

Disability Rights Commission

Learning lessons:
Employing
disabled people –
perceptions of
disabled staff at the
DRC; perceptions
of the DRC as an
employer

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Executive summary

The Learning Narratives project contributes to the broad legacy strategy of the Disability Rights Commission. It considers what the DRC has learnt through its various activities since 2000 and focuses on specific activities or overarching themes where the DRC has had direct involvement.

Each narrative responds to questions such as 'why did we, the DRC, try to do what we did?', 'what worked?' and 'what didn't work and why?' and draws on a range of data sources, not least of which is the experience and expertise of DRC staff, both past and present.

This narrative explores a range of perceptions of the DRC as an employer, and especially as an employer of disabled people. Using the DRC's flexible working policy, the narrative explores the impact of working policy and practices on both disabled and non-disabled staff.

Employing disabled people: key lessons

- An organisation will need to offer the widest range of policies/practices to benefit from flexible working.
- An organisation will need to positively promote flexible working arrangements as a key business objective both internally and externally.
- When designing flexible arrangements, an organisation will need to consider the impact on both disabled and non-disabled members of staff.
- An organisation will need to strike a right balance between the needs of the business, the different teams

and individuals. Flexible working arrangements should be seen as a positive tool to maximise effectiveness.

- All policies/practices should be impact assessed to ensure both fairness and consistency across the workforce.
- The line manager for a disabled staff member will play a critical role in ensuring the needs and reasonable adjustments of the individual are put in place, and in a timely manner.
- An employer will need to take a proactive and central role supporting individuals in applying for Access to Work. Robust internal systems and lines of accountability will be needed within the organisation.
- A comprehensive and ongoing programme of staff development and training is needed to underpin an organisations policies/practices in relation to flexible working arrangements.
- An organisation will need to establish robust mechanisms to receive ongoing feedback on the efficiency of policies from both disabled and non-disabled staff members. Establishing a disabled staff group, with clear terms of reference, is one way of achieving this.
- To support the implementation of flexible working practices, an organisation will need to develop an open culture towards disablement more broadly.

Introduction

This learning narrative explores a range of perceptions of the DRC as an employer, particularly as an employer of disabled people. Seventy of the 211 members of staff at the DRC are disabled, which equates to 34 per cent of the workforce. Using the DRC's flexible working policy as a vehicle, we explore the impact of working policy and practices on both disabled and non-disabled staff. Learning relating to being an employer and developed through the life of the DRC are identified for the future consideration of other organisations, including the Commission for Equality and Human Rights.

Flexible Working Arrangements

Flexible working arrangements form a core part of the DRC's commitment to the provision of equality of opportunity and are also clearly a popular factor of working for the Commission with staff.

The flexibility of the organisation in terms of hours, work patterns, different working arrangements, adjustments put in place. I think these are all examples of the DRC as an excellent employer and factors which can be taken forward as examples to other employers. **Member of DRC staff**

Flexible working arrangements have the potential to create employment prospects for those who might not otherwise have the opportunity to utilise their skills and experience. They also enable the DRC to retain valuable skills of employees whose circumstances change during the course of employment meaning another work pattern is necessary.

The DRC employs a number of different arrangements to ensure these objectives are met. The main methods are considered below.

Flexi-time contracts

Flexi-time contracts are potentially available to all staff where the working hours are subject to core times surrounded by flexible bands. Flexi-time may be particularly beneficial for disabled staff or staff with caring responsibilities. Flexible start and finish times make it easier for disabled staff who find it difficult to travel at rush hour or for a member of staff who has a mental health problem and therefore doesn't want to

travel at busy times. Flexi-time means just that – being flexible. Therefore, the pattern of the working day or working week can be adapted to ensure that staff can work in a way that takes account of their needs.

As long as I meet my objectives I have flexibility. I suffer from severe depression and sometimes can't work but then I can work at the weekends.

Disabled member of DRC staff

Working around core hours means if disabled staff require a longer break in the middle of the day they could have that. Or if someone had an impairment which means they needed breaks throughout the day that would be possible). **Member of HR team**

Whilst there was wide recognition from staff that flexi-time had a positive impact on their working practices there was some feeling that the way it is implemented through filling in a timesheet could be improved.

When you fill in your flexi-timesheet it comes up with the word 'issue' which needs to be signed off by your line manager. It makes you feel like you are a burden, what about saying 'please add comments' instead?

Disabled member of DRC staff

Part time working arrangements and job sharing

Opportunities for job sharing – where two people voluntarily share the duties of one full time post – are also popular with staff at the DRC, and mean that there are a number of 'job sharers' who individually work part time. Based on calculations by the HR Department, 39 of the 205 members of staff (19%) work part time. This is reasonably evenly split between disabled staff and non-disabled staff. Fourteen of the 70 members of staff (20%) with a disability have taken up part time work and a slightly lower proportion of non-

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disabled staff 25 of 135 members (18.5%) have taken up part time work.

The area where we have made the most positive impact has been flexible working. A fairly high percentage of our staff work part time or from home.

Member of HR team

V Time

V Time is another favoured scheme which enables individuals to 'buy' additional leave up to a maximum of 20 days per annum by a monthly reduction in salary. This can be helpful for staff with caring responsibilities.

We've really gone beyond the statutory requirements of flexible working. Anyone can apply for it and it can really help with childcare and caring responsibilities. For example, you can buy additional time and pay it back over the year which could help a parent take time off to look after their children. **Member of HR team**

Other policies include a temporary reduction in hours which can be applied for in special circumstances, for example a transition period in carer arrangements or working compressed hours (such as working say 36 hours over 4 days).

Home working

One of the most successful flexible working policies is the DRC's home working policy, which is available to all staff. Staff who apply for home working must be able to demonstrate a sound business case to work from home, and the role they perform must be designated as suitable for home working. Requests for home working may be granted as a reasonable adjustment, where suitable, to disabled staff. For example, home working means that, for 3 days out of 5 or

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1 day a week, a member of staff can work at home. This could mean that if a member of staff had a mobility impairment they could come into the office 2 days a week and, with the help of assistive technology, work from home on the other days.

The DRC considers all positions for flexible working and each case is dealt with on its own merits. Decisions and arrangements are usually made through discussions between the staff member, their line manager, Head of Department, ICT, Facilities Department and Head of HR. The DRC has to find a balance between accommodating requests whilst also maintaining the needs of the business.

The impact of flexible working arrangements can be beneficial for both disabled and non-disabled staff as well as the wider Commission and the work they do.

Flexible working means people are able to make arrangements that suit them best and help them perform better. **Disabled member of DRC staff**

It gives a strong message about the culture in which the Commission operates. There is an unsaid culture that exists within the organisation that to get the most out of people if you suit their needs, they give you more. It's almost like a return on investment, you get commitment and loyalty and productivity. If people are stressed they won't give 100 per cent. People need to feel safe and comfortable and able to say what needs they have. **Member of HR team**

There is clearly a strong business case that can be made for flexible working arrangements. Part of this is being able to meet the needs of disabled staff more fully.

It means that the DRC can meet its objectives and business plan more effectively. If you have happy staff whose needs are being met they will be more

committed to the organisation. It's difficult to measure that but we have been able to recruit and retain a high number of disabled people.

Member of HR team

Booking travel and accommodation

Other helpful practices which staff and HR Managers identified included travel booking forms where there is a space on the form where disabled people can fill in their support needs, for example, having a ramp on and off a train. Equally, every effort is made to ensure accommodation bookings meet the needs of disabled staff. A group was set up to work closely with the DRC's travel agency and purchasing officers to make sure that accessible rooms are secured for disabled staff and other support needs are met. However, some disabled staff felt that due to a lack of flexibility their accommodation needs were sometimes not met.

We have a set amount for accommodation and some mobility related impairments mean you can have an increased amount... but this doesn't include other impairments. For example, visually impaired people may need particular fire alarms (that can only be met by certain hotels). **Disabled member of DRC staff**

Assistive technology

Assistive technology plays a large role in supporting disabled staff. The DRC has a number of experts in assistive technology and there is a high level of knowledge about what software is available to support disabled people.

The IT support has been superb, if I have a problem say with assistive technology I phone them up and it's treated as a priority. We need to carry this on in the CEHR otherwise we won't be able to perform to such a high level. **Disabled member of DRC staff**

Assistive technology such as Dragon software is an important factor in ensuring disabled staff can fulfil their role. Disabled staff felt it was important to note that sometimes the technology can take longer than other situations and also it is not always suitable for open plan offices.

The right balance?

Although the DRC's flexible working policies came in for praise by most staff there was a question raised about whether the right balance had been struck and the effect on the Commission's work of policies such as the flexible working policy. A member of staff coming from a private sector background commented as below and posed the question as to whether these arrangements would be acceptable in other environments such as a private business.

I do consider the DRC as an exemplar employer in many ways but I actually feel that the balance has gone too far in favour of the employee and that stronger management is needed. There are too numerous examples to give here but to highlight just two, one would be that in an organisation where we have 27 days leave, special leave days, away days and flexi time it is not necessary to then fund non-work related training courses in works time as well and then add study days on top of that. Taking a full time employee on such terms actually adds up to close to part time hours taking all this into account.

Member of DRC staff

However, the above quote shows that when looking at flexible working and employment policies more broadly, the impact on the individual as well as their team and colleagues needs to be considered to ensure all members of staff are supported in carrying out their role.

Reasonable adjustments and Access to Work

A central policy which the DRC and disabled staff make use of is the Government's Access to Work Programme. This involves an assessment being undertaken to see what support needs the disabled member of staff may have to enable them to fulfil their role. This may mean special IT software, a particular type of chair or other factors such as employing a support worker.

The DRC have a very positive attitude to the recruitment of support workers, they were very straightforward and I didn't need to argue for it.

Disabled member of DRC staff

If a disabled person is recruited then HR or their line manager asks about reasonable adjustments and Access to Work meets these costs. Sometimes this can take a while so we try and put interim measures in place until Access to Work can make an assessment. **Member of HR team**

Despite some significant benefits being brought about through reasonable adjustments and Access to Work, both disabled staff and HR Managers raised a number of concerns with the process. These tend to relate to issues of coordination, time delays and lines of communication in getting assessments made and implementing the adjustments.

We could improve on looking at reasonable adjustments. Each individual is different so each requirement is different. It would have been better establishing as soon as possible what the

adjustment is and having one department responsible for approving it and making it happen, probably HR. **Member of HR team**

Additionally, there was a concern that there was a lack of consistency of application by line managers which could be improved by more training on the subject. One disabled staff member commented, "I've been lucky with my managers, they've always supported me," but this was not everyone's experience. There is clearly a range of experiences as another disabled staff member thought the process had been handled really well.

When I started they got me in two weeks early to go through the forms and identify any support needs I had so I could start on time.

Disabled member of DRC staff

One HR Manager felt that in future, the Access to Work programme should be administered centrally to ensure strong co-ordination and consistency rather than each individual having to complete their own requests for support which can be time consuming and a bit piecemeal.

There are quite big timing and resource implications for implementing Access to Work. In the future we could have a small team of people just dealing with Access to Work whereas at the moment it is split between HR, Finance and Facilities.

Member of HR team

Sometimes a disabled member of staff has asked for a reasonable adjustment and it hasn't always happened. It would perhaps be better if one department was responsible for reasonable adjustments and then communicated to other teams. HR could then communicate with Finance to ensure the invoice for the adjustment could be paid.

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It seems there is a need for greater clarity around reasonable adjustments. This could include more understanding of who staff can ask regarding reasonable adjustments and who is responsible for making the decision and implementing it. This would speed up the process meaning a better service for the disabled person and also make it easier for the people administering the process.

There can be a time delay. We are currently undertaking an impact assessment on Access to Work and reasonable adjustments. The timing it takes to get people's adjustments in place is key. There are also inconsistencies within the offices as they are being dealt with by different regional offices. **Member of HR team**

Time delays for assessments can really disadvantage disabled staff and mean a delay to the start of their employment.

It took 5 months and delayed the start date for my employment by 5 months.

Disabled member of DRC staff

The need to undertake the assessment for reasonable adjustments at an earlier stage of the recruitment process was also highlighted.

Further to problems around the implementation of reasonable adjustments some non-disabled staff also raised concerns about the impact that reasonable adjustments may have on other members of the team. These often relate to the impact of absence leave especially on a team of a small size.

A particularly pressing issue for me at the moment concerns the issue of reasonable adjustments and the often unnoticed impact on other colleagues particularly in respect to absence leave. This is significantly apparent working amongst a relatively

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small team of 7 or so. There have been periods of absences on the team which have been particularly high over the last 6 months. The impact on colleagues who have to sustain and bear the burden of work loads in the absence of colleagues never seems to be quantified). **Member of DRC staff**

Some non-disabled staff felt uncomfortable about expressing these concerns in case they were felt to be discriminatory. However, they did feel they were concerns which needed to be aired and discussed due to the impact it was having both on colleagues and the wider organisation.

Line managers' awareness and training

Throughout conversations with staff at the DRC the role of the line manager in supporting and promoting the rights of disabled staff and enabling staff to fulfil their potential was very clear. Line managers are often the link between what the policy is, translating it and implementing it on the ground. All staff at the DRC attend disability equality training and also equality and diversity training. There is also a mandatory line manager programme. This covers areas such as managing stress and absence.

We try and involve line managers in the process, it's crucial to have their involvement. They need to be aware of what their staff's needs are so that they can perform to their best ability. For example, if a line manager is unaware that a member of their staff is dyslexic then they will be unaware that they need a note taker. **Member of HR team**

Line manager training is valuable as it can help build a more consistent approach across the Commission. Some people may be naturally more aware of people's situations but if it doesn't come naturally then training should make it consistent. For example, one line manager had a disabled member of staff working on their team who was having trouble coming to work due to the chair he was using. Access to Work identified this and secured a new chair. This happened because the line manager was aware of the programme and the resources available. One disabled member of staff commented that their line manager was supportive of her requirements in comparison to previous employers.

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I used to work in a library and the DRC is much better. For example, I wanted new wrist rests and my manager said that's fine.

Disabled member of DRC staff

But like most other organisations there are differences in how line managers approach their role and manage their staff.

Some managers are better at responding to disabled staff, we could have put more energy into raising awareness around the need to support disabled staff, there's no clear cut policy on that.

Member of HR team

Some people felt there could be improvements made in how line managers are trained and managed in relation to disabled staff with the suggestion that there should be an analysis of how line managers deal with reasonable adjustments.

Culture

The culture of an organisation also plays a central role in the experience of staff within it. Many disabled staff said they really valued the informal support they receive from many of their colleagues at the Commission.

The support from colleagues who are disability aware and happy to give support is really valuable. For example, they might read something to me or help me fill in a form. This informal support is important and I hope it continues [elsewhere].

Disabled member of DRC staff

Furthermore, expectations of the DRC's working environment are high because of the very nature of its work.

We have the right to expect the DRC to be exemplary because we expect others to be exemplary.

Disabled member of DRC staff

However, there was the view amongst some disabled staff that there was a certain level of arrogance around disability at the Commission.

We think we know it all because we're the DRC.

Disabled member of DRC staff

There is a certain amount of arrogance to the DRC...we are meant to know it all but sometimes people don't ask even if they don't know.

Disabled member of DRC staff

This perceived arrogance could be seen from stemming from an awkwardness, or an unwillingness to ask about support needs because colleagues felt that as they worked for the DRC, they should already know.

We need to make sure that people feel able to ask questions on support needs. To break down the barriers to ensure people don't feel intimidated to ask.

Disabled member of DRC staff

This may particularly be the case where an impairment is less obvious.

I feel that d/Deafness (similar to hidden impairments) has much more subtle effects which non-deaf people are less able to realise unless affected by personal experience or a close one. Working in an oral environment where speech and sounds play a significant part in feeling part of an organisation is a huge challenge and not one that can be accommodated by one-off reasonable adjustments. It's a challenge experienced by all d/Deaf people and the DRC could do much more to take on more organisational responsibility to highlight a more inclusive working environment.

Disabled member of DRC staff

These comments illustrate not only the need for a high level of disability awareness but perhaps more importantly the need for a culture of openness. A culture where staff are encouraged to feel they can ask questions about how best to support colleagues and also be sure that requests for support will be responded to positively.

Building on experience and learning

There is a feeling that the DRC has come a long way and learnt a lot in relation to being an employer of disabled people in the seven years since it was set up. This begs the question of how to ensure that other organisations, as well as the new CEHR, can benefit from this learning and be up to the high standards that the DRC has set in many ways. Line managers may not be as aware of disability-related policy and may need training on disability equality and specifically how on managing disabled staff.

Furthermore, the importance of a voice for disabled staff was identified as playing a central role in influencing employment policies and securing equality for disabled members of staff. This can happen through formal mechanisms such as the Disabled Staff Working Group and also informal opportunities for involvement and consultation. These mechanisms can also help disabled staff to feel connected with other individuals and organisations (including the CEHR) will need to maximise the opportunities for contact so disabled people don't feel isolated.

Disabled people can be excluded by default unless positively included. The DRC operates in a very networked environment and it's important to maximise the opportunities for contact so disabled people don't get isolated.

Disabled member of DRC staff

Lastly, new organisations need to ensure reasonable adjustments are in place by the time they open their doors to ensure the full inclusiveness of disabled staff in their work.

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Reasonable adjustments for staff need to be identified as early as possible and up and running to ensure disabled people aren't discriminated against in the early stages. **Disabled member of DRC staff**

A Disabled Staff Group can contribute to this process. For example, the DRC's Disabled Staff Group have recently written a briefing paper for the team creating the CEHR which helpfully outlined a range of considerations the new commission will need to deal with effectively to ensure that it is an accessible organisation and a good employer of disabled people.

Concluding remarks

Flexible working arrangements at the DRC not only form part of the Commission's commitment to the provision of equality of opportunity, but are also a key element of the 'offer' of working for the DRC,

The DRC has approached the various ways of flexible working in an innovative manner and, with a 'can do' attitude, has shown it is possible to achieve a lot.

Nevertheless, it hasn't always been easy implementing flexible working policies, and their impact on all staff needs to be taken into account. In implementing its own policies, the DRC has learnt many valuable lessons which could be of use not only to the Commission for Equality and Human Rights, but any organisation that employs disabled members of staff.