

DISABILITY POLICY



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Section 1 – Policy Intentions

1.0 Policy Statement

The Police and Crime Commissioner and Chief Constable for Gloucestershire are committed to valuing and respecting difference and understanding that people have different needs.

- 1.1 We are committed to strengthening the trust and commitment of all communities served and developing and investing in its people. On this basis, we are committed to valuing difference and recognising that individual needs will vary. Equality of opportunity is not about treating everyone the same, instead treating people fairly dependent upon their individual needs.
- 1.2 Although unintentional, certain workplace practices can present unnecessary barriers to disabled persons. We are committed to identifying any such structural, organisational, physical or attitudinal barriers that could place a disabled person at a disadvantage, then taking positive action to remove those barriers. The focus must remain on what each individual can do, rather than what they cannot.
- 1.3 This Disability Policy sets out our commitment to every disabled police officer and member of staff, encouraging a proactive approach at every level. It provides guidance for managers and clarifies the support framework that exists to ensure equality of treatment. The primary aim of the policy is to ensure every existing or potential member of staff has the opportunity to perform to the best of their ability in the workplace. Furthermore, it makes good business sense to ensure all employees have the appropriate resources to perform their role to the best of their ability.

Section 2 – Policy Wording and Procedural guides

2.0 Terminology

Throughout this policy reference is made to 'staff' and 'employees'. These terms cover all members of the OPCC, Police Officers (although technically Officers of the Crown are covered by Police Regulations), Police Staff, Special Constables, job applicants and agency workers.

2.1 Definitions

2.1.1 Disability

Disability is defined under section 6(1) of the Equality Act (2010) as 'a person has a physical or mental impairment, and the impairment has a substantial and long term adverse effect on that person's ability to carry out normal day-to-day activities'.

Terminology relating to disability can be found in [Appendix A](#).

2.1.2 Mental Impairments

Mental impairments include a wide range of impairments relating to mental functioning.

2.1.3 Substantial Adverse Effect

Substantial adverse effect refers to the effect of the physical or mental impairment on the person's ability to carry out any of the normal day-to-day activities specified in the Equality Act (2010). The effect must be more than minor or trivial, but does not have to be severe.

2.1.4 Long-term

Long-term means that the effect has lasted for at least 12 months, or it is likely to last for at least 12 months or it is likely to last for the rest of the life of the person affected. A person with a life expectancy of less than 12 months would be covered if the effects are likely to last until that person dies.

2.1.5 Discrimination

Discrimination encompasses:

- Treating a disabled person, or anyone who associates with them, less favourably
- Harassing a disabled person
- Individuals who are perceived to be disabled
- Victimising any person for making or supporting a claim of discrimination
- Failing to make reasonable adjustments
- Publishing discriminatory advertisements
- Instructing or pressurising others to discriminate

It remains unlawful to discriminate even when the employment relationship has ended.

2.2 Procedures

2.2.1 General

The Constabulary has been accredited with the 'Double-Tick' symbol, a recognition given by the Jobcentre Plus to employers who have agreed to take action to meet five commitments regarding the employment, retention, training and career development of disabled employees. Accreditation to 'Double-Tick' is reviewed annually to ensure the Constabulary is committed to continued positive action in the key areas described below:

- To interview all disabled applicants who meet the essential criteria for a job vacancy e.g. requirement for a specific qualification or experience
- Consider them on their abilities
- Ensure there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure they can develop and use their abilities
- To make every effort when employees become disabled to ensure they remain in employment.
- Take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work each day

2.2.2 Recruitment

In line with the 'Double-Tick' initiative, we are committed to inviting every disabled applicant to interview, if they meet the essential criteria for the job vacancy.

We are not under a duty to make reasonable adjustments in respect of job applicants, if we are not aware of or reasonably expected to know of the applicant's disability. Therefore, at the application stage, it is the applicant's responsibility to inform us of their disability. This includes the liability for any associated costs incurred to verify a disability exists.

Vacancies are advertised in a wide range of media, including newspapers and websites. The text of all advertisements and further particulars will be made available electronically and in Braille, large text or another format upon request. Resourcing is the initial point of contact for all such requests.

All applicants will be given the opportunity to state any reasonable adjustments that they require to be able to perform to the best of their ability at interview or any other selection process.

Responsibility for ensuring a request for reasonable adjustments is acted upon at the recruitment stage sits with Resourcing, who will liaise with the Chair of the panel as necessary. At interview, if the panel are not satisfied that all requested reasonable adjustments have been made, they should terminate the interview and re-schedule for a later date. Under no circumstances should an applicant be forced to proceed with the interview until agreement about reasonable adjustments has been reached.

Reasonable adjustments during recruitment and selection are intended to ensure a disabled applicant is able to compete fairly with non-disabled applicants and have access to the same opportunities. The adjustments should not give an unfair advantage to disabled applicants.

2.2.3 Selection

We are committed to considering every applicant on his or her abilities. Throughout the process the interview panel must assess how well the person meets the specific requirements of the post, taking into account any reasonable adjustments that may be necessary and appropriate. It is the responsibility of the interview panel to ensure that the reasonable adjustments have been implemented during the selection stage. The panel do not need to know the condition or symptoms, only the reasonable adjustments necessary for the individual to perform at interview and in the role. Resourcing will make interview panels aware if a reasonable adjustment for a candidate(s) is required.

The panel are responsible for ensuring that selection arrangements do not place a disabled applicant at a substantial disadvantage compared with other applicants. The panel must liaise with Resourcing to confirm the proposed arrangements are acceptable. Key points to consider are: access to rooms, requirement for sign language interpreters and adjustments to presentations. Where necessary, assessment methods must be adjusted to allow individuals to demonstrate their potential to carry out the role. This could include allowing oral presentations, additional time to complete tasks or use of specialist equipment. Where in doubt, the panel members should seek advice from Resourcing.

All applicants will be assessed on their abilities, experience and suitability for the post according to objective criteria. Panel members must ensure that only criteria genuinely essential to the job are specified as such, in order to avoid placing an applicant with a disadvantage at an unjustifiable disadvantage during selection. The Equality Act (2010) makes it unlawful for an employer to less favourably treat an employee on the grounds of his or her disability (direct discrimination).

The Equality Act (2010) also provides that it is unlawful for an employer to apply a provision, criterion or practice that puts a disabled person at a particular disadvantage (in comparison to an employee who does not share that disability) unless it can be shown that it was a proportionate means of achieving a legitimate aim (indirect discrimination). This must take into account the requirements of the specific post, the effect of the individual's disability upon the post and consideration must be given to any reasonable adjustments, which might reduce or eliminate that effect. Blanket exemptions and health or fitness requirements that are unrelated to the post are not lawful, however, it is legitimate to specify mandatory requirements for certain jobs (such as lifting or driving), where necessary and core to the functions of the post.

2.2.4 Line Manager Support

Whether a disability is present at the time an employee joins or identified later in the employment relationship, the line manager is primarily responsible for ensuring a mechanism exists to discuss, at any time, but at least once a year, what can be done to ensure the individual can develop and use their abilities effectively. Most individuals will know if they have a disability and will be

experienced in the adjustments they need in order to perform their role effectively. It is therefore vital to consult closely and regularly with individuals regarding their needs.

There will be occasions where managers suspect that an individual may have a disability covered under the disability provisions of the Equality Act (2010). Managers are advised to be proactive and discuss the matter with the individual in the first instance. Managers are also advised to seek expert advice if they notice any indicators, such as behavioural differences, discrepancies between ability and performance or recurring health issues. The individual may be unaware they have a disability or may be reluctant to disclose the disability if they fear the organisation will not respond positively. The manager must, therefore, proactively seek to maintain the trust of that individual by being open and honest about their actions.

There is no requirement for the line manager to know details of the condition or symptoms and instead they should focus on the adjustments necessary in the workplace. Line managers should consult closely with the HR Consultant and Occupational Health Unit, where appropriate. A flowchart outlining the key stages in managing an individual with a disability can be found at [Appendix B](#).

As a minimum, line managers should review the provision of reasonable adjustments as part of the annual PDR process, to ensure individual needs are being met and identify areas of positive action. Ideally, however, this should be an ongoing process, where issues are addressed as they arise.

Policies and procedures cannot make provision for every eventuality and individual cases must be considered on their merits. It is, however, important that managers gain the appropriate specialist advice to inform their decisions. Where line managers require specific advice, for example on a medical condition or the safety implications of employing a disabled person, they should consult with the HR Consultant and the Occupational Health Unit in the first instance.

Any equipment purchased to provide a reasonable adjustment, provided it is still necessary to meet the requirements of the new role, will move with the individual requiring it on transfer/promotion/secondment to a new post. If it is not required, it will be returned to the Occupational Health Unit for re-allocation.

2.2.5 Disability Passport

A [Disability Passport](#) is an undertaking entered into between an employer and an employee. It is a vital document that can be used for the benefit of individuals and their line managers.

The passport can be completed by any employee who feels that their circumstances could have an impact on their ability to work either currently or at some point in the future.

The Passport should be completed at either quarterly PDR Job Chats or as required, if there is a change in the individual's circumstances or condition. The individual may request a colleague or independent third party to be present at the meeting. After completion, it should be reviewed and amended as necessary with the agreement of both parties:

- At any regular one-to-one meeting.
- At a return to work meeting following a period of sickness absence.
- At six monthly and/or annual appraisals.
- Before a change of job or duties or introduction of new technology or ways of working.
- Before or after any change in circumstances for either party.

Once the Passport is completed and any potential actions have been agreed between the individual and the line manager, the individual must have confidence that the Passport is confidential. If an individual's line manager moves to another role, it is their responsibility to hand over the Disability

Passport to the incoming line manager and ensure that they are aware of the contents, and, most importantly, its continuing confidentiality.

New managers of employees with a Disability Passport should accept the adjustments outlined within the passport as reasonable and ensure that they continue to be implemented. The adjustments may need to be reviewed and amended at a later date but this should not normally happen until both parties have worked together for a reasonable period of time.

2.2.6 Carer's Passport

In addition to the Disability Passport, we also recognise that there are individuals working for us who, whilst not themselves disabled, have caring responsibilities for a partner, child or relative with a disability. To demonstrate our commitment to supporting them in their caring role, we will enter into an undertaking with an individual who has such responsibilities through a [Carers Passport](#).

The passport can be completed by any individual who feels that their circumstances could have an impact on their ability to work either currently or at some point in the future.

The Passport should be completed at either quarterly PDR Chats or as required, if there is a change in the individual's circumstances or condition. The individual may request a colleague or independent third party to be present at the meeting. After completion, it should be reviewed and amended as necessary with the agreement of both parties:

- At any regular one-to-one meeting.
- At a return to work meeting following a period of sickness absence.
- At six monthly and/or annual appraisals.
- Before a change of job or duties or introduction of new technology or ways of working.
- Before or after any change in circumstances for either party.

Once the Passport is completed and any potential actions have been agreed between the individual and the line manager, the individual must have confidence that the Passport is confidential. If, as the individual's line manager, you are moving to another role, it is your responsibility to hand over this document to the incoming line manager and ensure that they are aware of the contents, and, most importantly, its continuing confidentiality.

New managers of employees with a Carers Passport should accept the adjustments outlined within the passport as reasonable and ensure that they continue to be implemented. The adjustments may need to be reviewed and amended at a later date but this should not happen until both parties have worked together for a reasonable period of time.

2.2.7 Additional Support for Disabled Persons

Staff members should always liaise with their line manager in the first instance on matters relating to their disability. If they do not feel comfortable discussing the matter with their line manager, they should raise it with the HR Consultant. The HR Consultant will identify where additional specialist support may be needed and inform the individual's line manager of any critical considerations from a health and safety perspective.

All employees retain the option of consulting with the Employee Assistance provider, Health Assured, Unison, The Police Federation, Superintendents' Association, Ability and other Staff Support Associations. However unless we are made aware of an individual's needs, they will be unable to take the appropriate action regarding reasonable adjustments.

2.2.8 Disability Arising During Employment

We are committed to ensuring that individuals who develop a disability during their employment remain employed, where possible in their existing role. The knowledge, skills and experience of every employee is valued highly and retirement on grounds of ill health will only be considered as a last resort.

Where an employee develops a disability as a result of injury or a medical condition, we will:

- seek to determine the employee's capabilities within their existing role;
- look at possible adjustments to enable the individual to remain in their role;
- consult frequently with the individual, in order to identify and action reasonable adjustments that would facilitate retention in the employee's substantive role;
- consider redeployment to another existing role only if the impairment warrants such a move. See the [Management of Change Policy](#).

2.2.9 Reasonable Adjustments

Reasonable adjustments are a practical way to remove certain disadvantages and enable every individual with a disability to contribute fully to the workforce. An employer has a duty to make reasonable adjustments where a provision, criteria or practice puts a disabled employee at a substantial disadvantage (in comparison to an employee who does not share that disability). An employer must also take reasonable steps to ensure that a disabled employee is not disadvantaged because of a physical feature (including fixtures, fittings or chattels) in or on the employer's premises.

Decisions about adjustments must take into account:

- Views of the disabled person about their individual needs
- Extent to which the adjustment will improve the situation of the disabled person
- Cost of the measures, both financially and in terms of impact on others
- Ease of making the change

Line managers should initiate the adjustment process by completing the forms at [Appendix C](#) – Implementing Reasonable Adjustments. Advice on reasonable adjustments should be sought early from Microlink ([Appendix E](#)) via the HR Consultant. Where appropriate the Occupational Health Unit will also be consulted for specific advice. The forms at [Appendix C](#) cover: (1) Initial Consideration of an Adjustment, (2) Implementing a Reasonable Adjustment and (3) Monitoring and review of Reasonable Adjustments.

Although all line managers should be prepared to make reasonable adjustments, they should not make assumptions about what a person can or cannot do. Disabled people often develop their own solutions to work-based challenges and should be consulted fully in the first instance.

The need to consider reasonable adjustments spans the entire employment relationship, including: recruitment, selection, training and induction, appraisals and promotion, career development, transfer, retention or any other benefit. In addition to these specified categories, there will be further situations where reasonable adjustments may be necessary. The needs of each individual are best ascertained by consulting directly and regularly with that person. There is an ongoing need for managers to be creative and flexible, in order to maximise the abilities of staff to continue delivering a quality service.

If timing is a requirement of a competency standard within the recruitment/promotion process, there should be a clear distinction between giving some extra time as a reasonable adjustment, such that the nature of the competency standard is maintained and giving such an amount of extra time that the examination is no longer testing what it was intended to test e.g. the ability to work under pressure. (J.P. Burke v (1) College of Law (2) Solicitors Regulation Authority (2011))

We are committed to making reasonable adjustments to the workplace and to employment arrangements to ensure that a disabled person is not at a disadvantage when compared to a person without a disability. Some examples of what might constitute a reasonable adjustment can be found at [Appendix D](#), although this list is not intended to be exhaustive. Once identified, reasonable adjustments should be made as soon as is practicable. Where a reasonable adjustment involves the purchase of specific IT equipment, such requests will receive priority attention by the IT Department. Where there is a delay, individuals should not be placed at a disadvantage and it may be necessary to find alternative suitable work or offer paid leave.

If employers do not provide reasonable adjustments within a reasonable period of time, this will constitute a failure to provide reasonable adjustment under the Equality Act 2010. As a result, the employer will be liable and the employee will be awarded damages against the Police and Crime Commissioner and/or Chief Constable.

2.2.10 Declining an Adjustment

It is lawful to decline a request for an adjustment which is deemed unreasonable. The burden of proof is with the employer to show why an adjustment is unreasonable. Because the potential consequences of refusal are significant, managers should not refuse any request for an adjustment without first seeking the advice of the HR Consultant. An employment tribunal will decide what is reasonable for each individual organisation based on size, resources, health & safety, effectiveness of adjustment and the practicalities of implementation

2.2.11 Financial Costs Incurred From Making Reasonable Adjustments

The cost of making reasonable adjustments will be met from central budgets. In certain circumstances, resources to fund reasonable adjustments can be obtained from the 'Access to Work' programme via the Job Centre Plus. More information about the 'Access to Work' programme can be found at [Appendix E](#) and [Appendix F](#).

2.2.12 Information on Specific Conditions

Information on the management of dyslexia in the workplace can be found at [Appendix G](#). In the course of supporting a disabled person, particularly when identifying appropriate reasonable adjustments, line managers may also find it beneficial to draw on the expertise of specialist support organisations.

2.2.13 Training

Disabled persons will not be unreasonably disadvantaged in their opportunities for training and development. Where necessary, specialist training will be made available, in order to allow the individual to develop their skills and career opportunities. It may also be appropriate to arrange training for colleagues working alongside the disabled person.

2.2.14 Appraisals, Promotion and Career Development

In addition to entry-level recruitment and selection, disabled persons will not be unreasonably disadvantaged in their opportunities for promotion and career progression. The same principles as for selection should be applied when considering a disabled person for promotion.

Throughout the process the panel must assess if the disabled person meets the specific requirements of the post, taking into account any reasonable adjustments that may be necessary and appropriate. Applicants should always be given the opportunity to state the reasonable adjustments they would need to be made for selection activities. Where reasonable, assessment methods must be adjusted to allow individuals to demonstrate their potential to carry out the role. The panel do not need to know the condition or symptoms, only the reasonable adjustments necessary for the individual to perform the role.

2.2.15 Attendance Management Records – Disability Related Sickness Absence & Disability Related Leave

Under the Disability provisions of the Equality Act (2010), the employer must recognise that a disabled person may need time away from work as a direct result of their disability or to receive treatment for their disability.

Disability related leave should be considered as distinct from sickness absence related to a disability. A period of disability related leave may be considered as a standalone reasonable adjustment and recorded separately as such. Each case will be considered on merit. In contrast, sickness absence related to a disability will not automatically be discounted when considering the occupational sick pay or Bradford Factor of an employee.

2.2.16 Disclosure and Confidentiality

In accordance with the Data Protection Act 1998, any sensitive medical information provided to the Constabulary regarding a person's impairment will be treated confidentially and used only to help in the management of the individual. For Equality and Diversity monitoring purposes, information will be gathered by the Constabulary to ascertain the profile of staff and applicants with a disability.

Details of an individual's disability should only be disclosed where strictly necessary and managers must inform the individual prior to doing so. In practice it is usually only information regarding individual requirements for reasonable adjustments that need to be disclosed.

2.2.17 Working Environment

We are committed to making all sites and buildings accessible. All new buildings meet the statutory access requirement laid down for new buildings and, where appropriate, additional reasonable adjustments will be made to the immediate working environment of the disabled person. A list of possible adjustments can be found at [Appendix D](#), although this is not intended to cover all eventualities.

Additional needs may be identified during the Health and Safety workstation assessment on induction or at any other point when the need arises, especially if the person develops a disability once their employment has already commenced. Line managers should consult with People Service Centre/ HR and Occupational Health Unit, where additional advice or information is required.

2.2.18 Health and Safety

It may be necessary on occasion to make reasonable adjustments to ensure that an employee's disability, or any effect of it, does not increase the risks either for themselves or for others. We will try to accommodate the requirements as fully as possible; however where a conflict arises from competing legislation, Health and Safety legislation will take precedence. This situation will only arise in very limited circumstances and line managers should always seek advice before making such a judgement.

Local Policing Areas and Departments are responsible for organising local 'Personal Emergency and Evacuation Plans' (PEEPs) for each disabled person. They should liaise with the Health and Safety Officer in the first instance.

2.3 Discrimination and Non-Compliance

2.3.1 All Staff

All staff will treat colleagues, visitors and members of the public with respect. Any form of harassment of a disabled person on account of their impairment is unacceptable behaviour and is potentially unlawful under the terms of the Equality Act (2010) and Protection from Harassment Act, (1997).

The Police and Crime Commissioner and Chief Constable takes incidents of harassment very seriously as a possible ground for disciplinary action that may lead to dismissal. Further clarification can be found in the Respect, Fairness at Work and Discipline Policies. See the [Fairness at Work Policy](#), [Misconduct \(Police\)](#), [Discipline Policy for Police Staff](#), and the [Respect Policy](#) (Bullying and Harassment).

Section 3 - Relevant Legislation

The Equality (Act 2010) came into force on 1st October 2010, which replaced almost all of the previous discrimination legislation (including the Disability Discrimination Act).

For the purposes of the Equality Act (2010), Office of the Police and Crime Commissioner (OPCC) Staff, Police Staff, PCSOs, Police Officers, Special Constables, Cadets and job applicants are treated as 'employees'. This is also extended to contract workers, including agency workers. Legal protection also extends to the post-employment relationship, such as the provision of references.

The Equality Act (2010) makes it unlawful for an employer to less favourably treat an employee on the grounds of his or her disability (direct discrimination).

The Equality Act (2010) also provides that it is unlawful for an employer to apply a provision, criterion or practice that puts a disabled employee at a particular disadvantage (in comparison to an employee who does not share that disability) unless it can be shown that it was a proportionate means of achieving a legitimate aim (indirect discrimination).

An employer has a duty to make reasonable adjustments where a provision, criteria or practice puts a disabled employee at a substantial disadvantage (in comparison to an employee who does not share that disability). An employer must also take reasonable steps to ensure that a disabled employee is not disadvantaged because of a physical feature (including fixtures, fittings or chattels) in or on the employer's premises.

Freedom of Information Act, 2000

Equality Act 2010

Protection from Harassment Act 1997

Data Protection Act 1998

Section 4 - Related References/Policies

Attendance Management Policy,
Respect Policy (Bullying and Harassment).
Disability Passport
Carers Passport.
Management of Change Policy
Promotion Policy
Fairness at Work Policy,
Misconduct (Police),
Discipline Policy for Police Staff,
Data Protection Policy

Section 5 - Monitoring and Review

5.0 Monitoring and Review

5.1 Monitoring

In order for us to maintain a proactive stance on disability it is important to regularly scrutinise policies/procedures and representation/participation, to ensure practices remain relevant. Individuals should remain vigilant in their own areas of work. Managers and employees should have the confidence to highlight areas in which improvements could be made.

The effectiveness of this policy will be monitored in its application. Experiential learning will be applied and may result in consequential changes to the policy.

5.2 Review

This policy will be formally reviewed at periods as prompted by the Governance and Compliance Administrator. Experiential learning, legislative changes, and other influencing factors may also necessitate a review.

Feedback relating to this policy can be made by telephone, in writing, or by e-mail to People Services Centre.

5.3 Decision Making

Policy should enable consistent and effective decision making. Where operational or managerial circumstances require any decision making that would adversely affect adherence to the policy or procedure, in line with the 'Statement of Intent' of the constabulary and the police service 'Code of Ethics', if an officer/ police staff member believes that they need to make a decision that steps outside of policy and procedure they should do so, provided that:

- the officer/ police staff member raises the matter at the earliest opportunity (and ideally before any such decision is made) with their line manager declaring their intended (or actual) course of action if notification is made after the decision is taken,
- produces, in a timely manner, a signed and dated written explanation of why it is/ was deemed necessary to step outside of policy and procedure, and
- maintain an adequate record of this written rationale for audit purposes appropriate to the circumstances/ contravention

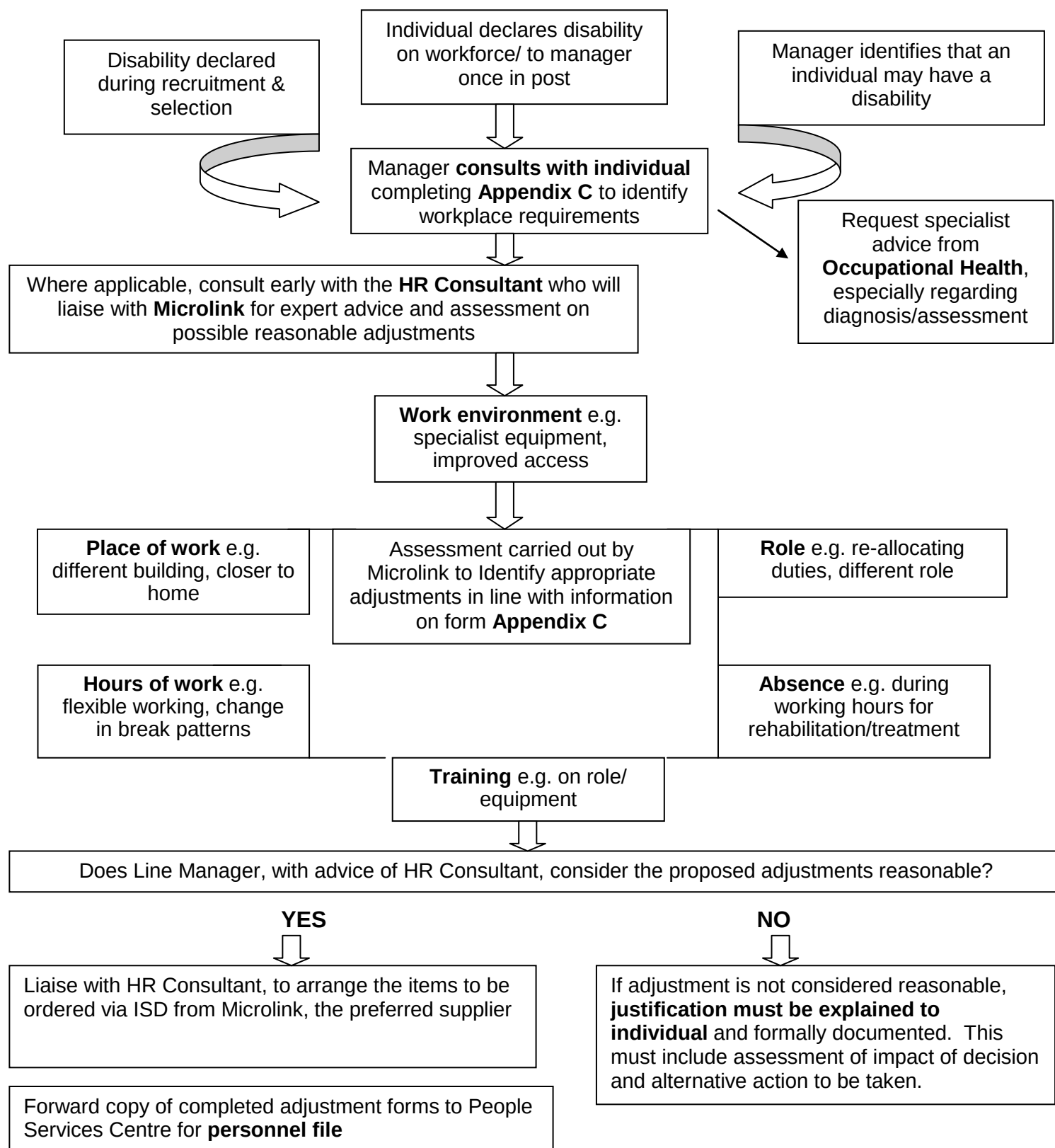
Security Marking:		OFFICIAL		
Document Title: POLICY				
Disability Policy				
Type		URN	Strategic Board	Author/Reviewer
Policy			IGB Information Governance Board	Author - Kim Carter Reviewer – Yasmin Heckbarally
Version	Date	Changes (ensure public copy amended and uploaded to external website)		Complied with Policy Guidance ✓
Version 3.1	30 July 2018	Annual Review completed.		✓
Version 3	20 July 2017	Change of EAP Provider and review, added decision making wording and amended to the OFFICAL marking		
Version 2.9	16 September 2016	New format & terminology changes; plus removal of section on Implications of Policy		
Version 2.7	9 October 2014	Annual Review 4.6.2 Amended – removal of SDU training 6.7.2 Counselling in Companies changed to Workplace Options		
Version 2.6	24 April 2014	Amended to reflect 2 nd Transfer		
Version 2.5	11 September 2013	Inclusion of new sections 6.5 – Disability Passport and 6.6 – Carer’s Passport		
Version 2.4	25 April 2013	Amend to reflect the new Structure within the Constabulary and within Community & People. Removal of Appendix G & H as out of date and can be found on the intranet Appendix B amended to included process for use of Microlink Information relating to Microlink added at Appendix E. Consequential renumbering.		
Version 2.3	29 November 2012	Amends 8.1.2 from ‘Police Authority HR Committee’ to Police & Crime Commissioner’s HR Committee		
Version 2.2	18 April 2011	New Paragraph at 6.7.6. Consequential renumbering. 6.16.2 ‘Divisions’ changed to ‘Local Policing Areas’.		
Version 2.1	1 December 2010	Annual Review. Various amendments consequential to the introduction of the Equality Act replacing the Disability Discrimination Act Paragraph 3.1.1 amended		

		Section 5 moved to become 2.2, 2.3 and 2.4 Consequential renumbering. Appendix G and H updated	
Next Document Review Date:			
EIA	EIA Sign Off	EIA Review	
HIGH K:\Waterwells\Equality Impact Assessment\Disability EIA 2018.doc	2/07/2018	2/07/2019	
SIA	SIA Sign Off	SIA Review	
This version will be placed on the public domain website			
If this version cannot be placed on the public domain website, provide reason and relevant COG authority	N/A		

APPENDIX A – Terminology Relating To Disability

Accepted Usage	Do not use	Justification
person who has person with	afflicted with victim of suffering from crippled by	Conveys a tragic or negative view about disability, when disabled people increasingly view their disability as a positive rather than negative experience
disabled people	the disabled the handicapped the blind	Lumping everyone together in this way is felt by many to take away their individuality
disabled people	Invalid Cripple	The term literally means not valid
wheelchair users someone who uses a wheelchair	wheelchair bound confined to a wheelchair	Disabled people are not tied into their wheelchairs
people with visual impairments	the blind	Undermines the person's individuality
deaf people hard of hearing	the deaf	Undermines the person's individuality
non-disabled	able bodied	This suggests that disabled people are not able and all disabilities are physical
person with learning difficulties	mentally handicapped retarded	This is negative, outdated terminology
access requirements	special needs	This gives a negative view
person with dyslexia	word blind	This is outdated terminology and is not factually correct
person who has epilepsy person who has diabetes	epileptic diabetic	Dehumanising
person with cerebral palsy	spastic	Dehumanising

APPENDIX B – Line Manager Action Flowchart



Line Manager to regularly review reasonable adjustments with individual (**minimum annually**) using Appendix C

APPENDIX C – Implementing Reasonable Adjustments

(1) INITIAL CONSIDERATION OF AN ADJUSTMENT *To be completed by the individual's line manager*

Date of Review

Name of Individual to whom the adjustment applies

Staff/Collar Number

Job Title

Name of Manager co-ordinating the adjustment

Job Title

Name of HR Consultant

Details of any other specialists contacted as part of the review

Details of any health and safety issues identified

Date of Next Review

ISSUES RAISED BY INDIVIDUAL REQUIRING ADJUSTMENTS IN THEIR CURRENT ROLE

What adjustments does the individual consider necessary? Please provide details:

ADVICE FROM SPECIALIST PRACTITIONER

If the disability is newly diagnosed, has the individual discussed the matter with a specialist advisor? What adjustments do they advise could be considered/are available? Please provide details:-

MANAGER'S FEEDBACK TO WORK COLLEAGUES

If reasonable adjustments require the involvement and co-operation of colleagues, describe what is likely to be required and how this is to be actioned. (In agreement with the individual).

HEALTH AND SAFETY REPRESENTATIVE

Following consultation with the Health and Safety Officer, what other issues should be taken into consideration?

IS THE ADJUSTMENT CONSIDERED REASONABLE?

List those adjustments that are considered reasonable and will be implemented.

List those adjustments that are not considered reasonable, with a full justification.

The final decision regarding the application of an adjustment rests with the Line manager, in consultation with the HR Consultant.

Line Manager - Send completed forms to People Services Centre.

People Services Centre - Copy to personnel file & ensure data is entered onto HR System.

(2) IMPLEMENTATION OF A REASONABLE ADJUSTMENT

Date	Activities which require adjustment	Description of reasonable adjustment	How will the adjustment be implemented	What effect will this have on existing colleagues?	Describe, if applicable, control/safety measures to protect staff and/or public	Date of next review

Name of person undertaking assessment:

Name of post holder:

Signature:

Signature:

Date:

Date:

(3) MONITORING AND REVIEW OF A REASONABLE ADJUSTMENT (link with e-PDR)

Date of Review					
'Date	Description of reasonable adjustments made	Observations on implementation	Consultation with individual	Consultation with local safety rep/colleague	Remedial follow up action and manager responsible

Monitoring exercise undertaken by:

Agreed with Post Holder:

Name:

Name:

Signature:

Signature:

Date:

Date of next review:



APPENDIX D – Examples Of What Might Constitute A Reasonable Adjustment

- **Making adjustments to the work environment:**

Altering the height of a computer workstation, so a person with a neck injury can work without aggravating the injury.

Installing a magnifying screen to enlarge printed material for partially sighted staff.

Providing a ramp for wheelchair access.

Providing printed material in an accessible format, such as large print.

Making arrangements for parking and access to buildings.

- **Modifying the role**

Re-allocating some of the duties of the disabled person.

- **Transferring to a different role:**

Every effort should be made to retain the individual in their existing role and re-deployment should only be considered where there are no other reasonable adjustments that can be made.

- **Altering working hours:**

The effects of arthritis are worse in the morning, so the person may be allocated shifts to start later in the day.

Making changes to work and break patterns to allow the person to take medication.

- **Assigning to a different place of work:**

Moving to a ground floor office or to a different building.

Moving to a location closer to home. For example a person with Crohn's disease may find travelling for long periods difficult, as they may need ready access to toilets.

- **Allowing absence during working hours for rehabilitation, assessment and/or treatment.**

Where attending a course of treatment for cancer, the person should be allowed to attend the hospital in duty time. It may also be appropriate to adjust hours of duty so they do not always coincide with the appointments.

- **Providing training:**

Especially if allocated to a new role or provided with a piece of equipment, such as voice recognition software.

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

- **Acquiring or modifying equipment**

An person with dyslexia may benefit from a personal laptop with voice-activated software or a Dictaphone to help record incidents and complete notes.

- **Modifying instructions or reference manuals.**

A person with dyslexia may need tasks to be repeated slowly or provided in written format by supervisor.

- **Providing supervision.**

A person returning to work following a period of absence due to a disability such as depression may need additional guidance and supervision, especially in the short term to help them recover their skills and confidence.

APPENDIX E – Microlink

Microlink is the company used by the OPCC and Chief Constable for Gloucestershire to provide an end to end service for reasonable adjustments. This is the MiDRAS process, which stands for Microlink Disability and Reasonable Adjustment Service, this incorporates six easy steps, ensuring that not only is the employee managed right away but also ensuring they are comfortable with their reasonable adjustment during their employment. The process is:

Assessment – Specialist disability assessment to gauge needs. An assessor upon referral will liaise with the employee and Line Manager to assess the workplace adjustment required. Appointments are usually within 15 working days, unless circumstances dictate otherwise

Report – Individual reports which specify recommendations to improve work performance. The report will summarise the assessment, detailing conditions the employee has, any other factors that may be affecting them and providing an agreed recommendation of the changes and adaption's that are deemed suitable.

Supply – All assistive technology, ergonomic requirements and specialised equipment can be supplied through Microlink with the additional service of an onsite installation.

Train – Efficient, high quality onsite training for equipment and managing disability in the workplace is available to our clients.

Support – Full remote and onsite technical support.

Case Management – Ensuring implementation of non physical adjustments. We offer an integrated approach to dealing with reasonable adjustments in the workplace.

How to Contact Microlink

To contact Microlink firstly complete [Appendix C](#) and liaise with the HR Consultant for advice and guidance. They will then contact Microlink to request guidance or an assessment as necessary.

APPENDIX F – Access To Work

1. Financial help through Access to Work

Access to Work provides advice and practical support to disabled persons and their employers to help overcome work related obstacles resulting from their disability. As well as giving advice and information, Access to Work may pay a grant, through Jobcentre Plus, towards any costs resulting from disability.

2. Eligibility for help through Access to Work

A person could be eligible for help if their disability or health condition affects the way they do their job. If the person is currently employed, it applies to any job, part time or full time, permanent or temporary.

An unemployed or employed person with a disability needing help with a communicator at a job interview can also get help through Access to Work.

3. Types of help that can be provided through Access to Work

Access to Work can only help with extra costs incurred because of the person's impairment. It cannot help with equipment that should be routinely provided by the employer. Access to Work can help pay for:

- **Special or additional equipment:** to suit work needs arising from the disability, such as software/hardware to make a computer accessible, specialised seating/desk etc.
- **Support workers:** where practical help is needed because of disability, either at work or getting to work. A support worker may help with such things as taking notes at meetings and filing. The support worker is there to support the disabled worker only and should never be seen as just an additional member of staff for the employer.
- **Travel to work:** help towards the cost of getting to work where a person with a disability incurs extra travel costs because of their disability. Access to Work may even pay for vehicle adaptations so a disabled person can use their own car for work, if that is the most cost-effective solution.
- **Communication support at interview:** help with the cost of an interpreter/communicator, where there might be communications difficulties.
- **A reader:** at work for someone who has a visual impairment.
- **Adaptation to premises or to existing equipment:** such as installing a small passenger lift or widening a doorway, but this does not cover structural changes to the building.
- **Miscellaneous items:** 'one-off' items not covered above.

APPENDIX G – Brief Guide To Dyslexia

1. Introduction

Dyslexia is unrelated to intelligence and does not impair intellectual or creative ability. It is a difficulty in processing information and is linked to short-term memory and visual co-ordination. The areas primarily affected are reading, writing, spelling, numeracy, time-keeping and personal organisation. The secondary impact on self-confidence can lead to anxiety, frustration and low self-esteem.

2. Common Areas of Strength

In accordance with the general principles of diversity, it is important to focus on the person's strengths rather than their weaknesses. Research has shown that people with dyslexia are more likely to demonstrate the following characteristics:

- Reasoning
- Problem solving skills
- Empathy
- Verbal communication
- Determination
- Positive attitude
- Creative ability

3. Reasonable adjustments that have proved successful in overcoming certain barriers in the workplace

There is no single adjustment or combination of adjustments that will benefit an individual with dyslexia. Many individuals will develop their own mechanisms in the workplace, but newly assessed individuals may need proactive support from their line manager. Below are some examples of adjustments that could help an individual with dyslexia within the workplace.

a. Written Communication

Where an individual has difficulty with reading:

- Highlight salient points in documents
- Discuss material with the individual
- Allow plenty of time for the individual to read the information
- Provide the information on coloured paper (as determined by individual preference)
- Set up the computer screen with a coloured background
- Give information in ways that avoid reading, e.g. verbal instructions, diagrams/flow charts and voicemail rather than written memos

Where an individual has difficulty with writing:

- Ensure the individual's work is proof read
- Use of dictation machines in conjunction with voice recognition software.
- Encourage the use of spell-checking programmes on computers

b. Verbal Communication

Where an individual has difficulty with remembering and following verbal instructions:

- Give instructions one at a time
- Communicate instructions slowly and clearly in a quiet location
- Write down important information
- Demonstrate and supervise tasks or projects
- Encourage the individual to take notes and then check them
- Ask for instructions to be repeated back, to confirm the information has been understood correctly
- Write a memo outlining a plan of action
- Use a Dictaphone to record important instructions
- Back-up multiple instructions in writing or with diagrams

c. Time and work planning

Where an individual has difficulty with concentration:

- Make sure the workspace is quiet and away from distractions
- Allocate a private workspace if possible
- Provide training in organisational skills such as mind mapping, note taking, planning and prioritising.

Where an individual has difficulty coping with interruptions:

- Use a 'do not disturb' sign when completing complex tasks and set telephones and e-mail accordingly
- Encourage colleagues not to disturb the person unless absolutely necessary
- When interrupting, allow the person to pause and note what they were doing
- Encourage the individual to ensure each task is completed before starting another
- Allow time to prepare before meetings

Where an individual has difficulty remembering appointments and deadlines:

- Encourage the individual to use a wall planner to visually highlight appointments, deadlines and tasks
- Encourage the individual to use calendar and alarm features on their computer

d. Memory

Where an individual has difficulty with short term memory especially names, numbers and lists:

- Use mnemonic devices and acronyms
- Record details on paper so they can be referred to easily, using diagrams or flow charts
- Check back understanding