was told I had to apply for new jobs, not be given redeployment. This would have been against healthy fit candidates’.

In the UK, case law in the area of redeployment dictates that:

- Where a disabled employee can no longer fulfil their role, they should be redeployed to an existing suitable alternative vacancy.
- Whilst a suitable role is likely to be one on similar terms and conditions (e.g. grade and salary), it might be reasonable to redeploy to a higher grade (if the role could be done to the required standard with a reasonable amount of training).
- Likewise, if the only suitable vacancy is of a lower grade, this should also be considered. In this case, it is likely to be reasonable to pay the employee the salary of the new role (although some employers will seek to mitigate the disadvantage of receiving less pay by gradually reducing the employee’s salary or ring-fencing their current salary until other employees have caught up via incremental pay rises).

- Where a suitable alternative vacancy exists, disabled employees should be redeployed and not have to go through a competitive interview process.

Whilst it is unclear if future legislation in Guernsey will extend to a duty to redeploy disabled employees, we recommend that the States consider adopting these principles as a matter of good practice.

The role of Occupational Health

As we have already discussed, the States' Occupational Health service includes a focus on identifying reasonable adjustments and has also produced some useful documentation for recording and reviewing adjustments. Our review identified that currently the service is available to the Committee for Health and Social Care and the Education Service (on a pay per case basis).

A number of participants reported that the service is under-resourced and limited in scope and as a result, its role in the provision of workplace adjustments is inconsistent. For example:

- A disabled survey respondent felt that the adjustment process was slowed down by the length of waiting time to be assessed by Occupational Health.
- A line manager commented during a focus group that an Occupational Health assessment is only triggered once an employee incurs a certain amount of sickness absence.
- A disabled survey respondent felt that their health condition had not been taken seriously and as a result they had not been referred to Occupational Health.

We are aware of an intention to expand the reach of Occupational Health. For example the Framework for Public Sector Reform includes an action to 'implement an enhanced Occupational Health and wellbeing service' and HR leads reported during an interview that there is an aim to 'increase the reach' of the service.

The following section of this report contains recommendations regarding developing a consistent approach to making workplace adjustments for all States employees. Clarifying the role of occupational health is a core consideration. It will be necessary to expand the service reach if it is to have a role in providing assessments and recommending adjustments (when required) as part of a clearly defined and consistent States-wide process.

Moving from an adhoc to a consistent approach to making adjustments

As already discussed, BDF Partner Lloyds Banking Group's work to improve their provision of workplace adjustments, resulted in reduced sickness absence and increased productivity and performance and employee satisfaction¹⁵.

Whilst any business process should be tailored to apply to the specific context of the organisation, the experience of Lloyds Banking Group suggests a number of critical success factors which the States may wish to adopt. For example:

- Purchase adjustments through central funding – do not require managers to pay for adjustments through their own cost centre.
- Appoint a process owner who will see requests through to completion.
- Trust employees and do not require them to 'prove' they have a disability to qualify for a workplace adjustment.
- Minimise referrals to Occupational Health thus minimising the delays and additional costs triggered by unnecessary referrals.
- 'Fast Track' adjustments for colleagues who know what their needs are.
- Compile a catalogue of physical adjustments (e.g. furniture, IT equipment) that enable access to recommended items that have already been pre-approved.
- Provide managers with clear advice to help them achieve best practice in supporting colleagues who require adjustments.

Positioning workplace adjustments as a strategic priority

The Framework for Public Sector highlights the impact on the organisation of both sickness absence and under-performing while at work due to an underlying physical or mental health issue. The document states that:

'We will therefore ensure we focus as much on health management and building employee resilience as we already do on absence or safety management. Not only is this simply the right thing to do, but a healthy, happy workforce will also be an engaged and high-performing one, having an impact on performance, productivity and the quality of the services we provide.'

15. Scott-Parker (2014), Business Disability Forum Case Study: Emerging best practice in the provision of workplace adjustments.

<http://www.businessdisabilityforum.org.uk/about-us/news/case-study-lloyds-banking-group-transforms-workplace-adjustments-process/>

This is a positive reference and we recommend a commitment to making workplace adjustments for people with an underlying physical or mental health issue. In order to achieve this, the States will need to develop a robust process and guidance for making workplace adjustments for all employees. This is relevant as 45% of managers who responded to the survey indicated that they were either: “not confident at all” or “sometimes confident” in their knowledge of how the organisation’s adjustments process works.

In Appendix H we have included a draft outline for a workplace adjustments process. A number of BDF members have found it useful to convene a group of key stakeholders to define the current process and map out how it might be improved based on the model provided. Key stakeholders include HR, Facilities, ISS and Occupational Health.

Key recommendations for the overarching Disability Action Plan: Adjustments

- Position making workplace adjustments for disabled employees as part of the organisation’s wider efforts, under the transformation agenda, to create a healthy, happy, engaged and high-performing workforce.
- Develop a dedicated process and associated guidance to ensure a consistent approach to making adjustments for all disabled States employees.
- Ensure that the States’ approach to making workplace adjustments extends to both physical and non-physical adjustments.
- Define timescales for making common adjustments.
- Take a proactive approach to making adjustments by encouraging employees to request adjustments and training managers to spot the signs that an adjustment might be required.
- Promote the existing fund for adjustments more widely.
- Ensure that adjustments are routinely recorded and regularly reviewed.
- Clarify the role of occupational health in the provision of workplace adjustments for all disabled employees.
- Adopt a consistent and best practice approach to redeploying employees when their disability means they can no longer carry out their role, even with adjustments.

5. Retention

In this section we analyse the States of Guernsey's commitment to retaining and developing employees who are disabled or become disabled.

A number of employees stressed during our review that it is vital that the States is able to retain its staff. One manager commented that: 'the onus on us to keep people is greater here, as it's a small island and you need to keep good people'. Our review identified a number of areas of practice which impact directly on the organisation's ability to retain disabled employees.

Attendance management

Appendix F contains detailed feedback on the States' sickness absence policy and guidance. During our review we learned of some positive examples relating to attendance management. For example:

- An employee with a long-term condition reported that s/he works with his/her manager to manage workload, so that if s/he needs to take disability-related sick leave, work can still be delivered.
- A line manager reported that they granted paid time off for an employee to support their spouse after an operation. The manager did comment though that they did not think this approach would be applied consistently across the organisation.

We also identified areas for improvement in relation to the following aspects of attendance management:

Taking a case by case approach to managing disability-related absence

The States' Sickness Absence Procedures, states that employees' sickness record is calculated by using a trigger mechanism known as the Bradford factor score. The policy also states that the Bradford factor is used in many organisations. It is certainly true that the Bradford factor is used by many of the organisations that BDF has worked with, and while it can be a useful mechanism for identifying patterns in absence, it can also place some disabled employees at a disadvantage, if applied too rigidly.

A line manager commented during a focus group that the Bradford factor is 'rigidly applied', noting that managers try to be more flexible, but this is difficult as employees' absence is input into SAP, which limits the manager's ability to exercise discretion. An interviewee also reported that the States' Sickness Absence Directive is inflexible, commenting that: 'you hit the trigger and then there is an immediate referral to Occupational Health'.

In addition, a line manager gave an example during a focus group of an employee who takes annual leave so that it does not trigger action under the Bradford factor. This is concerning as it suggests that the employee is using their annual leave entitlement, when they are in fact sick.

In relation to the above scenario, the manager suggested that a solution might be to empower managers to use 'compassionate leave' to avoid causing someone's absence trigger.

We would certainly agree that a case by case approach should be adopted to prevent disabled employees from being unfairly disadvantaged by automatic triggers. A best practice approach in this, and similar cases, would be to review how much time off sick the employee is likely to incur (in conjunction with Occupational Health and the employee's own medical adviser if appropriate), and identify whether:

- a) workplace adjustments would help to reduce the amount of sickness absence, or;
- b) it would be reasonable to extend the amount of absence that would trigger action.

Keeping in touch during absence

It is good practice to keep in touch with employees who are off work for an extended period of time. The States' guidance on keeping in touch states that regular contact should be established in order to 'discuss any work place adjustments that can be made to encourage an early return to work'. This is a positive reference and we recommend that the reference could be expanded to include practical examples of adjustments.

Despite the policy guidance, some employees reported negative experiences of contact during periods of absence. For example:

- A disabled interviewee reported that s/he was not contacted during a period of long-term absence. The employee commented that s/he 'didn't know what was happening'.
- A disabled survey respondent commented that: 'when a disability or other condition necessitates time off work, management should not badger staff to return unless/until they are fit'.
- A disabled interviewee reported that while off sick, s/he was never referred to Occupational Health and there was no discussion about their fitness to work. In retrospect the individual felt they were 'not fit enough to make decisions' and felt pressured to return to work too soon.

It is advisable that the States identify opportunities to promote its approach to keeping in touch via training and communications aimed at line managers. As already discussed, we recommend that managing attendance is included within the disability-related training for managers delivered after this review.

Recording sickness absence

The States' Sickness Absence Directive states that managers are required to keep accurate records of absence levels for all staff.

In order to enable an organisation to effectively manage a disabled employee's attendance, we recommend that employers record disability-related sickness absences separately from other absences, for example non-disability related sickness absence, time off for disability-related medical appointments or treatment, study leave or compassionate leave.

It might be reasonable in some situations, depending on individual circumstances, to discount some, or all disability-related absences when considering:

- promotion
- training opportunities
- redundancy
- procedures (formal or informal) for poor attendance.
- whether to reduce or end sick pay.

Time off for disability-related treatment or rehabilitation

It is good practice to grant disabled employees a reasonable amount of time off for planned absences such as treatment or medical appointments. Of course, what's reasonable will vary from case to case, and depend on factors such as the amount of time off required, and the organisation's ability to accommodate the absence. This type of leave should be agreed on a discretionary basis with the employee's line manager, according to the individual needs of the employee. It is best practice to ensure that the employee is paid for all, or some, of the leave for as long as it is reasonable to do so.

A disabled survey respondent indicated a need for absence during working hours to attend rehabilitation courses. However, the employee reported that they were unable to attend for two reasons: an eligibility criterion that attendees should currently be on sick leave and staffing constraints within a small department, meaning that the employee could not be 'released'. Under the circumstances the respondent felt unable to ask for time off to attend, and described themselves as 'feel(ing) a bit stuck'.

In cases like these, there is a risk that if an employee is unable to attend these types of appointments, then their condition may deteriorate and they will be more likely to be off sick. We recommend that the States develops a policy on granting time off for planned disability related absences such as treatment, rehabilitation or medical appointments.

Career development

A common feature of similar reviews that we have conducted with other organisations is that disabled employees tend to be less well represented in senior roles. During our review, we were encouraged by one disabled interviewee who reported that s/he had been put forward to do a managers' course and was quickly promoted.

The Framework for Public Sector Reform states that the organisation needs to: 'make sure we strengthen existing leadership capability and mentor and develop future leaders'. The document goes on to say that a Future Leaders scheme will be established, to increase the number of high potential people working in middle management, and develop their careers through training and placements in critical roles across the public service.

In order to ensure that disabled employees have the opportunity to participate in the Future Leaders Scheme, we recommend that the States ensures that:

- The attraction strategy for the scheme includes explicit messaging about a desire to develop the skills of a diverse range of employees, including those with disabilities or long-term conditions.
- The application process is accessible and candidates can request adjustments to the process. For example, information in alternative formats or extra time during an assessment.
- Any training is accessible. For example, trainers are confident in meeting the needs of disabled learners and materials are provided in accessible formats.
- Employees are able to request adjustments during placements. This might involve transferring existing adjustments such as an ergonomic chair or a flexible working arrangement or, if the placement is different in nature to the employee's existing role, they may need different adjustments.

We recommend that these principles are applied to all learning and development opportunities available to States' employees. The importance of ensuring that employees can request adjustments to training, for example, was highlighted by a disabled focus group participant who reported that when they went on a course, they were not asked whether they needed adjustments. When the employee requested support, s/he reported that they had to 'take the initiative all the way'.

Examples of key accessibility considerations include ensuring that:

- Online training is accessible to colleagues using assistive technology such as screen readers
- Videos are subtitled
- Materials are available in alternative formats upon request
- Classrooms are physically accessible.

- Trainers are confident interacting and meeting the needs of learners with a disability.

States employees with a remit for learning and development might usefully assess the accessibility of learning and development opportunities against these criteria.

Providing targeted development opportunities for disabled employees

In addition to ensuring that regular learning and development opportunities are accessible, the States might also consider investing in targeted development opportunities for employees with disabilities. BDF's 2015 State of the Nation research found that two in five employees with disabilities cite access to targeted development as one of the most important aids to their retention.

Examples from BDF members include the Civil Service Positive Action Pathway talent programme. This is a formal one-year learning programme which aims to provide a 'level playing field' for disabled employees by equipping participants with the skills to achieve career progression and realise their full potential. The first cohort of the programme achieved a 24% promotion rate, which is being replicated by subsequent cohorts.

Performance management

The States of Guernsey has recently introduced a framework for performance management. Whilst there is currently no data on the experiences of disabled employees using the new system, it is worth noting that a disparity between the performance ratings of disabled and non-disabled employees is a common feature in the UK Civil Service.

This common gap in attainment was highlighted in the recent Disability Rights UK (DR UK) report 'Tackling health and disability-related barriers to progression within the Civil Service'¹⁶. DR UK's qualitative research suggests two primary reasons for the disparity in performance ratings:

- A 'benevolence barrier'. Disabled civil servants feel they are assumed to be less able to deal with pressure and are therefore passed over for new responsibilities and promotion.
- Significant problems with workplace adjustments and job structures.

¹⁶ DRUK 'Tackling health and disability-related barriers to progression within the Civil Service'¹⁶

In addition to the points outlined above, BDF's own research with a government department suggests a range of other factors that also impact on the performance rankings of disabled employees, for example:

- Some line managers lack the confidence, knowledge or skills to discuss how an employee's disability impacts on them at work.
- Some disabled employees lack the confidence to discuss how their disability impacts on them at work, and to request reasonable adjustments that might help improve their performance.
- Disability and the duty to make reasonable adjustments is not routinely considered at every step of the performance management cycle, from objective setting to end of year validation meetings.
- Managers are not confident in comparing the performance of colleagues with adjustments, to those without adjustments, especially during end of year validation.

We recommend that, as the States' evaluates the effectiveness of its new performance management framework, it takes step to gauge the experiences of disabled employees and their line managers.

Building the confidence of disabled employees

BDF's offer is designed to support organisations to become disability confident. However, we recognise that disability confidence is a two-way street and the best outcomes are achieved when disabled employees are also supported to develop their own 'disability confidence'. A number of participants highlighted the importance of the disabled employee in implementing effective support. For example:

- A line manager responding to the survey suggested that greater involvement of the disabled employee would improve the process of making workplace adjustments. This was supported by a disabled survey respondent who commented that adjustments were 'imposed upon me by my employer without discussion'.
- Another line manager commented in a focus group that: 'we need people with disabilities to talk about their conditions openly and what they need from colleagues'.

An increasing number of BDF members are now working with PurpleSpace¹⁷, a networking and professional development hub for disabled employees and employee network leaders, to access support and guidance around increasing disabled employees' confidence in managing their disability at work and asking for adjustments when they need them.

¹⁷ <https://www.purplespace.org/about>

Some examples from our review highlighted the potential benefits of this approach, for example:

- 75.6% of disabled respondents to a question asking why adjustments had not been requested stated that they could manage their disability without the need for additional support.
- An disabled interviewee who reported a very good experience (s/he got lots of support from the organisation) commented that 'I was really proactive...I told the managers (about my requirements)'.
- A disabled survey respondent reported that they had approached a discussion with their manager about adjustments by repeating information provided to a previous employer.

Creating a disabled employee network

At the end of the focus group with disabled employees, participants agreed that they had found discussing their experiences with other disabled employees a useful experience. Many of BDF members have disabled employee networks or resource groups. These groups can provide a variety of functions, including providing peer support and helping the organisation to understand how its activities impact on disabled employees. For more information about setting up a disabled employee, see the Starting Out section of the PurpleSpace website¹⁸.

Key recommendations for the overarching Disability Action Plan: Retention

- Review the feedback on the States' sickness absence policy and guidance in Appendix F.
- Develop a more flexible approach to managing disability-related sickness absence, with specific reference to how trigger points are applied.
- Identify opportunities to promote the States' approach to keeping in touch via training and communications aimed line managers.
- Develop a mechanism for recording disability-related sickness absence and time off for disability-related treatment or appointments separately from non-disability related sickness and other types of leave.
- Develop a policy on granting time off for planned disability-related absences such as treatment, rehabilitation or medical appointments.
- Ensure that the Future Leaders Scheme and other learning and development opportunities are accessible to disabled employees.
- Takes step to gauge the experiences of disabled employees and their line managers when evaluating the effectiveness the new performance management framework.
- Develop a strategy for developing the confidence of disabled employees

¹⁸ <https://www.purplespace.org/our-services/starting-out>

6. Suppliers and Partners

In this section we analyse how the States of Guernsey ensures that its suppliers and corporate partners enable it to meet, and mirror its commitment to disability best practice.

A key consideration when procuring any goods or services, especially high value contracts that impact on a large number of users is the extent to which products or services meet the needs of disabled users. With this in mind, suppliers of significant contracts should be able to demonstrate:

- That they promote their disability commitment externally.
- A commitment to removing barriers for disabled people.
- That their products and services are accessible to disabled people.
- That they involve disabled people in the development and reviewing of their products and services.

In our experience, key services where the disability competence of suppliers is particularly relevant, include: IT, Facilities Management, Occupational Health and Recruitment. We recommend that relevant leads review the extent to which key internal services are delivered by third parties.

BDF advocates a step by step approach to working with suppliers and partners which involves addressing disability requirements at the following stages of the procurement cycle:

- a) Governance and expectations
- b) Defining the business need
- c) Developing the procurement strategy
- d) Supplier selection and evaluation
- e) Contract award and management.

We would be happy to share our guidance on disability smart approaches to working with suppliers and partners with the States' procurement leads.

A review of the States' procurement policy identified that the disability competence of suppliers is not routinely taken into account during the procurement process. Appendix J contains detailed recommendations regarding how these documents might be enhanced.

In addition to ensuring that disability is appropriately referenced during the procurement process, leading BDF members have found it effective to liaise with existing suppliers of significant contracts outside of the tendering process, to outline their ambition to become disability-smart and explore the extent to which the suppliers' products and/or services are able to meet the needs of disabled users.

Key recommendations for the overarching Disability Action Plan: Suppliers and Partners

- Review the extent to which key internal services are delivered by third parties. Where suppliers are identified, liaise with the supplier to explore the extent to which the suppliers' products and/or services are able to meet the needs of the States' disabled employees.
- Review BDF's guidance on disability smart approaches to working suppliers and partners.

7. Premises

In this section we analyse how the States of Guernsey ensures its premises are accessible to people with disabilities and that whenever necessary, adjustments are made for individuals

Our review identified some positive practice, for example:

- A lead with responsibility reported that all design work is required to comply with part M of the Guernsey Technical standards which relates to access for disabled people.
- DisabledGo have carried out access audits of key sites including public sector work places.
- Access audit training with the Centre for Accessible Environments (UK) has been carried out with facilities leads from across the States.

The access of the States' many and varied buildings was a common feature of our review in relation to both disabled customers and employees. For example, two focus group participants commented that recent building work at the occupational health clinic has rendered it inaccessible.

As we highlighted in our report for States on meeting the needs of disabled customers, balancing the need to adapt a building to ensure maximum accessibility, while at the same time retain historically relevant features or manage a limited budget is a challenge for many organisations. Like the States of Guernsey, many of BDF's members are large organisations with large estates that include many legacy properties. With so many buildings, it is difficult to ensure that all buildings are completely accessible. Leading BDF members manage the challenge by:

- a) Developing a clear understanding of the accessibility of their estate. DisabledGo's recent work to document the accessibility of buildings in Guernsey should provide the States' facilities leads with the basis for developing a detailed understanding of the accessibility of its public service-related buildings¹⁹.
- b) Where buildings are inaccessible, developing plans to remove or avoid known barriers.
- c) Prioritising when and where to make improvements. For example, a workaround might be a more appropriate solution for a building that is to be decommissioned.

¹⁹ <http://www.disabledgo.com/organisations/guernsey/main-2>

Fire Safety

The documentation on fire safety at Sir Charles Frossard House that we reviewed did not reflect that some employees with disabilities may need assistance when leaving the building in an emergency.

We recommend that relevant leads review the provision for emergency evacuation as it relates to disabled employees working across the States. Specifically, where necessary, disabled employees should have a Personal Emergency and Evacuation Plan (PEEP) in place.

Appendix K contains detailed feedback on the premises-related documents that were submitted to us as part of the review.

Estates optimisation

Ensuring that the States makes ‘the most effective use of our buildings across the island’ is a key pillar of the Framework for Public Sector Reform. The Framework includes commitments to reduce the need for office space, increase the flexibility and capacity of public service office accommodation, and introduce new space standards for public service office accommodation.

As we have noted in our report for the States on meeting the needs of disabled customers, the estates optimisation programme represents an opportunity to ensure that the Disability and Inclusion and transformation strategies work in harmony. We recommend that a focus on meeting the needs of disabled employees and customers is established as a key priority under the estates optimisation programme.

The potential implication for disabled employees was raised by a survey respondent who reported a planned move to a historic building with no step-free access. It is also important to note that some disabled employees, particularly those who manage a non-visible condition, could be adversely impacted in a way that the organisation could not foresee. For example, if a move means that a colleague with a bowel condition is relocated to an office where he or she no longer has easy access to an accessible toilet.

Key recommendations for the overarching Disability Action Plan: Premises

- Develop a clear understanding of the accessibility of the States' buildings.
- Where buildings are inaccessible, develop realistic and proportionate plans to remove or avoid barriers.
- Ensure that accessibility for disabled employees is established as a key priority under the estates optimisation programme.
- Ensure that Equality Impact Assessments are carried out when making changes to premises.
- Consult with all employees impacted by the estates optimisation programme to identify any potential disability-related barriers.
- Provide facilities leads working across the States various service areas with up to date training and guidance on maintaining accessibility.

8. Information and Communication Technology (ICT)

In this section we analyse how the States of Guernsey ensures that its ICT is accessible and usable by disabled employees and that adjustments are made for individuals when necessary.

Making IT-related workplace adjustments

During our review we learned that Information Systems and Services have supported the implementation of a range of technical adjustments, including voice activated software and ergonomic equipment such as ergonomic mice and keyboards. We were also pleased to read, in a summary submitted to us as part of the review, of a commitment by ISS to create a survey monkey template that can be sent to disabled users in order to understand their experiences and identify any areas for service improvement.

A summary of practice submitted to BDF identified that ISS's involvement in the provision of technical adjustments is usually:

1. Occupational Health make recommendations to the customer on their requirements.
2. The customer's line manager will then order required hardware or software through the States of Guernsey service desk, in the case of software or IT related hardware, or States facilities management, in the case of hardware that is not IT related.
3. Once these items arrive, a support call is logged for ISS involvement where it is required.

As already discussed, a key feature of any disability-smart organisation is an effective and well publicised workplace adjustment process that includes provision of speedy and usable ICT solutions for disabled colleagues. We recommend that relevant leads from ISS work closely with other key stakeholders to develop a consistent approach to making adjustments (see recommendations in section on Adjustments).

IT Improvement Programme

The Framework for Public Sector Reform states that an IT Improvement Programme, established as part of the SMART Guernsey initiative, will deliver a new Corporate Information Systems and Services structure which will provide a single, integrated approach to the provision and management of IT services.

It is essential that the States consider the needs of disabled employees when developing or procuring new ICT solutions. We recommend that disabled employees are consulted early in the process and any suppliers are required to demonstrate that their products and services have been designed to meet the needs of disabled users. Relevant leads might find BDF's Technology Taskforce's procurement guidance lines useful²⁰.

As we have also stated in our report on meeting the needs of disabled customers, we recommended that the States' ICT leads review the resources developed by BDF's Technology Taskforce²¹. These resources support the ten areas of our Accessible Technology Charter. The Charter sets out ten commitments to good practice on ICT accessibility and has been signed by a number of UK public sector organisations such as: the Department for Work and Pensions, HM Revenue and Customs and the Greater London Authority. Appendix M contains the full charter and we recommend that the States of Guernsey signs the Charter and commits to working toward its requirements.

A key requirement of the Charter is to use the Accessibility Maturity Model (AMM) to measure current performance. The AMM is a self-assessment tool that provides an indication of how well an organisation has embedded its understanding of accessibility issues in areas such as IT governance and procurement²². We recommend that the States' ICT leads use the AMM to assess the current performance of its ICT.

Key recommendations for the overarching Disability Action Plan: ICT

- Sign BDF's Accessible Technology Charter and commit to working toward its requirements.
- Use BDF's Accessibility Maturity Model to assess the current performance of the States' public service ICT.
- Consult with disabled users to ensure that any new solutions developed as part of the IT Improvement Programme take into account the needs of disabled users. Where solutions are procured, require potential suppliers to demonstrate that their products are designed to be accessible to disabled users.
- Ensure that relevant leads from ISS work closely with other key stakeholders from across the organisation to develop a consistent approach to making adjustments for disabled employees.

²⁰ <https://members.businessdisabilityforum.org.uk/resource-category/resource/technology-taskforce-procurement-protocol/>

²¹ <http://www.businessdisabilityforum.org.uk/membership/technology-taskforce/accessible-technology-charter/>

²² <https://members.businessdisabilityforum.org.uk/resource-category/resource/accessible-technology-charter-accessibility-maturity-model/>

Conclusion and priority recommendations

The review was originally prompted by a desire to prepare for disability discrimination legislation in the next few years. In commissioning this review in the absence of legislation, the States of Guernsey has communicated a strong, positive message to its employees and customers that it wishes to take steps to understand and remove disability-related barriers to customers with a disability, long-term injury or conditions.

In summary, our review has identified that some good work already takes place. For example:

- There is tangible evidence of a commitment to improve the experiences of disabled employees. Examples include: the employment-related elements of the Disability and Inclusion Strategy (including the commissioning of this review), and the high visibility of the States' Disability Officer which was recognised by both disabled employees and line managers.
- A number of disabled employees reported positive experiences of requesting and receiving support.
- The States has developed online disability awareness training. Our review identified good awareness of the training and a number of participants reported that it had been effective.
- A central fund of £20,000 exists for making workplace adjustments for disabled employees (e.g. for procuring software or equipment), although the fund is not well known.

We also identified areas where practice had not gone so well. For example:

- A number of disabled employees and line managers highlighted a lack of practical support, guidance and resources as barriers to supporting disabled staff.
- 19.6% of disabled survey respondents who required a reasonable adjustment reported that it took over one year to implement.
- Every candidate applying for a role via the States' online job portal is asked generic pre-employment medical questions. The experience of BDF members suggests that these questions rarely elicit useful information and often put talented people off applying to an employer who they fear will use the information to discriminate against them.
- Three disabled survey respondents (out of 156 disabled respondents) and an interviewee reported that they have been bullied or harassed by colleagues and managers.

In summary, our review has identified that:

- Organisational commitment to disability inclusion does not yet translate into a positive lived experience for all disabled employees.
- The knowledge, skills and confidence of line managers is inconsistent.
- The provision of reasonable adjustments, which should help disabled employees reach their full potential, is inconsistent.
- There is a perception that a lack of resources and a focus on saving money is inconsistent with action to improve the organisation's disability performance.

We have made a number of recommendations arising from our desktop and qualitative research. We are confident that implementing our recommendations will improve the experience of disabled employees whilst at the same time bringing benefits to the organisation, such as improved employee satisfaction, reduced sickness absence and greater productivity. In this respect, we believe that implementing our recommendations will directly support the States' activities under the Framework for Public Sector Reform, especially with regard to improving employee satisfaction, improved leadership, estates optimisation and making better use of technology.

Priority recommendations include:

- Ensure that the States' corporate commitment to disability inclusion translates into improved lived experience of disabled employees. For example, by ensuring that senior colleagues oversee the implementation of the recommendations in this report.
- Adopt a States-wide commitment to making reasonable adjustments to prevent disabled candidates and employees from being disadvantaged by any aspect of the States' activities.
- Ensure that the organisation provides timely and effective adjustments for all disabled employees by defining an agreed process which incorporates best practice elements such as a process owner who responsible for seeing requests through to completion within agreed timeframes.
- Ensure that the needs of disabled employees are understood and accounted for in relation to changes made as part of the estates optimisation and IT Improvement programmes.

The action plan set out in Appendix D contains a summary of our recommendations and we suggest that these are taken forward by an implementation group comprising strategic leads working across the broad areas covered in our review.

Appendix A: All staff survey

Section A: For employees with a disability, long term health condition or other impairment

1. What type of disability, long term health condition or other impairment do you have?

Hearing ☐

Speech ☐

Visual ☐

Mobility ☐

Mental health ☐

Other 'neurodiverse' (such as dyscalculia, autism) ☐

Musculoskeletal (including back, neck and shoulder) ☐

Long-term health condition (such as diabetes, Multiple Sclerosis, heart condition, cancer or epilepsy) ☐

Other (please specify) ☐

2. Have you required any workplace adjustments to address the impacts of your disability, long term health condition or other impairments? (e.g. changes to working hours, rest breaks, assistive technology, support worker etc.)

Yes ☐

No ☐

If you answered no to this question, please skip to question 7

3. Please select from the following list of potential adjustments that have been put in place for you and the length of time taken to put the adjustment in place.

What type of adjustment have been put in place?

- Adjustments to premises ☐
- Training or mentoring ☐
- New or modified software or equipment ☐
- A reader or sign language interpreter ☐
- Supervision or other support ☐
- Some duties reallocated to another person ☐
- Absence during working hours for rehabilitation, assessment or treatment ☐
- Altered working hours ☐
- Being assigned to a different place of work ☐
- Redeployment to an existing vacancy ☐

If none of the above applies, please expand here.

How long did it take?

- Within one week ☐
- Less than one month. ☐
- One to two months ☐
- Two months to six months ☐
- Six months to one year ☐
- Over one year ☐

4. How did you know how to obtain an adjustment?

I asked my line manager who advised me. ☐

I asked HR who advised me. ☐

I used the IT help desk. ☐

I selected from an online catalogue that is available to all staff. ☐

I read the policy on our intranet and acted accordingly. ☐

It was arranged by recruitment when I first started work with the company. ☐

Other (please specify). ☐

5. Please let us know your perspective about how effective the adjustment or adjustments are in relation to the following:

Enabling you to stay in your job .

Not very effective ☐

Somewhat effective ☐

Effective ☐

Very effective ☐

Enabling you to be happy in your job.

Not very effective ☐

Somewhat effective ☐

Effective ☐

Very effective ☐

How my line manager supports me

Not very effective ☐

Somewhat effective ☐

Effective ☐

Very effective ☐

How I work with my colleagues

Not very effective ☐

Somewhat effective ☐

Effective ☐

Very effective ☐

How I work with customers.

Not very effective ☐

Somewhat effective ☐

Effective ☐

Very effective ☐

6. If you could improve anything about the process of making adjustments at the organisation what would it be?

7. If you have not required any adjustments, please select the main reasons why:

I don't want people to know I have a disability or long term health condition. ☐

I am worried that if I advise that I have a disability or long term health condition; it could make my working life difficult. ☐

I am worried that my line manager will treat me differently or won't know what to do. ☐

I don't think my workplace can make the right kind of adjustments for me. ☐

I can manage my disability/ health condition without requiring any additional support. ☐

Other ☐

Section B: For line managers who manage staff with disabilities and/or long term health conditions?

8. Can you indicate how confident you are about the following:

a) Managing my staff that have a disability and/or long term health conditions.

Not confident at all ☐

Sometimes confident ☐

Mainly confident ☐

Very confident ☐

Managing the wider team that may be impacted by a staff member with a disability and/or long term health conditions.

Not confident at all ☐

Sometimes confident ☐

Mainly confident ☐

Very confident ☐

The support provided by HR and other colleagues in managing my staff with disabilities and/or long term health conditions.

Not confident at all ☐

Sometimes confident ☐

Mainly confident ☐

Very confident ☐

How our workplace adjustment process works

Not confident at all ☐

Sometimes confident ☐

Mainly confident ☐

Very confident ☐

Knowing where I can get information about how our work place adjustment process works.

Not confident at all ☐

Sometimes confident ☐

Mainly confident ☐

Very confident ☐

About tailoring adjustments to meet the needs of my staff members with a disability and/or long term health conditions.

Not confident at all ☐

Sometimes confident ☐

Mainly confident ☐

Very confident ☐

9. If you could improve anything about the process of making adjustments at the organisation, what would it be?

Appendix B: Strategic leads interviewed as part of the review

- Caroline Mullins, Disability Officer
- Colette Hornsby, Occupational Health Manager
- Ed Ashton, Head of Operations (Office of the Committee for Employment & Social Security)
- Emily Litten, Executive Director of Guernsey Mind
- Jane Wonnacott, Director of ICT
- Jason Moriarty, Chief Operating Officer
- Jim Nichols, Director Talent & Performance
- Lee le Page, Purchasing Officer
- Mary Putra, Corporate Communications Manager
- Michele Tiffin, Director of Policy and Employee Relations
- Tim Langlois, Director of Human Resources
- Toni Airley, Employment Relations Officer

Appendix C: List of policy and guidance documents we reviewed

- Car Parking
- Contact during sickness absence
- Evacuation Marshals
- Health and Safety Management Directive
- Invitation to Tender - Template V2
- Occupational Health Policy
- Parking Facilities
- Pre-Qualification Questionnaire - Template V2
- Procurement Policy for the States of Guernsey and the States of Alderney - 2014 - Updated 2016
- Sickness Absence Directive
- Sir Charles Frossard house fire safety
- Staff Hand Book - Access (002)
- Workplace adjustments audit report (2011)
- Workplace adjustments recommended by Occupational Health (Health and Social Care)
- Written summary of Disability-related support provided by Information Systems and Services and HR department

Appendix D: Recommended Action Plan for improving provision for disabled employees

Recommendation	Page	Lead	Timeframe	Priority
Commitment				
1. Continue to identify opportunities to ensure that there is a regular 'drum beat' of disability-related internal and external communications. Ensure that communications highlight: a) That the States values its disabled employees and is committed to making adjustments to enable them to reach their full potential. b) That disability-related bullying and harassment will not be tolerated. c) The wider business benefits associated with becoming disability-smart and the link to the aims of the Public Sector Reform agenda. d) That not all disabilities are visible. e) The availability of funding for adjustments.	13			Medium
2. Allocate funding for improving the experiences of disabled employees from the Public Sector Reform budget when an action is likely to further the aims of both strategies. For example, where recommendations in this report relate to improving leadership or employee satisfaction or to accessing premises or technology.	13			High

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Recommendation	Page	Lead	Timeframe	Priority
Commitment continued				
3. Ensure that senior leadership reaffirms its commitment to making the organisation a more inclusive place for disabled employees and commits to implementing the recommendations from this report and communicating regular progress updates.	13			High
Know-how				
1. Improve the provision of practical disability-related information and guidance on the States' intranet with specific.	19			Medium
2. Ensure that the expectation of the line manager's role in supporting disabled employees is clearly defined and understood by all relevant stakeholders.	19			High
3. Ensure that managers have access to good quality information, advice and support when required to help them discharge their role in supporting disabled employees.	19			Medium
4. Work with BDF to agree content for tailored guidance for line managers and training for managers and HR.	19			Medium

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Recommendation	Page	Lead	Timeframe	Priority
Recruitment				
1. Enhance the 'Careers with the States of Guernsey' section on the States' main website with information about the States' commitment to disability best practice and practical guidance for candidates about requesting adjustments to the recruitment process.	26			Medium
2. Liaise with SAP to discuss the extent to which they have ensured that the States' job portal is accessible to disabled applicants.	26			Medium
3. Review information and correspondence relating to every step of the recruitment process to ensure that candidates are routinely asked if they require adjustments.	26			High
4. Ensure that a robust process exists to enable requests for adjustments made during the recruitment process to be actioned in a timely and appropriate manner.	26			High
5. Review the recruitment and selection training for managers to ensure that it contains guidance on making adjustments for disabled candidates.	26			High
6. Review the States' approach to pre-employment medical questions	26			High
7. Amend the diversity monitoring information on the online recruitment portal as per our recommendations.	26			Medium
8. Review corporate and service-specific inductions to ensure that they include prompts to encourage new recruits to ask for adjustments if they need them.	26			High

Recommendation	Page	Lead	Timeframe	Priority
Recruitment continued				
9. Amend the current feedback mechanism to ensure that the experiences of disabled applicants are captured.	26			Medium
Adjustments				
1. Position making workplace adjustments for disabled employees as part of the organisation's wider efforts, under the transformation agenda, to create a healthy, happy, engaged and high-performing workforce.	36			High
2. Develop a dedicated process and associated guidance to ensure a consistent approach to making adjustments for all disabled States employees.	36			High
3. Ensure that the States' approach to making workplace adjustments extends to both physical and non-physical adjustments.	36			High
4. Define timescales for making common adjustments.	36			High
5. Take a proactive approach to making adjustments by encouraging employees to request adjustments and training managers to spot the signs that an adjustment might be required.	36			High
6. Promote the existing fund for adjustments more widely.	36			High
7. Ensure that adjustments are routinely recorded and regularly reviewed.	36			High

Recommendation	Page	Lead	Timeframe	
Adjustments continued				
8. Clarify the role of occupational health in the provision of workplace adjustments for all disabled employees.	36			High
9. Adopt a consistent and best practice approach to redeploying employees when their disability means they can no longer carry out their role, even with adjustments.	36			High
Retention				
1. Review the feedback on the States' sickness absence policy and guidance in Appendix F.	43			Medium
2. Develop a more flexible approach to managing disability-related sickness absence, with specific reference to how trigger points are applied.	43			Medium
3. Identify opportunities to promote the States' approach to keeping in touch via training and communications aimed line managers.	43			Medium
4. Develop a mechanism for recording disability-related sickness absence and time off for disability-related treatment or appointments separately from non-disability related sickness and other types of leave.	43			Medium
5. Develop a policy on granting time off for planned disability-related absences such as treatment, rehabilitation or medical appointments.	43			Medium
6. Ensure that the Future Leaders Scheme and other learning and development opportunities are accessible to disabled employees.	43			Medium

Recommendation	Page	Lead	Timeframe	Priority
Retention continued				
7. Takes step to gauge the experiences of disabled employees and their line managers when evaluating the effectiveness the new performance management framework.	43			Medium
8. Develop a strategy for developing the confidence of disabled employees.	43			High
Suppliers and partners				
1. Review the extent to which key internal services are delivered by third parties. Where suppliers are identified, liaise with the supplier to explore the extent to which the suppliers' products and/or services are able to meet the needs of the States' disabled employees.	45			High
2. Review BDF's guidance on disability smart approaches to working suppliers and partners.	45			High
Premises				
1. Develop a clear understanding of the accessibility of the States' buildings.	48			High
2. Where buildings are inaccessible, develop realistic and proportionate plans to remove or avoid barriers.	48			High
3. Ensure that accessibility for disabled employees is established as a key priority under the estates optimisation programme.	48			High
4. Ensure that Equality Impact Assessments are carried out when making changes to premises.	48			Medium
5. Consult with all employees impacted by the estates optimisation programme to identify any potential disability-related barriers.	48			High

Recommendation	Page	Lead	Timeframe	Priority
Premises continued				
6. Provide facilities leads working across the States various service areas with up to date training and guidance on maintaining accessibility.	48			Medium
ICT				
1. Sign BDF's Accessible Technology Charter and commit to working toward its requirements.	50			Medium
2. Use BDF's Accessibility Maturity Model to assess the current performance of the States' ICT.	50			Medium
3. Consult with disabled employees to ensure that any new solutions developed as part of the IT Improvement Programme take into account the needs of disabled users. Where solutions are procured, require potential suppliers to demonstrate that their products are designed to be accessible to disabled users.	50			Medium
4. Ensure that relevant leads from ISS work closely with other key stakeholders from across the organisation to develop a consistent approach to making adjustments for disabled employees.	50			High

Appendix E: The Guernsey Employment Trust Charter

1. We will encourage job applications from disabled people
2. We will guarantee a job interview for applicants who meet the minimum criteria for our job vacancies
3. We will implement good practice in all aspects of the recruitment and retention of disabled people
4. We will consider 'reasonable adjustments' in the recruitment process and in the workplace
5. We will provide work experience placements and job tasters for disabled people where practicable
6. Staff may be available to conduct mock or practice interviews for job seekers with a disability
7. We will encourage managers and supervisors to undertake online Disability Awareness training
8. We will act as a disability Ambassador and encourage staff to motivate other employers
9. We will develop our own commitments to enhance the employment opportunities for disabled islanders

Appendix F: Detailed feedback on sickness absence policy

Paragraph number	Extract	Recommendation or observation
Contact During Sick Absence		
2	For instance, if an employee who does not have a sickness absence history is off sick for a defined period (i.e. two weeks with the flu) it may not be necessary to contact them during that period. However, should this employee be within one of the Bradford factor bands it may be appropriate to telephone them once or twice during their two week absence to ensure their return to work proceeds as anticipated.	<ul style="list-style-type: none">• We would encourage managers to make a judgement on a case by case basis rather than focusing on using the 'Bradford factor' as a guide.
5 (bullet point 4)	<p>The purpose of telephone calls and meetings will be (as appropriate):-</p> <ul style="list-style-type: none">• To discuss any work place adjustments that can be made to encourage an early return to work;	<ul style="list-style-type: none">• This bullet point could be expanded to reflect that the discussion may also need to consider and review the effectiveness of any existing adjustments that may be in place.

Sickness Absence Directive		
Paragraph number	Extract	Recommendation or observation
4	An officer who is absent from duty due to illness or incapacity shall receive, whilst off sick, an allowance in accordance with the following scale provided that (a) the absence is not caused by his/her own fault, (b) does not arise from working for private gain either on his/her own account or for a third party and (c) the officer abides by the rules of this scheme.	<ul style="list-style-type: none"> We would recommend caution when withholding sick pay because you believed the absence was due to a fault from the individual. <p>There may need to be some guidance around how you define fault. For example, if an employee had become unwell after not taking medication, how would you treat this absence?</p>
7	In some circumstances (i.e. after a lengthy illness) an officer may (return to) work on a reduced time basis (i.e. in order to ease the transition back to work) if medically advised to do so.	Phased returns should be available to those who need them. They are not always limited to employees who have been on long-term sickness absence. This should be agreed on a case-by-case basis with a pragmatic approach to supporting employees to have a good level of attendance.
28	Managers are required to keep accurate records of absence levels for all staff.	<p>We recommend that you provide guidance to managers around how sickness absence should be recorded.</p> <p>At BDF we recommend that disability related sickness absence is recorded separately from non-disability related sickness absence, such as coughs and colds.</p>

		This will allow you to have a more accurate picture of an individual's absence history and you will be able to discount some of the disability related sickness absence if you think it's reasonable to do so in a particular case.
30	Reasonable adjustments should be made for staff who have a disability or debilitating illness. Adjustments considered may include changing hours/duties where they cause substantial disadvantage or affect the health of the staff member concerned.	<p>This should be mentioned more prominently and earlier in the directive.</p> <p>It is good practice to discuss adjustments when an employee starts their absence. There may be an opportunity to facilitate and employee's return to work by making reasonable adjustments.</p> <p>Additionally, it may be unfair to penalise an employee by making an employee take sick leave when they may be well enough to work but cannot do so because they are waiting for reasonable adjustments.</p>
Sickness Absence Procedures		
Paragraph number	Extract	Recommendation or observation
Page 3 - Accountabilities	Staff are required to advise their Manager in a timely way of any changes in their health circumstances.	This may be perceived as being overly intrusive. Often managers do not need to know the personal details of an employee's health. They only need to know about things that may affect the employee's ability to do their job or have good attendance.

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Page 4 – reporting procedure	Telephone your Manager at the earliest possible opportunity on or before the start of your working day and no later than ½ an hour after your core starting time	You may need to allow employees with hearing impairments to text or email their managers as using the telephone may not be possible.
Page 6 – managing sickness absence	Your sickness record is calculated by using a Bradford factor score which is a trigger mechanism used in many organisations.	<p>It may be necessary to discount some (but not all) disability related sickness absence as a reasonable adjustment.</p> <p>The number of days you might discount would be decided by looking at the nature of the employee's disability and how this might impact attendance, alongside what could be accommodated in their role.</p>
Page 7 – return to work interviews	A return to work interview will take place for each period of absence once you are in the *yellow band of the Bradford Factor scoring system, although the length and formality of this discussion will depend on your absence record and nature of the absence.	<p>We recommend that you use the return to work meeting as an opportunity to discuss reasonable adjustments. This can be equally relevant if the employee has had an extended period of absence or periodic absences.</p> <p>Employees may be reluctant to discuss reasonable adjustments and it can be difficult to start the conversation – however, it is natural that this would be discussed at a return to work interview.</p>
Page 8 – reporting procedure	An employee can request that any information provided to the Manager and recorded on Section C of the form remains confidential. If it is decided that the information is private then the Manager should cut off Section C of the form and put it in a sealed envelope marked Confidential Sickness Absence Information making sure that the name	Confidentiality should be maintained at all times. This is particularly true when recording personal medical information. We recommend that confidentiality is a given, rather than something that has to be requested.

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	of the employee and the dates of sick leave are clearly marked.	Employees will not feel confident being open about their health or disability if it isn't clear what will happen to the information.
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Appendix G: Cheltenham Borough Council v Laird

In the case of Cheltenham Borough Council v Laird, Cheltenham Borough Council sued their former Director, Christine Laird for fraudulent or negligent misrepresentation for failing to tell them about a history of depression in a pre-employment medical questionnaire.

Mrs Laird was employed as a Managing Director for the Council in 2002. Mrs. Laird's answered a number of questions on the pre-employment questionnaire including:

- Do you normally enjoy good health? She answered "Yes".
- Do you have either a physical and/or mental impairment? She answered "No".
- Have you any ongoing condition that would affect your employment? She answered "No – nb I get occasional migraine but this does not affect my ability to work or usually require time off from work".

After starting work she was involved in a number of disputes in particular with the Council leader which eventually led to her going off sick from June 2004 until 2005 when she took early ill-health retirement. The Council later discovered the Mrs Laird had had periods of depression dating back to 1997. It brought proceedings against her in the High Court for fraudulent or negligent misrepresentation on the grounds that she had concealed her medical history during the recruitment process and it claimed nearly one million pounds in damages.

The Council was unsuccessful because the High Court held that even if Mrs Laird's answers were false they were not made fraudulently or negligently. The Court said that it must ask itself how a reasonable person in Mrs Laird's position would construe the questions rather than how a medical professional would interpret them.

In relation to the first question the Court accepted that a reasonable person in Mrs Laird's position was likely to say that she normally enjoyed good health. Mrs Laird had depression only for limited periods prior to 2002 and this was not her 'normal' state of health. She had not been depressed for the majority of the time and had only had about three months of depression-related absences during her working life.

The Court decided that a reasonable person would interpret the second question as referring to an ongoing physical or mental condition. At the time when she completed the questionnaire it was reasonable for Mrs Laird to consider herself as not having such a condition.

The third question was more difficult. The Court found that she had a vulnerability to depression and that it was this vulnerability that was ongoing, not the depression itself and she was not depressed when she completed the questionnaire. It concluded that a reasonable person might not have regarded this as an 'ongoing' medical condition that would affect her employment.

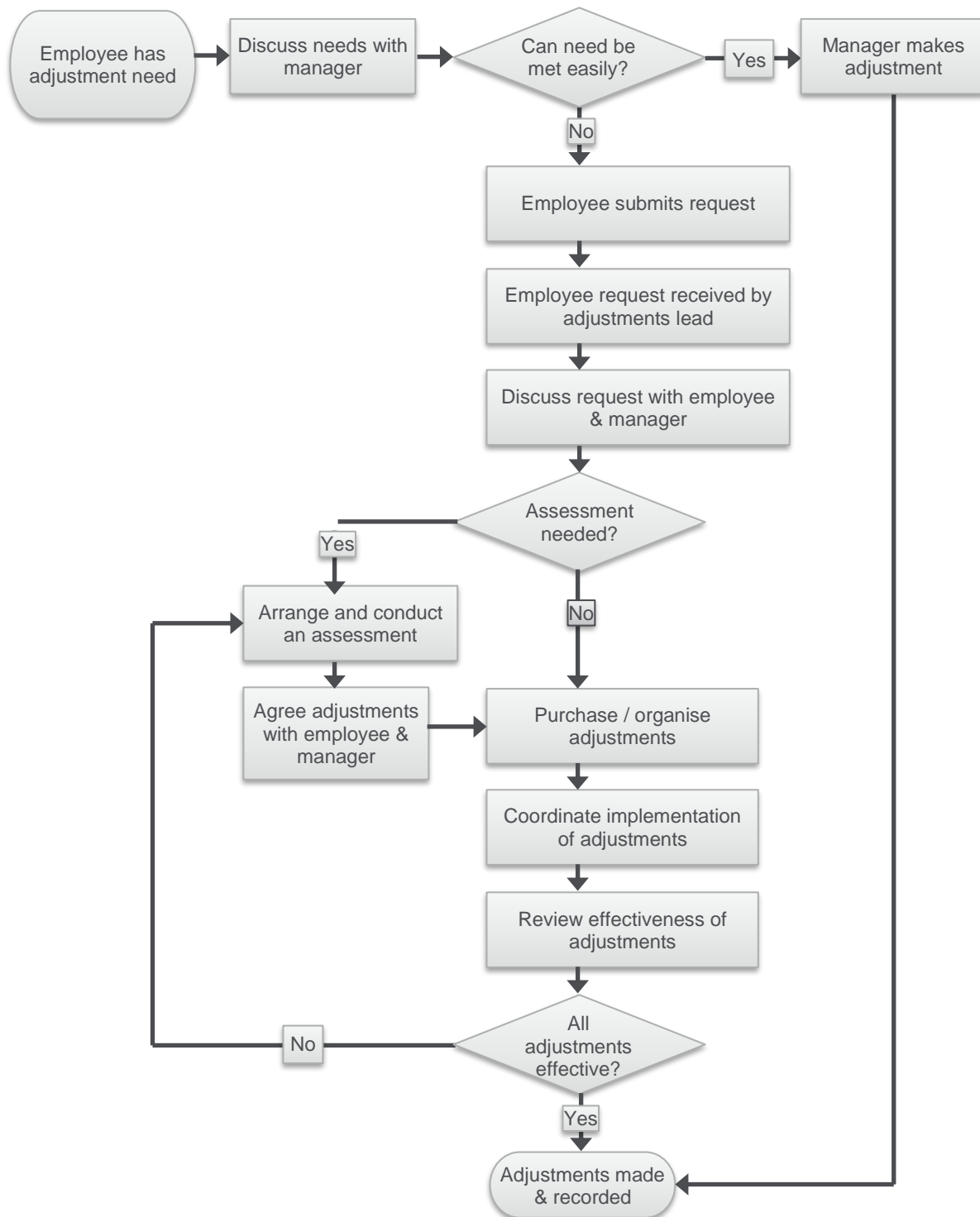
Mrs Laird's answers in the medical questionnaire were not therefore false and that she had not 'wilfully' meaning deliberately or at least recklessly withheld information from the Council.

This case highlights the pitfalls of using pre-employment medical questionnaires. These questionnaires rarely elicit useful information and often put talented people off applying to an employer who they fear will use the information to discriminate against them.

Ill health, disability or even sickness absences in the past are not necessarily an indicator of future health or attendance. It is for this reason that the Equality Act 2010 now makes it unlawful for employers to ask general questions about an applicant's health history prior to employment and so an employer can no longer ask the questions asked of Ms Laird in this case prior to a job offer .

The aim is to help employers concentrate on the person's actual abilities rather than making assumptions based on past ill health. Questions must be limited to the applicant's ability to do the job for which they are applying and any reasonable adjustments they might need.

Appendix H: Example workplace adjustments process



Appendix I: Tailored Adjustments Plan

What is a 'Tailored Adjustments Plan'?

This 'Tailored Adjustments Plan' is a living record of adjustments agreed between an employee and their line manager.

The purpose of this Plan is to:

- Ensure that the employee and line manager have a record of what has been agreed;
- Minimise the need to re-negotiate adjustments each time the employee changes jobs, is re-located, or assigned a new manager within the organisation;
- Provide employees and their line managers with a structure for discussions about workplace adjustments.

This plan can be reviewed and amended as necessary with the agreement of both the employee and line manager:

- At any regular one-to-one meeting;
- At a return to work meeting following a period of sickness absence;
- At appraisal or performance review meetings;
- Before a change of job or duties or introduction of new technology or ways of working;
- Before or after any change in circumstances for either the organisations or the employee.

Notes for managers

This is a live document and should be reviewed regularly by both the employee and manager and amended as appropriate. Remember, however, that expert advice from third parties (such as Occupational Health advisers, Access to Work, or IT specialists) may be needed before changes can be agreed and implemented.

The agreement allows the line manager to:

- Understand how a particular employee's disability or condition affects them at work;
- Explain the needs of the business or organisation;
- Explain the organisation's attendance and reasonable adjustments policy;
- Recognise signs that an employee might be unwell and know what the employee wants you to do in these circumstances including who to contact for help;
- Know how and when to stay in touch if the employee is off sick;

- Consider whether or not the employee needs to be referred for an assessment by an Occupational Health or another adviser to help both parties understand what adjustments could be effective;
- Review the effectiveness of the adjustments already agreed;
- Explain any change in the employer's circumstances.

Notes for employees

The 'Tailored Adjustments Plan' allows employees to:

- Explain the impact of a disability or condition at work;
- Suggest adjustments that will make it easier for the employee to do their job;
- Offer further information from the employee's doctor, specialist, or other expert (where relevant);
- Request an assessment by Occupational Health, Access to Work, or another expert;
- Review the effectiveness of the adjustments agreed;
- Explain any change in the employee's circumstances;
- Be reassured that the manager knows what to do if the employee becomes unwell at work and who to contact if necessary;
- Know how and when the manager will keep in touch if the employee is absent from work because of illness or a disability-related reason.

Employee: A disability or condition at work

The disability or condition has the following impact at work:		
I need the following agreed reasonable adjustments (refer to Access to Work agreement if relevant):	Date budget holder contacted if relevant:	Date implemented:

If a condition fluctuates

When the employee is feeling well (i.e. on a 'good' day), their disability or condition has the following impact on them at work:

When the employee is feeling unwell (i.e. a 'not so good' or 'bad' day), the employee experiences the following symptoms which may indicate they are not well enough to be at work:

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Contact details in case of an emergency

If the employee is not well enough to be at work, they are happy for the line manager to contact any of the following in the order of preference indicated below:

First contact	Second contact
Name: Relationship to employee:	Name: Relationship to employee:
Name: Address: Telephone: Email address:	Name: Address: Telephone: Email address:

The employee should inform the line manager if there are changes to their condition which have an effect on their work and/or if the agreed adjustments are not working. They should then meet privately to discuss any further reasonable adjustments or changes that should be made.

If the line manager notices a change in the employee's performance at work or feels these adjustments are not working, the employee and the line manager should meet to discuss alternatives.

Line manager: How to support [Name of employee]

Keeping in touch

If the employee is absent from work on sick leave or for a reason relating to their disability of condition for more than [XX] days and have followed the usual procedures for notifying the organisation of their absence, the line manager will keep in touch in the following way:

Who will contact whom?	
How will contact be made?	(for example, email, telephone, text, letter)
How often?	(for example, daily, weekly, monthly)
When?	(for example, preferred day and time)

Conversations while the employee is on sick leave

These are the topics the employee and line manager have agreed to discuss when keeping in touch:

Examples include:

- **How the employee is feeling;**
- **What the line manager can do to help;**
- **Current work;**
- **Planned phased return to work;**
- **Return to work date.**

Return to work

When the employee is ready to return to work after a period of sickness or disability related absence of more than [x] days, the employee and line manager will meet to review this Plan and make any necessary amendments.

At this return to work meeting, the following will be discussed:
For example: <ul style="list-style-type: none">• Current work issues;• A phased return/back to work plan;• What to tell the team;• Assessments to review existing reasonable adjustments (this may include Access to Work, GP, or Occupational Health, for example) and identify new adjustments that might be needed.

Unauthorised absences from work

If the employee is absent from work and has not followed usual procedures for notifying us that they are sick or absent for a reason relating to their disability or condition, the line manager and employee have agreed the line manager will do the following:
For example; <ul style="list-style-type: none">• Try to contact the employee on their mobile; and/or• Notify the emergency contact (details above).

Sharing this Tailored Adjustments Plan

An up-to-date copy of this form will be retained by employee/line manager/HR.

A copy of this form may also be given to a new or prospective line manager with the prior consent of the employee.

Appendix J: Detailed feedback on procurement policy and guidance

Paragraph number	Extract	Recommendation or observation
Pre-qualification questionnaire (PQQ) template		
Part 2 – project specific information	Large table requesting information about the supplier.	We recommend that you use this section to check the suppliers' understanding of any disability-related components in the contract. This may vary depending on the nature of the contact. However, it could be asking an ICT supplier to explain how they have ensured that their product is accessible to disabled users.
Invitation to tender		
Paragraph number	Extract	Recommendation or observation
Page 21 – Benefits for the local community	A series of question asking how the supplier will engage with and bring benefits to the local community.	There is an opportunity here to add a disability element into the evaluation criteria – this could include asking the supplier if they plan to offer apprenticeships or employment opportunities to disabled people where appropriate.
Procurement policy		
Paragraph number	Extract	Recommendation or observation
Page 11 – 6.3	6.3. Corporate Social Responsibility (CSR)	This section could be developed to include specific questions about equality and diversity policies and specifically how these relate to disabled employees.

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	Overarching comment	<p>This document should include guidance about how to establish if there is a disability component to a contract and if the supplier understands this and is able to fulfil this part of the contract.</p> <p>This might be how the organisation is able to make adjustments to their products or services or what disability related training they provide for their own staff.</p>
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Appendix K: Detailed feedback on premises related policy and guidance

Paragraph number	Extract	Recommendation or observation
Car Parking		
Page 1, Paragraph 3	There are disabled spaces in each of the two designated visitor parking areas described above.	<ul style="list-style-type: none">• There is nothing relating specifically to disabled employees. For example, do disabled employees use the designated visitor spaces?• The policy should be developed further to provide guidance on how disabled employees obtain a parking space.• The policy does not make it clear whether disabled employees can park on a level which enables them to easily access their place of work. For example, only senior staff can park on Level 1 however this level may have better access to the building so might be more suitable for disabled employees.
Parking Facilities at Sir Charles Frossard House		
Paragraph number	Extract	Recommendation or observation
		<ul style="list-style-type: none">• This document is a list of the number of parking spaces and how they are allocated. It is recommended that the allocation is reviewed to consider:<ul style="list-style-type: none">- The number of spaces available to disabled employees and visitors.- The proximity of allocated disability spaces to the building.- How these parking spaces are 'policed' to ensure that they are used by those who require the space.

		Spaces must be of sufficient size to be used by either employees or visitors to the car park who have mobility impairments. The spaces must be of a size and in a position which meets the needs of disabled users.
Evacuation Marshals		
Paragraph number	Extract	Recommendation or observation
		<ul style="list-style-type: none"> This document is a list of areas covered by the Evacuation Marshals. It may be helpful to develop the document further to provide details of the role and responsibility of the Evacuation Marshal, this could include any specific reference to assisting colleagues with disabilities, impairments of long term health conditions.
Sir Charles Frossard House – Fire Safety		
Paragraph number	Extract	Recommendation or observation
		<ul style="list-style-type: none"> There is nothing in the document to reflect that some employees with disabilities, impairments or long term health conditions may need assistance when leaving the building in an emergency. It is recommended that Personal Emergency and Evacuation Plans (PEEPs) are put in place for all employees that may require one.
Staff Hand Book		
Paragraph number	Extract	Recommendation or observation
1.6	<p>1.6 Disabled access is provided through:</p> <ul style="list-style-type: none"> the Main Entrance on Level 3 the door adjacent to the revolving door on Level 2 	It's difficult to assess whether the information listed is sufficient for the building and the volume of employees and visitors. It would seem that one disabled toilet in a building with at least 7 levels could be insufficient.

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	<ul style="list-style-type: none">• via a ramp and then through the door in the Level 1 car park. <p>A disabled toilet is located opposite the Canteen on Level 2 East.</p>	There are also considerations relating to how accessible the entrances listed are and whether signage is sufficient, however this cannot be ascertained through a document review.
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Appendix L: Premises Accessibility Checklist

It is good practice to have an Access Audit carried out so that you know how accessible your buildings are and are aware of any barriers that someone with a disability might encounter. If you cannot remove these barriers, you should develop strategies or put adjustments in place to overcome them.

This document can be used by a Facilities Manager or a Diversity/HR Professional as an aide-memoire for ensuring accessibility within your premises is maintained.

It should be noted that this checklist does not take the place of a full access audit carried out by suitably qualified professionals.

Arriving at the building Checklist

Physical Considerations

Question	Yes	No
Is the main entrance to your building easy to find? (adequate signage on display)		
If your main entrance is not accessible for all disabled people is it obvious where the alternative entrance is?		
Are your designated parking spaces kept available for disabled people? (e.g. have you made it clear these spaces are not for use by non-disabled people)		
Is the walkway to your building free from pot-holes, weeds or loose paving stones?		
Is the pathway/external ramp kept clear particularly in the winter?		
Is your exterior signage in good order? (e.g. nothing obscuring the signage, not faded, or in good working order if electric).		
Is the exterior lighting adequate?		
If you have a temporary ramp, is it in good order and available for use?		
If you have a buzzer or intercom is it in good working order?		
If you have an entry-phone system with an induction loop, is this in good order?		

If you have automatic doors, are they in good working order?		
Is door matting set into a mat well and not loose?		
If difficulties are experienced, is there a bell for assistance which will be responded to?		

Management or Training Considerations

Question	Yes	No
Are your reception staff trained in assisting disabled people who drive their own cars to the entrance, e.g. can they arrange for the car to be driven to the car park?		
Are your reception or security staff confident in making adjustments for disabled people who cannot use an intercom or entry-phone system? (e.g. due to a hearing or visual impairment)		
Are your reception or security staff confident in assisting disabled people who may have problems opening heavy doors?		

Comments

[illegible]

Inside the building Checklist

Physical Considerations

Question	Yes	No
Is the space between entrance and reception desk clear of obstacles?		
Can people on either side of the reception desk see each other? (e.g. boxes or papers not obscuring the view)		
Is clearance under desks or counters free from clutter to enable wheelchair users to get close enough to fill in forms?		
Is the reception area well lit, to enable people with hearing impairments to lip read easily and people with visual impairments to navigate the areas easily?		
Is your amplifying device or induction loop at reception and is there clear signage advertising this?		
Is your reception seating area tidy and free from obstructions?		
Have you provided Fire Safety and Emergency information in a clearly printed format and have alternative formats available?		

Management or Training Considerations

Question	Yes	No
Are reception and security staff confident in interacting with disabled people?		
Do you ask visitors if they have any requirements before they arrive at your premises?		

Comments

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Moving around inside the building

Physical Considerations

Question	Yes	No
Is there an up to date map of the building layout near the entrance?		
Does the map have a high colour contrast and use an accessible font and size, for the benefit of people with sight problems?		
Is internal signage in good order and lit adequately?		
Is any temporary signage in an accessible size and font? (e.g. sans serif)		
Is floor covering slip-resistant and safely secured to the floor?		
Are corridors well lit?		
Are all automatic doors working?		
Are hold open devices for fire doors in good working order?		
If you have painted recently, have you used distinctive tones or colours to aid orientation?		
Are elevators in good working order?		
Are the floor announcers and visual signals in elevators working?		
Is there an adequate delay on the elevator door closing mechanism?		
Have you ensured a good standard of cleaning and clearance of obstructions in and around all elevator entrances / exits?		
Is the assistance alarm in the WC in good order?		
Are the toilets clean and clear of obstructions?		
Are your amplifying devices or induction loops in good working order, and are they easy to find?		

Management or Training Considerations

Question	Yes	No
Are staff trained to direct and assist disabled people in the case of emergency?		
Are your staff trained to respond to and deal with calls for help raised using the assistance alarm in WC?		
Do staff know how to operate amplifying devices or hearing loops?		

Comments

Means of escape in an emergency

Physical Considerations

Questions	Yes	No
Are ground floor exit and entrance routes accessible to all, including wheelchair users?		
Are exit routes free from obstructions?		
If some disabled people cannot completely evacuate the building, can they reach places of safety or refuges?		
Are refuges free from obstructions / clutter?		
Are refuges clearly signposted?		
Is your audible alarm system in good working order?		

Is your visual alarm system in good working order?		
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Management or Training Considerations

Question	Yes	No
Do all disabled employees have a Personal Emergency Egress Plan (PEEP)?		

Comments

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Appendix M: Accessible Technology Charter

1. We will appoint an executive-level ICT Access Champion who will report to the board, raise awareness of the benefits of this agenda and ensure that we achieve continuous improvement in this area.
2. We will ensure that employees understand how technology can liberate the contribution of everyone, including disabled people, as colleagues and as customers.
3. We will routinely consult with disabled employees, customers and experts to ensure that we understand the impact of our technology on: talent management, employee productivity and our diverse customer base.
4. We will allow reasonable personalisation of technology by our employees and customers in order to meet their own accessibility requirements. Technologies that individuals interact with include display, keyboard and mouse, phones and self service facilities.
5. We will embed and promote a reasonable adjustment process that provides speedy and usable ICT solutions for disabled colleagues and customers.
6. We will give our relevant ICT people the 'disability know how' needed to deliver effective business processes and reasonable adjustments for disabled colleagues and customers.
7. We will establish our performance baseline using Business Disability Forum's Accessibility Maturity Model. We will work to practical, easy to communicate accessibility requirements based on existing formal standards and will consistently go beyond minimum compliance to bring greater benefits to our business.
8. We will promote a development lifecycle for our ICT solutions that is based on inclusive design from definition to delivery, to minimise the cost and reputation risk triggered by retrofitting products and systems.
9. We will require, help and encourage our ICT supply partners to develop and deliver accessible products and services. We will formally consider accessibility in all our procurement decisions. We will purchase solutions which are as accessible as possible.
10. We will continuously improve our accessibility; we will document what works and share our learning with the Taskforce.

www.businessdisabilityforum.org.uk

Business Disability Forum is committed to ensuring that all its products and services are as accessible as possible to everyone, including disabled people. If you wish to discuss anything with regard to accessibility of this document please contact us.

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