



# Disability Tool Kit

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## Introduction

Welcome to the HSC organisations practical Tool Kit for Managers and Staff. We hope you find the information helpful when considering disability issues in the workplace. The advice and information in this Tool Kit is based on the HSC's Disability Equality Policy informed by best practice drawing upon the Equality Commission's 'Disability Code of Practice – Employment and Occupation', relevant case law and operational experience.

October 2023

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# What is in the Tool Kit

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There is a range of information in this Tool Kit covering:

- What is a disability?
- What is a reasonable adjustment?
- What is positive action?
- Practical guidance for Managers
- Practical guidance for Staff
- Training resources

In addition, there is further practical advice available in the 'Useful resources' section of this Tool Kit.

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# Advice and information

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Human Resources Departments, Occupational Health Departments and Equality Units are sources of help and advice in managing disability in the workplace.

Refer to the 'Contacts' section of this Tool Kit for your organisation.

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# Review

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The Tool Kit and advice contained therein will be reviewed at least once every 3 years to ensure that it is in keeping with best practice, advancements in the legislative framework and case law.

The Equality Unit staff are also keen to hear from Managers and Staff in terms of how useful they found this Tool Kit and especially if there are gaps in information that we could include in future revisions. Comments can be emailed to [HR.Equality@setrust.hscni.net](mailto:HR.Equality@setrust.hscni.net)

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# Definition of disability

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The Disability Discrimination Act 1995 (DDA) defines disability as:

***“a physical or mental impairment which has a substantial and long term adverse effect on a person’s ability to carry out normal day to day activities”.***

It is important to note that the DDA covers people with a wide range of conditions e.g. people with diabetes, epilepsy, severe disfigurement, dyslexia, cancer, mental ill health, intellectual, sensory, cognitive impairment, physical and also hidden disabilities such as autism, ADHD, dementia, blood borne conditions e.g. hepatitis, HIV, etc. This list is by no means exhaustive.

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# Explanation of a condition (impairment)

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The Disability Discrimination Act's definition covers physical and mental conditions. These include:

- Physical conditions affecting the senses such as sight and hearing, heart disease, diabetes, epilepsy.
- Mental conditions including learning disability and mental ill health.

We all have mental health just as we have physical health. Both can fluctuate on spectrum from good to poor.

# Explanation of substantial

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For an effect to be substantial, it must be more than minor. The following are examples that are likely to be considered substantial:

- Inability to see moving traffic clearly enough to cross a road safely.
- Inability to turn on taps or knobs.
- Inability to remember and relay a simple message correctly.

# Explanation of long term

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Long term effects are effects that:

- have lasted at least 12 months, or
- are likely to last at least 12 months, or
- are likely to last for the rest of the life of the person affected.

Long term effects include those which are likely to recur. For example, an effect will be considered to be long term if it is likely both to recur and to do so at least once beyond the 12 month period following the first occurrence.

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# Explanation of day-to-day activities

Day-to-day activities are normal activities carried out by most people on a regular basis and must involve one of the following broad categories:

- Mobility – moving from place to place.
- Manual dexterity – for example, use of the hands, wrists or fingers.
- Physical co-ordination.
- Continence.
- The ability to lift, carry or move ordinary objects.
- Speech, hearing or eyesight.
- Memory, or ability to concentrate, learn or understand.
- Being able to recognise physical danger.

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# Severe disfigurement

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The Disability Discrimination Act's definition treats disfigurement as a disability, although it has no effect on a person's ability to carry out normal day-to-day activities.

If, however, the disfigurement consists of a tattoo which has not been removed, a non-medical body piercing, or an object attached through such a piercing, regulations have the effect of ensuring that this would **not** be treated as a disability.

# Conditions helped by treatment or artificial aids

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Medication or equipment (such as an artificial limb) which helps a condition is **not** taken into account when considering whether a condition has a substantial effect.

For example, a person who manages their diabetes with insulin is considered to have the diabetes that would exist without the insulin treatment.

An exception is when people wear glasses or contact lenses – it is the effect on the person's vision, while wearing the glasses or contact lenses that is considered.

If, however, the treatment is likely to cure the condition, this should be taken into account in assessing whether the condition is long term.

# Progressive conditions

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The Disability Discrimination Act (DDA) covers progressive conditions where conditions are likely to become substantial. Examples of progressive conditions include:

- Cystic fibrosis.
- Alzheimer's disease.
- Huntington's chorea.
- Muscular dystrophy.
- Motor neurone disease.

The above list is illustrative and not intended to be exhaustive

The DDA covers people with these conditions from the moment that there is a noticeable effect on normal day-to-day activities, however slight, not when there is a substantial effect as with conditions that are not progressive.

# Cancer, HIV and Multiple Sclerosis

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People with cancer, HIV or multiple sclerosis are deemed to be disabled from the point of diagnosis, regardless of whether or not they have any symptoms.

# Recurring or fluctuating conditions

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Conditions such as arthritis where the effect can sometimes be less than substantial are treated as continuing to have a substantial adverse effect so long as the effect is likely to recur.

# Conditions that are excluded

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The following conditions are not to be treated as impairments for the purposes of the Disability Discrimination Act:

- Addiction to or dependency on alcohol, nicotine or any other substance (unless the addiction resulted from the substance being medically prescribed).
- Seasonal allergic rhinitis (e.g. hay fever) except where it aggravates the effect of another condition.
- A tendency to set fires.
- A tendency to steal.
- A tendency to physical or sexual abuse of others.
- Exhibitionism.
- Voyeurism.

# Genetic predispositions

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The Disability Discrimination Act does not cover people with a gene that causes a disability unless they develop a disability.

For example, people with the gene that causes Huntington's chorea are not covered if they do not have the condition. People are covered as soon as the first effects on normal day-to-day activities appear.

# Past disabilities

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The Disability Discrimination Act's (DDA) definition covers people who have had a disability in the past. If a person once had a disability which is covered by the DDA, they are still protected even if they have now recovered. This applies even if they recovered before the DDA came into force.

# Prevalence of disability

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Around 1 in 5 people in Northern Ireland have a disability. The nature and extent of their disability vary widely, as do their requirements for overcoming any difficulties they may face. To avoid discriminating you need to be aware of this. You also need to be aware of the effects your decisions and actions may have on a person with a disability.

Avoid making assumptions about people with a disability. Disabilities will often affect people in different ways and their needs may be different as well.

**Note:** People may have more than one disability.

# Dignity and respect

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Treat all staff with dignity and respect.

Remember the Disability Discrimination Act (DDA) places legal obligations on organisations not to discriminate against a member of staff who has a disability. It is unlawful to treat a person with a disability less favourably or fail to make a reasonable adjustment.

The DDA describes 4 forms of unlawful discrimination:

- Direct Discrimination.
- Disability-Related Discrimination.
- Failure to comply with a duty to make reasonable adjustments.
- Victimisation.

The HSC organisation must make reasonable adjustments for people with disabilities. The duty to make reasonable adjustments arises where a *provision, criterion or practice* applied by or on behalf of an employer, places a person with a disability at a substantial disadvantage compared with people who are not disabled. An employer has to take such steps as it is reasonable for it to have to take in all the circumstances to prevent that disadvantage – in other words the employer has to make a reasonable adjustment.

# Confidentiality

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When managing disability in the workplace particular care should be taken to protect confidentiality. This includes recording and management of information, especially sensitive information pertaining to health status and nature of disability. You should **not** disclose a person's disability without their consent.

Also refer to the 'Staff Privacy Notice'.

# Associated disability

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In addition to protecting people with a disability against discrimination because of their own disability, the Disability Discrimination Act also provides protection for non-disabled people who are associated with persons with a disability where the reason for their discriminatory treatment is because of that association.

For example, a successful applicant is suddenly deselected after revealing she has a child with a severe disability with complicated care arrangements. The withdrawal of the job offer could amount to discrimination because of her association with a person who has a disability.

# What is a reasonable adjustment (RA)?

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# Definition of reasonable adjustment

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The Disability Discrimination Act (DDA) says that one way discrimination can occur is when an employer fails to comply with a duty of reasonable adjustment in relation to a person with a disability.

Reasonable adjustments are practical ways to remove certain disadvantages faced by a person with a disability and enable them to carry out the duties of their job. The DDA says that the duty to make reasonable adjustments applies where any physical feature of the employer's premises, or any practices, policies or criteria made by the employer, place a person with a disability at a substantial disadvantage compared with a non-disabled person.

Each case will be individually assessed and reasonable adjustments made as appropriate. Failure to make reasonable adjustments is discrimination that can never be justified.

# When to make a reasonable adjustment?

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All employees who have a responsibility for staff management have a duty to make reasonable adjustments as soon as they know that someone defined as having a disability may need them. Not asking whether something is needed is no defence for not knowing, and it is your duty to take reasonable steps to find out whether adjustments are needed. We should not only seek reasonable adjustment information through formal processes e.g. Occupational Health, but also be alert to signs and symptoms that could have reasonably lead us to suspect that an individual may have a disability which they have not disclosed or which has not yet been diagnosed.

Any recommended adjustments should be implemented in a timely fashion, and it may also be necessary for a manager to make more than one adjustment. It is advisable to agree any proposed adjustments with the person with a disability in question before they are made. Any recommended adjustments that cannot be implemented should be referred back to Occupational Health if appropriate for further advice/information.

# Why make a reasonable adjustment?

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Carrying out reasonable adjustments is a legislative duty under the Disability Discrimination Act. Common misconceptions held about this requirement consider that measures are likely to be expensive and inconvenient, but this is not true. Often a very simple adjustment can make a huge difference to an individual and consequently enables them to remain in work, carrying out their job.

Aside from adhering to legislative requirements and duties placed under the legislation, there is a valid business case attached to accommodating and being proactive in the provision of reasonable adjustments. Often they are not costly but can save a great deal by preventing a staff member needing to go off on long-term sickness. Also, taking this proactive approach will undoubtedly assist how staff carry out their duties and encourage positive morale in the workplace, as they will feel that their interests and wellbeing are accommodated. Results can be the saving of money incurred through sickness pay and cover arrangements, as well as ensuring productivity and satisfaction.

# Some examples of reasonable adjustments (RA)

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Re-allocation of duties

Job transfer

Altering hours of work or training

Assigning an employee with a disability to a different place of work or training

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Providing a reader or an interpreter

Providing supervision/other support

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# Work environment

Altering the height of a computer workstation so that an employee with a neck injury can work without aggravating the injury.

Providing a stair lift to enable a wheelchair user to remain part of the team and enable them to get to their office on an upper floor or relocate them to a ground floor office.

Painting part of an interior in contrasting colours to help a visually impaired person find their way around.

It is important that the work environment is considered when planning new services/builds and access audits are an important way of ensuring current premises are accessible.

# Re-allocation of duties

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Re-allocating some of the duties carried out by the person with a disability to another employee.

For example:

A clerical officer with arthritis whose job may occasionally involve filing or photocopying. A possible reasonable adjustment might be to reallocate these duties to another member of staff.

An employee who is deaf may be unable to use the phone could take on different duties while their colleagues have responsibility for answering all phone calls.

# Job transfer

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For example:

An employee who is no longer able to drive could be reallocated to a desk job or any other role where they are not required to drive.

In these circumstances an employee does not need to undergo the interview process but must meet the requirements of the post. Retraining should be considered to enable an employee to meet these requirements if it would be reasonable to do so. However, redeployment should only take place when there are no more reasonable adjustments that can be made to an employee's existing role.

# Altering hours of work or training

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For example:

Where an employee who has arthritis may find the effects of the condition are worse in the mornings, we could consider allocating shifts that start later in the day. We could also consider different working hours to avoid the need to travel in the rush hour if this is a problem related to an impairment. A phased return to work with a gradual build-up of hours might also be appropriate in some circumstances.

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# Assigning an employee with a disability to a different place of work or training

This may include transferring to an existing vacancy. It could also include moving the employee to a ground floor office, or a different building depending on the nature of their disability. It could also mean moving an employee to a location closer to home or working from home. For example, an employee with Crohn's disease may find traveling for long periods difficult.

# Time off for rehabilitation, assessment or treatment

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For example:

A manager allows a person who has become disabled more time off during work than would be allowed to non-disabled employees to enable the person to have rehabilitation or condition management training.

This leave should not be considered as sick leave.

# Providing training or mentoring

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This may be linked to one of the other reasonable adjustments made for an employee.

For example:

An employee who has been redeployed to an existing vacancy may require training to help them carry out that role. Another employee could act as a mentor to talk about aspects of the work, work patterns and work load and provide advice to the employee.

Additional support/supervision could be given to an employee with a learning disability via peer support or coaching.

Alternatively an employee who has been provided with a piece of equipment, for example voice recognition software, may also need to be trained in how to use it.

Refresher training may be necessary if the employee returns to work after a long period of absence.

A visually impaired person attending computer training may require the computer to have speech output software.

# Acquiring or modifying equipment

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For example:

An employee who has dyslexia may benefit from voice-activated software, a spell checker or a Dictaphone to help record minutes or reports.

An employee who is deaf may find a telephone with text display to be a useful aide.

# Modifying instructions or reference manuals

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For example:

An employee with a learning disability may require their daily tasks to be repeated slowly in order for them to write them out, or they may require them to be provided in a written format by the line manager.

An employee suffering from a degenerative eye condition that leads to a sight-disability may benefit from being provided with written materials in an enlarged format.

# Modifying procedures for testing or assessment

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This could involve ensuring that particular tests do not adversely affect people with particular types of disability.

For example:

A person with restricted manual dexterity would be disadvantaged by a written test, so we could consider giving that person an oral test instead.

Additional time could be offered to an applicant with dyslexia who is undertaking an aptitude test.

# Providing a reader or an interpreter

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A colleague reads mail to a person with a visual impairment at particular times during the working day. Alternatively, we could consider hiring a reader.

For someone with a hearing impairment a sign language interpreter could be used e.g. when they are attending training courses.

# Providing supervision / other support

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An example:

An employee returns to work following a period of absence due to a disability such as clinical depression. The individual may need additional guidance and supervision especially in the short term to help them recover their skills and confidence. We may seek support from Community and Voluntary organisations to provide support to the individual.

The [Disability Employment Service](#) (Department of Communities) can also provide support to individuals who become disabled whilst in employment. An Employment Adviser is available in local Jobs & Benefits Offices/Job Centres.

# Other factors for consideration in making a reasonable adjustment

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The Disability Discrimination Act lists a number of factors which may have a bearing on whether it will be reasonable for us to have to make a particular adjustment. These are:

- The effectiveness of the particular adjustment in preventing the disadvantage.
- The practicability of the adjustment.
- The financial and other costs of the adjustments and the extent of any disruption caused.
- The extent of our financial or other resources.
- The availability to us of financial or other assistance to help make an adjustment.
- The nature of our activities, and the size of our undertaking.

We must prove that we have explored all avenues and must present justifiable reasoning why a measure could not be taken, for example, a valid business reason or health and safety (this supersedes all else as the duty of care). The key word is **reasonable**.

# External sources of support

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There is a range of external sources of support available for employers and employees, such as, Access to Work (NI) and Workable (NI). These schemes are administered by the Department for Communities and are accessible through the Jobs and Benefits Offices. When considering reasonable adjustments it is important to consider all available options including sources of external support.

**Access To Work (NI)** is available to overcome the practical difficulties caused by disability. It offers advice and help in a flexible way that can be tailored to suit the needs of an individual in a particular job, or getting to and from work. The programme can assist in a number of ways, for example, communication support at interview, special aids and equipment, adaptations to premises and equipment, travel to work, support worker, disability awareness training – click [here](#) to access information on the government services' website.

**Workable (NI)** programme provides a flexible range of long term support to assist people with a disability with substantial barriers to employment, find and keep work. The support needs of each individual are assessed and individually tailored support packages are developed to meet client needs. These support mechanisms can include: job coach to assist the worker with a disability and their colleagues adapt to the needs of the particular job, developmental costs to the employer, extra training, disability awareness training – click [here](#) to access information on the government services' website.

# What is positive action?

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Positive action under the Disability Discrimination Act (DDA) involves reaching out to people with a disability to ensure equality of opportunity in employment.

The DDA allows employers to treat persons with a disability more favourably than persons who are not disabled. There are conditions as to how and when taking positive action is appropriate and you should seek advice from your Human Resources Department or Equality Unit in advance.

Read more in 'Outreach Positive Action – A Guide to the Law and Good Practice' (Equality Commission for NI) – ([link](#)).

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# Examples of positive action

Examples of positive action under the Disability Discrimination Act may include:

- Encouraging persons with a disability to apply for job opportunities;
- Offering training opportunities to persons with a disability;
- Reserving a quota of job vacancies for persons with a disability;
- Operating a 'Guaranteed Interview Scheme' for applicants with a disability whereby the employer shortlists all applicants with a disability who meet the essential job criteria;
- Providing 'supported employment' opportunities to persons with a disability. You can also provide supported employment opportunities to persons with a particular disability e.g. persons with a sight impairment or persons with a learning disability.

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Managers should complete Parts 1 and 2 of their mandatory Equality, Good Relations and Human Rights 'Making a Difference' eLearning and ensure their staff for whom they are responsible have also completed Part 1 of this training – for more information go to the 'Training resources' section in this Tool Kit.

Managers should attend other disability awareness and reasonable adjustments training to ensure they understand their responsibilities under the Disability Discrimination Act 1995 (DDA) and in particular the duty to make a reasonable adjustment for both job applicants and staff with a disability – for more information go to the 'What is a reasonable adjustment?' section in this Tool Kit.

**Important Note: The DDA requires employers to put in place timely reasonable adjustments for persons with a disability. The Equality Unit, Human Resources Department or Occupational Health Department are further sources of help and advice in managing disability in the workplace.**

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# What are my responsibilities as a Manager?

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Managers should avoid making assumptions about job applicants and Employees with a disability. Disabilities will often affect different people in different ways and their needs may be different as well.

Managers may have to make more than one reasonable adjustment for a person with a disability.

Managers must keep under review the effectiveness of any reasonable adjustment. This is particularly true for a member of staff who has a progressive condition e.g. MS.

**Consent** - Managers must not disclose confidential details about an employee's disability without his or her consent. In order to facilitate a reasonable adjustment, however, it might be necessary to inform 'others'. This should be done on a 'need to know' basis and always with the consent of the individual. Disability information must be kept secure, up-to-date and private, as per GDPR (General Data Protection Regulation) guidance.

**Self Declaration** – It is up to an individual employee to decide whether or not to 'self-declare' they have a disability. If an employee chooses not to disclose they have a disability they may forfeit the protections afforded under the Disability Discrimination Act (DDA). If a manager does not or could not reasonably be expected to know that the individual has a disability they are unlikely to be found liable under the DDA. Managers should share the information leaflet 'Should I Disclose to my Employer that I have a Disability' with an employee to help inform their decision re disclosure – go to the 'Useful resources' section in this Tool Kit for a link to this leaflet. [\(document attached for uploading\)](#)

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Managers should provide reasonable time out for staff who have a disability to attend GP and Hospital appointments or treatment to alleviate/manage the effect of their disability – [go to the 'Useful resources' section in this Tool Kit for a link to the organisation's 'Leave Entitlement Policy' or contact the Human Resources Department for advice.](#)

Managers should not discriminate against a job applicant or employee with a disability either directly; by failing to comply with a duty to make a reasonable adjustment; disability related discrimination; or by victimisation – go to the 'What is a reasonable adjustment?' section in this Tool Kit for more information.

Managers must effectively communicate their organisation's Equal Opportunity Policy, [Conflict, Bullying and Harassment in the Workplace Policy](#), Disability Equality Policy, etc. and relevant procedures to all employees and agency staff - go to the 'Useful resources' section in this Tool Kit for links to documents.

Managers should remember to consider reasonable adjustments in the application of policies such as absence management, disciplinary rules and sanctions for staff with a disability.

Managers should seek expert advice – go to the 'Contacts' section in this Tool Kit for more information.

Managers should deal effectively with all complaints of disability discrimination from their staff.

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# Recruitment and selection

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The anti-discrimination laws make it unlawful to discriminate against a job applicant on any of the protected equality grounds including disability.

In relation to recruitment, the Disability Discrimination Act says that it is unlawful for an employer to discriminate against a person with a disability:

- In the arrangements made for determining who should be offered employment;
- In the terms on which the person with a disability is offered employment; or
- By refusing to offer, or deliberately not offering, the person with a disability employment.

# Reasonable adjustments for applicants with a disability

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The reasonable adjustment duty applies to the arrangements made by an employer in determining who should be offered employments.

All HSC applicants are requested at the time of application to include any requests for reasonable adjustments to the selection process.

This may mean treating a person with a disability differently to other applicants (who are not disabled). For example, by:

- making available information about the job in accessible formats e.g. large print, easy read, etc.
- enabling a person with a disability to submit an application form in an accessible alternative other than on-line.
- making alternative arrangements to enable a person with a disability to attend for a job interview e.g. holding the interview on the ground floor for a person with a disability with mobility difficulties (and where there is no lift).
- making reasonable adjustments to the job criteria/personnel specification.

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# Reasonable adjustments for applicants with a disability

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- affording flexibility around the timing and place of the interview.
- providing a sign language interpreter to attend an interview with a deaf candidate and allowing extra time for the interview.
- allowing a candidate, who has a learning disability, to bring a supportive person to an interview to assist when answering questions that are not part of the assessment itself.
- allowing more time for a test for an applicant who has a disability – although not if the test is to assess skills that are necessary for the job and assessing those skills was the purpose of the test.

This list is not exhaustive rather it is intended to be illustrative.

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# Interviewing applicants with a disability

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Managers participating as members of interview panels should be mindful of their duties in interviewing applicants with a disability and in particular should ensure that any necessary adjustments for the interview process are provided. This may include the need for an interpreter (sign language), ensuring that the room has the appropriate lighting requirements, ensuring that the access arrangements are suitable etc. (See also previous examples of reasonable adjustments.) Each set of circumstances should be considered on their individual merits depending on the needs of the individual and what is considered reasonable. A failure to provide an adjustment that is considered reasonable is **unlawful discrimination**.

Panels should ensure that where an interpreter or support person is required to attend the interview the questions should continue to be directed to the applicant and all eye contact should be with the applicant.

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# Interviewing applicants with a disability

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Aside from the duty to make reasonable adjustments there is no other requirement for an employer to treat a person with a disability more favourably than it treats or would treat others who are not disabled.

An employer will have to assess an applicant's merits as they would be if any reasonable adjustment under the Disability Discrimination Act had been made.

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The Disability Discrimination Act gives protection from discrimination to a person with a disability within the meaning of the Act. *A person with a disability is someone who has a physical or mental impairment which has an effect on an individual's ability to carry out normal day-to-day activities.* That affect must be:

- **Substantial**

*For an effect to be substantial, it must be more than minor. For example:*

- *Inability to see moving traffic clearly enough to cross a road safely.*
- *Inability to turn on taps or knobs.*
- *Inability to remember and relay a simple message correctly.*

- **Adverse and**

- **Long term**

*Long term effects include those which are likely to recur. For example, an effect will be considered to be long term if it is likely both to recur and to do so at least once beyond the 12 month period following the first occurrence. These are effects that:*

- *have lasted at least 12 months, or*
- *are likely to last at least 12 months, or*
- *are likely to last for the rest of the life of the person affected.*

# What does the law say?

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The law says you do not have to tell an employer about your disability – it is your choice. Deciding whether or not to tell an employer about your disability can be difficult. Some people are happy to discuss their disability, while others feel that they may face discrimination if they tell an employer.

However, there is a range of policies, procedures and guidance for staff and managers designed to protect you from discrimination. We would encourage you to discuss with your line manager, or a more senior manager if you prefer, your disability to allow for any reasonable adjustments to be made.

The Disability Discrimination Act says that people with a disability should be treated fairly at work. The law says that employers:

- Must not discriminate against you if you work for them or if you apply to work for them.
- Must make changes where they can to help you if you are at a disadvantage because of your disability. These changes are called 'reasonable adjustments'.

Sometimes an employer might be aware of your disability without being told, and should look at the need for reasonable adjustments. If they are not aware, and you do not tell the employer about your disability, they may not have to make the reasonable adjustment you need.

# What are the advantages of telling an employer?

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- ❖ You may feel more confident knowing that you have been open and honest with your employer about your disability.
- ❖ Sometimes there are genuine health and safety reasons why an employer should be told about your disability.
- ❖ You will be able to discuss any reasonable adjustments you might need for the application process, interview, or when you start the job.
- ❖ Telling an employer yourself gives you control over what information is given.
- ❖ You may be able to use your experience of overcoming disability related barriers to show your resourcefulness, determination, flexibility, or creative problem solving.
- ❖ You and your employer may be able to get support from the Department for Communities through programmes like [Access to Work \(NI\)](#) or [Workable \(NI\)](#).

# What are the common fears about telling an employer?

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Often persons with a disability fear that an employer may not understand the disability or that they will have negative ideas about people with disabilities. Some persons with a disability may fear that the employer may focus on the disability, or make assumptions about their ability to do the job.

You may be worried about confidentiality or see disability as a personal issue that you do not want to discuss with other people.

[Disability Action](#) are a Northern Ireland charity who work with people with physical disabilities, learning disabilities, sensory disabilities, hidden disabilities and mental health disabilities. Their advice is that it is usually better for you to tell an employer about your disability. This is particularly important where there are health and safety issues or if you need reasonable adjustments. The decision is always yours, but it can help to talk things over with someone.

You can also seek advice from the Human Resources Department, the Occupational Health Department or the Equality Unit.

# Confidentiality

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Disability information must be kept secure, up to date, and private, in line with GDPR (General Data Protection Regulation) guidance. It is helpful for your line manager to have some information about how your disability might affect you in work and what changes can be made to support you. Your manager should not tell anyone about your disability without your agreement. Only information about adjustments should be shared – not your medical information.

Sometimes it can help if your manager, supervisor, and colleagues know more about your disability. You can ask your employer to provide disability awareness training to the people you work with.

# How to declare a disability

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The organisation is working hard to foster a culture where staff and new employees can feel confident in self-declaring that they have a disability.

Telling your manager will enable discussion about putting in place any reasonable adjustments that can be made to assist you in the workplace. The Occupational Health Team can also support you and your manager to identify suitable adjustments.

Staff are also encouraged to disclose if they have a disability on HRPTS – the HSC’s computerised system for human resources, payroll, travel and subsistence. This can be done by logging onto [ESS](#) (Employee Self Service) and clicking on ‘Personal Information’ where staff will find their Equality and Diversity data – which is theirs to maintain (guide available on Intranet/Sharepoint or via this [link](#) - Employee Guide on How to Update/Amend Equality and Diversity Personal Data.)

Please note that the equality information held on HRPTS is only used for statistical reporting purposes and cannot be seen by your manager. Access to this equality data is strictly controlled within your Human Resources Department. No individual will be identified in these summaries or reports. More information with regards to how the your organisation processes personal data of staff members can be found in the Staff Privacy Notice.

# Where to find help and advice

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The organisation's Equality Unit or the Human Resources Department are sources of help and advice in managing disability in the workplace.

Employees can also seek support and guidance from the Occupational Health Department and the counselling service Inspire (a free 24/7 confidential service – Helpline: 0808 800 0002, email: [workandstudy@inspirewellbeing.org](mailto:workandstudy@inspirewellbeing.org))

Go to the 'Contacts' section in this Tool Kit for more details.

# Training resources

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ALL staff should complete their mandatory 'Equality, Good Relations and Human Rights – Making a Difference' eLearning - Part 1. Managers must complete Parts 1 and 2. This training can be accessed on your organisation's eLearning platform or by clicking this image:

Certificates can be generated as part of evidence of continuous professional development



In addition, all staff should read 'Equality, Good Relations and Human Rights – A training manual for Staff' – which is available on the Intranet/Sharepoint or by clicking this image:



## Why should I complete my eLearning training and read the Training Manual?

They will:

- make you aware of current Equality, Good Relations, Disability and Human Rights legislation;
- increase your awareness of how committed the organisation is to promoting equality of opportunity, promoting good relations and embracing the ethos of treating people with dignity and respect;
- increase your awareness of your role and responsibilities both as a manager and an employee.

**F**airness **R**espect **E**quality **D**ignity **A**utonomy  
(FREDA principles)

Next

# Useful resources

## Internal

- ❖ Disability Equality Policy
- ❖ Disability Etiquette Booklet
- ❖ Making Communication Accessible for All
- ❖ Should I Disclose to my Employer that I have a Disability
- ❖ Employee Guide on How to Update/Amend Equality and Diversity Personal Data
- ❖ [eLearning platform](#) - Equality, Good Relations and Human Rights – Making a Difference  
eLearning training
- ❖ Equality, Good Relations and Human Rights – A training manual for Staff
- ❖ Leave Entitlement Policy
- ❖ Equal Opportunity Policy
- ❖ Conflict, Bullying and Harassment in the Workplace Policy
- ❖ Staff Privacy Notice
- ❖ The United Nations Convention on the Rights of People with Disabilities (UNCRPD) – Guidance for HSC Staff

# Useful resources

## Internal (contd)

- ❖ Staff Health and Wellbeing Charter
- ❖ Mental Health Charter
- ❖ Stress Tool Kit

## External

- ❖ [Definition of Disability - ECNI](#)
- ❖ [Disability Code of Practice – Employment and Occupation – ECNI](#)
- ❖ [Employing People with Disabilities – A Positive Action Guide for Employers](#)
- ❖ [Outreach Positive Action – A Guide to the Law and Good Practice – ECNI](#)
- ❖ [People Manager's Guide to Mental Health – CIPD](#)

# Contacts

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<p>Equality Manager Building 1, The Sidings Antrim Road Lisburn BT28 3AJ</p>	<p>Equality Officer Building 1, The Sidings Antrim Road Lisburn BT28 3AJ</p>	<p><b>Occupational Health Department</b> Home 3, Ulster Hospital Dundonald BT16 1RH Phone: 028 9056 1300</p>
<p><b>Department for Communities - Preparation for Work Programmes Branch</b> Workable (NI) - 028 9072 6761 Access to Work – 028 9072 6756 Email: DFCPfWprogrammes@communities- ni.gov.uk Website: <a href="https://www.nibusinessinfo.co.uk/content/disability-employment-service">https://www.nibusinessinfo.co.uk/content/disability-employment-service</a></p>	<p><b>Inspire</b> Confidential Counselling Service Tel: 0808 800 0002 Email: workandstudy@inspirewellbeing.org</p>	<p><b>Disability Action</b> Tel: 028 9029 7880 Fax: 028 9029 7881 Textphone: 028 9029 7882 Email: <a href="mailto:hq@disabilityaction.org">hq@disabilityaction.org</a> Website: <a href="https://www.disabilityaction.org/">https://www.disabilityaction.org/</a></p>
<p><b>Equality Commission for NI</b> Tel: 028 9050 0600 Textphone: 028 9050 0589 Email: <a href="mailto:information@equalityni.org">information@equalityni.org</a> Website: <a href="https://www.equalityni.org/">https://www.equalityni.org/</a></p>	<p><b>Jobs &amp; Benefits Office</b> Click here for a link to a list of local Jobs and Benefits offices and contact details; <a href="#">Jobs and Benefits offices   nidirect</a></p>	<p><b>Disability Employment Service</b> Tel: 028 9025 2085 Textphone: 0800 028 4716 Website: <a href="https://www.communities-ni.gov.uk/topics/finding-employment/help-find-employment">https://www.communities- ni.gov.uk/topics/finding- employment/help-find-employment</a></p>

**Note:** This list is not exhaustive.

Please refer to your organisation's consultation list for details of other disability related organisations.