

Be all that you can be.

Disability Positive NHS London

London Campaign toolkit | November 2021

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Disability Positive

Creating equity for all our people

Introducing Disability Positive, an initiative that aims to create equity for all our NHS people.

We employ 1.3 million people in 300 different roles in the NHS; a diverse workforce of people with all abilities. Unfortunately, the representation of people with disabilities is very low as many are concerned about bullying, restrictions to training and limited job progress. We want our people to be themselves at work – no masking a hidden disability and having to persevere through non-ideal working conditions and to make our NHS workplaces an inclusive and safe space for all our colleagues. The NHS London region Disability Positive initiative is designed to encourage our colleagues to feel comfortable in sharing their disability status and allow them to be their whole selves at work.

What counts as a disability?

A disability includes more than a visible impairment.

Under the Equality Act 2010 a disabled person is defined as: "someone who has a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities. That could be anything from physical immobility to respiratory conditions, visual impairments or diabetes.

A disability can include, but is not limited to:

- Impairments such as those affecting sight or hearing.
- Fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, depression, and epilepsy.
- Progressive, such as motor neurone disease, muscular dystrophy, and forms of dementia.
- Auto-immune conditions such as systemic lupus erythematosus (SLE).
- Organ-specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease.
- Neurodiverse, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia; learning disabilities.
- Mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive-compulsive disorders; personality disorders; post-traumatic stress disorder, and some self-harming behaviour;
- Mental illnesses, such as depression and schizophrenia;
- Produced by injury to the body, including to the brain.



Manager's toolkit

Guidance and resources

How you can make a difference

As a line manager you are responsible for creating an open and supportive environment in which all your team can meet their objectives and allow them to achieve their full potential, including disabled employees who may need you to make changes or “reasonable adjustments” to enable them to do so. How you support your staff is central to them feeling they can share their support needs, so you need to feel comfortable and equipped to have a conversation sensitively and with the correct information.

Employers are required by law to making a range of assistive resources accessible to people with disabilities. There are a range of services, concessions, schemes, reasonable working adjustments and financial benefits for which disabled colleagues may apply. We have provided advice, information and tips to help you and your team feel confident in talking about disability and making work life more accessible for disabled colleagues

Everyone is welcome, you can participate

Ultimately, we want to empower all our people to feel confident in talking with colleagues about disability, whether they have a disability or work with a colleague that has a disability or care for someone/patients with a disability, and your participation starts with:

- Reading the managers digital toolkit
- Connecting with your staff disability network in your organisation if you don't have one create one
- Connect with your EDI team to find out if there is any disability awareness and other inclusion training
- Find out what other local resources you have available to support colleagues with a disability
- Attending the Disability Positive webinar on [25 November 2021], 12:30pm – 1:30pm or watch the recording of the webinar
- Visiting the Disability Positive webpage on the NHS England website [Disability-Positive-creating-equity-for-all](#)

Hidden Disabilities

Hidden disabilities

It is common for non-disabled people to associate a disability only with a visible impairment. Many people live with hidden disabilities and will have to persevere through non-ideal working conditions to the detriment of their health and wellbeing.

What are the challenges for a person with a hidden disability?

- They may not have been diagnosed.
- They may not regard themselves as a person with a disability.
- They may not know what they need or not know how to describe their needs.
- Stigma of having a disability and lack of awareness
- Culture of the organisation

What are the impacts of disabilities on the individuals without support?

- They could be coping one week but absent the next.
- Difficulty in meeting deadlines.
- Difficulty in performing some tasks associated with their role.
- Difficulty in arranging and attending appointments and regular treatments because of work
- Impact on the individuals mental health and wellbeing

The challenges with hidden disabilities

The fear of sharing a hidden disability

In recent years, there has been an increase in sickness absence rates among NHS staff. When cases are persistently high staff are referred to human resources and can result in disciplinarys or even dismissal. The reason for some consistently high absence records is due to a hidden disability. People often feel they cannot share their disability status with their line manager or on their electronic staff (ESR) record because:

- They are worried that they would be disadvantaged for further training and career progression.
- They are worried that their role, tasks, professional practice, or opportunities would be restricted.
- They are worried about other staff finding out about their health condition or disability
- Worried about being discriminated against and being treated differently to their peers

What are some common hidden disabilities?

- Asthma.
- Attention Deficit-Disorder/ Attention-Deficit/Hyperactivity Disorder (ADD/ADHAD).
- Chronic Fatigue Syndrome.
- Cystic Fibrosis Syndrome.
- Diabetes.
- Epilepsy.
- HIV/AIDS.
- Learning disabilities.
- Other medical conditions that unpredictable or fluctuating or controlled by medication or untreatable.
- COPD.
- Cancer as this is automatically covered by the equality act
- Sickle cell.
- Auto-immune condition.
- Long COVID

Reasonable Adjustments

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

How will I know if someone is entitled to a Reasonable Adjustment?

The law says you must make reasonable adjustments for disabled people who have or will have problems doing the job. Although some people will tell you that they have a disability, many will not because:

- They don't think of themselves as disabled, e.g., someone with diabetes.
- They don't think they need any adjustments.
- Although they are unwell, they don't yet know why.

- They are worried about how you or the organisation might react and that they will either not get the job or lose their job.
- They fear harassment or bullying.
- They fear being treated differently to their peers.

You must make reasonable adjustments for people you know, or think might be disabled or who have a long-term health condition/ neurodiverse if they are having problems doing their work. As a manager you should be looking out for signs that someone might have a disability, bearing in mind the person may or may not know yet. Warning signs could be that:

- Their attendance is poor or deteriorates.
- Their performance at work deteriorates.
- Their behaviour at work changes and they are tearful, aggressive, irritable or withdrawn and forgetful.
- They are persistently late or miss deadlines.
- They appear to be experiencing pain or discomfort.

Managing a person with a disability

Don't waste time trying to work out if someone meets the legal definition of disability. If a member of your team is having problems at work, talk to them and try to find out what would help and make any changes you reasonably can to help them do their job.

As you can't always be sure whether someone is disabled or not, it is best practice to make adjustments for anyone who is having problems at work. This way you will have done all you can to help someone work to the best of their ability and you recruit and keep the most talented people for your organisation.

Disability Equality Duty

Public authorities and those carrying out public functions are required by the equality duty to promote equality of opportunity for disabled people. The duty also means that authorities need to think in advance about the needs of both disabled employees and potential disabled employees. Public authorities should bear this in mind when reading this guide.

A line manager is the person who:

Has the ongoing responsibility for implementing people management policies and practices that will affect how supported someone with a disability or health condition feels, and whether they can be effective in their role.

Will typically be the first point of contact if someone needs to discuss their health concerns or a change or adjustment to their work or working hours, to enable them to perform to their full potential.

The role of the line manager

Line managers have a vital role in creating an inclusive working environment to attract and retain valuable skills and talent – providing day-to-day leadership, removing barriers, and building a culture in which everyone is respected with the opportunity to reach their potential. Effective management of people with a disability or health condition will help you to improve your team's performance and morale, retain valuable team members and reduce sickness absence.

Managing a person with a disability

A line manager is the person who:

- Is usually responsible for managing absence, keeping in touch if someone is off work ill or because of their disability, and supporting an effective return to work. It's therefore essential that a line manager is knowledgeable about the organisation's framework for managing people with a disability or health condition and understands their role within that. This includes the organisation's responsibility to make reasonable adjustments.
- The type of relationship that a manager builds with team members is also key. A management style based on trust is essential if someone with a disability is going to feel comfortable and empowered to discuss their condition and receive the support they need. Personal centred approach to ensure equity is met for the individual needs as it is important for the line manager to be mindful that each person is different.
- This approach will also help to develop an open and inclusive culture, based on respect. This means line managers having regular one-to-one with staff, being comfortable having sensitive conversations and asking how people are on a regular basis. Ensuring one-to-one Health and Wellbeing conversations in line with the NHS People plan, along using the appraisals to initiate the conversations but not limited to just the occasional one-to-one but in turn, making every contact count.
- If people in your team (or those joining you) know you have a positive approach to equality and inclusiveness, they will be much more likely to tell you about their disability or health condition.

Reasonable Adjustments

Certain aspects or conditions of a job or the workplace can represent a barrier for someone with a disability, which can mean they are disadvantaged. Adjustments are changes that are made to the work environment or the way the work is carried out, so that someone with a disability can do their job more effectively.

Examples of Reasonable Adjustments

Reasonable Adjustments can include:

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

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

You should keep agreed adjustments under review to see how well they are working and if any others are needed. Once an adjustment has been agreed it should be implemented as soon as possible. Keep a written record of any agreed adjustments as this will help you and your team member to review the adjustments made. This can also be used to pass information to a person's new manager if they move jobs (Reasonable Adjustment Workplace Passport).

Share

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

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

The benefits of sharing information

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

Encouraging sharing

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

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

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

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

Confidentiality

Confidentiality and consent to share information

If an employee has told you about their disability or health condition this should be treated as confidential, like any personal information. You should give all members of your team reassurance of confidentiality and always seek consent to share information if necessary. If a person doesn't give you consent this must be respected. If they give permission for information about their disability to be shared, discuss with them who will be told and by whom, and what they want and don't want colleagues to know.

Performance, training and development

Managing performance and development

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

Ensuring all avenues are exhausted before moving to the capability process for example 1:1 conversation, putting reasonable adjustments into place.

Before initiating a capability process managers should ensure that all avenues are exhausted, for example one-to-one conversations, reasonable adjustments etc.

Access to training and development

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

Adjusting performance management

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

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

Remember that performance management should be a positive process and focus on the support needed to help everyone perform to the best of their ability. To effectively manage your team's performance, you should have regular discussions with all of your team members on a one-to-one basis. These discussions can be formal meetings focused on the individual's work, providing constructive feedback and identifying development needs.

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

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

It is important for manager to be aware and mindful that staff members with a disabilities, long-term health or neurodiverse conditions may only share at the point of capability process that they have a disability and that's when reasonable adjustment should be made.

What is my role as a manager?

- You have a legal duty as the manager to ensure that any reasonable adjustment required for a disabled employee that you manage is put in place.
- Exploring options for reasonable adjustments with HR and the employee and other sources of support, such as Occupational Health or Access to Work.
- This guide will take you through the process (as referred to on pages 8-11) of making a reasonable adjustment and help you to consider some of the important factors.
- It is essential that you take on the responsibility of getting the reasonable adjustment put in place.

As a Inclusive employer we need to try to treat people equitably to meet their individual needs as far as possible whether they are disabled or not.

By applying the social model and removing barriers that exist for disabled employees allows them to carry out their jobs effectively and perform to a high standard. For example, this may include:-

- Allowing a disabled person to undertake a working pattern to avoid travelling at rush hour or acquiring or modifying equipment.
- Changing the culture of the organisation and staff attitude, the way people think about disability such as stereotyping, assumption, stigma prejudice, and apathy.
- Providing information in accessible format for example, for visually impaired employees, easy read format etc.

The cost of Reasonable Adjustments

It is worth noting that most adjustments cost very little or nothing and are often a matter of flexibility or changing an approach to a working practice. It can be difficult to assess whether or not an adjustment is reasonable and number of factors should be taken into account:

i) How much does the Reasonable Adjustment cost?

Where there is a cost involved in making the reasonable adjustment and you feel that the cost could be prohibitive you need to consider:

How expensive the adjustment is in relation to your organisation size. As a large organisation it might be difficult to defend the failure to make a reasonable adjustment on cost alone. Advice should be taken from your HR Department and manager if a reasonable adjustment appears too costly. Remember that in many cases money can be reclaimed from Access to Work.

Will the adjustment benefit other people as well as the disabled employee? Clearer signage, better lighting and automatic doors may require an initial investment but they will actually benefit many people.

Can funding be gained from Access to Work? (Please note as the line manager you may contact Access to Work for advice but the onus is on the employee to contact Access to Work to arrange an assessment to determine what adjustments are needed and the costs involved).

ii) How effective is the proposed Reasonable Adjustment?

A reasonable adjustment may only be considered reasonable if it reduces the disadvantage that the disabled person is facing. You must always ask the disabled person what they think would help them to do the job but remember that people are not always the experts on all of the support available to them.

The disabled employee may suggest an adjustment they think will be the least difficult to implement and the one that is most likely to be made, rather than the most effective one.

Top tips for managers

Remember not all disabilities are visible

- Hidden disabilities
- Fluctuating disabilities

Access to work Scheme

A disabled employee can get help from Access to Work if they need:

- Help working from home.
- Help at the normal workplace.
- A combination of both.
- Funding may be available for extra costs.

Language

If you are unsure what terminology a person prefers, just ask.

Do not use terms like:

- Someone is suffering from.
- ‘The deaf’
- ‘the blind’
- ‘the disabled.’”

Do not describe people by their disability e.g., ‘the blind man.’”

Also note the following examples:

Negative language:

The Blind
Wheelchair Bound
Handicap
Disabled Toilet
Mentally Deficient
Able-Bodied

Positive language:

Visually Impaired
Wheelchair User
Disabled
Access Toilet
Person with Mental health issue
Non-Disabled Person

A note about language - Referring to disabled people (as in identity-first language) Some people prefer person first language, for instance, someone with a disability. It’s putting the person before the diagnosis to avoid using labels to define somebody. If you work with a disabled person/somebody with a disability it is worth discussing what language they prefer to use that makes them feel included. Don’t assume, have a discussion.



Resources

Content to use locally

Posters



Posters you can print to promote the webinar

Social media posts and email footers



Additional resources

Having better health & wellbeing conversations with Disabled staff.

[Having better health & wellbeing conversations with Disabled staff. - YouTube](#)

Supporting disabled staff in the workplace

https://www.nhsemployers.org/articles/supporting-disabled-staff-workplace?utm_campaign=645454_Disability%20History%20Month&utm_medium=email&utm_source=NHS%20Confederation&dm_i=6OI9,DU1A,2IOHF2,1NYZV,1

Enhancing the working experiences of disabled staff – what we have learned from shielding

https://www.nhsemployers.org/articles/enhancing-working-experiences-disabled-staff-what-we-learned-shielding?utm_campaign=645454_Disability%20History%20Month&utm_medium=email&utm_source=NHS%20Confederation&dm_i=6OI9,DU1A,2IOHF2,1NYZV,1

NHS England / Improvement WDES

[NHS England » Workforce Disability Equality Standard](#)

ESR Disability status update

www.roadmapeducation.online/Roadmap_Guides/Employee_SS/ESS11/

Improving Diversity in NHS recruitment practices

https://www.nhsemployers.org/articles/improving-diversity-recruitment-practices-nhs?utm_campaign=645454_Disability%20History%20Month&utm_medium=email&utm_source=NHS%20Confederation&dm_i=6OI9,DU1A,2IOHF2,1NYZV,1

Disability Confident gov.uk

[Disability Confident promotional material and case studies - GOV.UK \(www.gov.uk\)](#)

Access to Work

[Easy read: get support in work if you have a disability or health condition \(Access to Work\) - GOV.UK \(www.gov.uk\)](#)

[Access to Work guide for employers - GOV.UK \(www.gov.uk\)](#)

[Reasonable adjustments for workers with disabilities or health conditions - GOV.UK \(www.gov.uk\)](#)

[Definition of disability under the Equality Act 2010 - GOV.UK \(www.gov.uk\)](#)

Part of me podcast for employees, managers business owners

<https://celebratingdisability.co.uk/part-of-me-podcast/>



Testimonials

Working in the NHS with a disability

Laurel Baldrey, Individual Funding Requests Administrator, NHS

“I joined NEL in March this year, working in the Kent-based Individual Funding Request (IFR) team. As the newest member of the team there was (and still is) a lot to learn. I spent nine days in the office before COVID-19 necessitated remote working.

Working from home seems like it should be a simple process but it presents me with a particular challenge: I am Deaf and use British Sign Language (BSL) and lip-reading to communicate with the team

Also, while the rest of the team maintained the service and met deadlines, I needed training. This would usually take place in person, but the team were great and converted most of my training to online so I could continue learning while working from home. The team also made some adjustments to their way of interacting so now all meetings include @signliveuk, an online video BSL interpreting service, and chats – both professional and personal – take place throughout the day on Microsoft Teams. We’ve overcome potential communication barriers by using visual accessibility.

The Kent IFR team maintains laser focus on meeting the needs of its Clinical Commissioning Group customers and has made adjustments to standard procedures, such as moving from paper to digital case packs and ensuring our processes are leaner than ever. There is a collaborative approach between IFR colleagues in Kent and London, who share knowledge and information and respond to challenges with resilience and adaptability.

During this unusual time, the team has welcomed me as a new team member, maintained their high standards and improved ways of working.”



Paula Ward, Phlebotomist, NHS

I have 13 diagnosed medical conditions which result in both physical and mental health disabilities. I have COPD and asthma which causes breathlessness and exhaustion. I have a gastric disorder which causes multiple toilet trips and severe pain. I have arthritis which causes widespread pain. I have diabetes which causes high-low blood sugars and exhaustion. I have a severe anxiety disorder that can just bring some acute panic attacks out of the blue.

It was important for me to disclose my disabilities because I could put forward to my manager a solid case to making some reasonable adjustments to my work role and to my working environment. They can hopefully understand how I'm feeling and how difficult at work it is sometimes for me.

From the early days of the pandemic I, like everybody else in the NHS, pushed myself. I was on COVID wards for over a year which really had a big effect on my health. When I came down from the wards I decided to go to the manager for reasonable adjustments. I asked for working in a seated environment. So now I'm in clinics with access to disabled toilets and regular breaks for my anxiety and exhaustion. There are agreements for flexible working conditions so that I can go to appointments and a regular review so if things change we can talk about it.

I think that if I hadn't disclosed my disabilities, I would have missed out on the feeling that I have now. Like a load has been lifted; I no longer feel frustrated. I feel like I've just let it all out and it's no longer a secret anymore. People can try and understand my difficulties now and I feel I can encourage my colleagues and others to unload their difficulties and explain how they feel.

Professionally I'm now a trade union representative, where I can encourage and support members to approach their managers if they are struggling with disabilities. So my message is: if you are struggling with a disability, particularly a hidden disability or a long-term health condition, then tell your manager what your disability is and how it's affecting you. You can ask your union rep or colleague to support you and your manager is legally bound to listen and support you. They cannot discriminate against you because of your disability. It's against the law. So don't be afraid or embarrassed. Go and get the support you deserve.



NHS England / Improvement EDI Team London, created in partnership with
NEL CSU & Bart's Health (BartsAbility Team)

