Attracting Disabled People to Employment in the Lifelong Learning Sector

Disability Equality Implementation Group

LIFELONG
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UK

Skills for Learning Professionals

Contents

Acknowledgements

Acronyms and abbreviations	
CETT	Centres for Excellence in Teacher Training
DDA	Disability Discrimination Act
DED	Disability Equality Duty
DRC	Disability Rights Commission
EFD	Employers' Forum on Disability
HEIs	Higher Education Institutions
HESA	Higher Education Statistics Agency
HR	Human Resources
RTW	Recruitment That Works
SES	Single Equality Scheme
WEA	Workers' Educational Association

Chapter 1:
About this guide

Introduction and context

This guide, and accompanying guides on disclosure of impairment and retaining, training and developing disabled employees, follow on from the final and summary reports of the Commission for Disabled Staff in Lifelong Learning[1]. The Commission's work was taken over by the Disability Equality Implementation Group (DEIG), which was set up by Lifelong Learning UK, the Sector Skills Council for the further and higher education workforce. The guides are one strand of a strategy that also includes a campaign to encourage lifelong learning organisations to 'make a disability equality commitment', a research programme and a programme of disability equality workshops.

Who the guide is for

The guide is written for directors and managers responsible for recruitment in colleges and higher education institutions in all the UK nations, particularly human resources directors and managers. It will be of obvious interest to strategic managers who lead on equality and diversity and also those officers and managers whose principal operational responsibility is equality and diversity.

The guide is relevant to all managers in further and higher education who participate in the recruitment process and any occupational health staff who may be responsible for helping people identify reasonable adjustments and Access to Work requirements. It will be of value to disabled staff groups and trade union representatives in their monitoring roles and as active participants in promoting good disability equality practice. The guide will also be of some interest for all organisations within the lifelong learning sector, as it emphasises the need for equity and fairness in all stages of recruitment for all employees – from managers and academics to technical, catering, support, administrative and facilities staff.

A note on language

In the guide we use the language of 'impairment' and 'disability' as defined by the social model of disability. This is also the preferred language of the disabled people's movement. Whilst people have impairments, e.g. deafness, blindness, muscular dystrophy etc, disability is the outcome of the interaction between people with impairments and the environmental and attitudinal barriers they may face. The Disability Discrimination Act (DDA) 1995 uses the term 'disability' where the social model uses the term 'impairment'. These terms are used throughout the guide when direct quotations from either the DDA or its associated Codes of Practice are used, or when other documents are quoted which follow the language of the social model . Impairments can be physical, sensory and cognitive. They can be mental health difficulties, long term health conditions and neurodiverse differences such as dyslexia. They can be apparent and non-apparent. We recognise that non-apparent mental health difficulties, and not disclosing them through fear of stigma and other consequences, are a particular challenge in the lifelong learning sector.

The term 'colleges' is used in the text to refer to public sector sixth-forms and further education colleges in all UK nations. Higher education institutions (HEIs) refers to public sector universities and university sector colleges in the UK nations. 'Learners' is used to describe those studying in further education colleges and

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'students' for those in HEIs. Our use of language (in terms of 'impairment' and 'disability' and organisational definitions) exactly mirrors that of the final and summary reports of the Commission for Disabled Staff in Lifelong Learning[2].

Progress to disability equality

In general, colleges and HEIs have made great progress in recruiting and making adjustments for the benefit of their disabled learners and students. A focus on disabled potential employees will further advance disability equality, and indeed equality across all the 'equality strands' - gender, race, religion or belief, gender identity, age, sexual orientation, social class and nationality. Colleges and HEIs play a key role in giving disabled learners and students the skills and qualifications they need to succeed. They can also play their part in providing employment for a proportion of that group of disabled people, and do more to make themselves attractive employers for disabled people in general.

Organisation of the guide

The guide deals with disability discrimination legislation in a general way that is relevant to attracting disabled employees to colleges and HEIs. It assumes some prior level of knowledge in this area and disability equality in general. Boxes in the text (or blocks of text presented so that they can be detected as separate by screen readers) contain examples of good practice based on, and adapted from real examples from colleges and HEIs. Although there has been progress, some of the examples and 'case studies' show good practice that is not widespread. Colleges and HEIs still collectively have a long way to go to be more thoroughly proactive in addressing under-representation of disabled people in the workforce and move up to and beyond legal compliance.

At the end of each chapter is a 'traffic light' activity and space for developing action points. These action points can be consolidated into a strategic action plan using the suggested template at the end of Chapter 6. At the end of each chapter is a section of 'further information' and a 'references and bibliography' section at the end. The guide has an interactive approach and as such it will be possible to judge how well your organisation is doing in attracting potential disabled employees and what you need to do, if anything, about it.

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[2]Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – final report:* Leicester, NIACE, pages x-xii
Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – summary report:* Leicester, NIACE, pages 4-6

Chapter 2:
The challenges facing disabled people

It is always important to emphasise the challenges that disabled people face in trying to secure and retain employment and in other parts of their lives. As a Workers' Educational Association (WEA) manager explained in response to a query about access for disabled people to a WEA course:

"We often forget that disabled people are constantly, and continuously, having to make adjustments to suit non-disabled people, and to suit society as it is currently constructed. They often have to make extra efforts all the time, all day long - whether in terms of having to handle a wheelchair, straining to hear what others are saying or negotiating the obstacles in roads and transport designed for non-disabled people."

Disabled people and employment

Disabled people have as much right to access, inclusion, employment and a chance for a prosperous and fulfilling life as any other member of the community. But the facts speak for themselves. According to the Employers' Forum on Disability (EFD)[3].

"In the UK there are approximately 10 million disabled adults, around 18 per cent of the population. Of these, 6.8 million are of working age, yet only 3.3 million are in work. Disabled people are five times as likely as non-disabled people to be out of work and claiming benefits."

Put another way, a Disability Rights Commission (DRC) analysis from a 2005 Labour Force Survey indicated that only 50 per cent of disabled adults are employed compared to 81 per cent of the non-disabled adult population[4]. The Shaw Trust[5] reinforces this with the following points taken from an Office of National Statistics Labour Force Survey from October – December 2007:

- employment rates vary greatly according to the type of impairment a person has; only 23 per cent of people with mental health problems are in employment

- 24 per cent of disabled people have no qualifications compared to 9 per cent of non-disabled people

- the average gross hourly pay for disabled employees is £10.68 compared to £11.74 for non disabled employees.

It is estimated that there are currently 1.2 million disabled people in the UK who are available for and want to work.

[3]Employers Forum on Disability (undated) *A practical guide to managing recruitment:* London, EFD, page 3
[4]Disability Rights Commission (2007 c) *Increasing life chances through learning and skills:* Stratford, DRC page 4
[5]http://www.shaw-trust.org.uk/disability_and_employment_statistics

Disabled employees in colleges and higher education institutions

The general inequity and challenges faced by potential and actual disabled employees in the working population applies to disabled staff in colleges and HEIs. The Commission for Disabled Staff in Lifelong Learning[6] produced a summary of key messages, outcomes required and recommendations for all organisations in the lifelong learning sector. Amongst them was the general statement, based on the evidence that:

"there has been a systemic failure in public policy to address the needs and requirements of disabled staff throughout the lifelong learning sector to the extent that there is widespread institutional discrimination…"[7]

In terms of attracting disabled people to the lifelong learning sector (that is all aspects of advertising, marketing of jobs and recruitment) among the required outcomes was a call for 'more disabled staff recruited to and working in the lifelong learning sector…' and 'targets to secure substantially more disabled staff in senior and strategic positions'[8]. In relation to the challenge of attracting disabled people as employees, the Commission recommended that learning organisations should embrace the Disability Equality Duty by:

- signing up to schemes such as the 'Mindful Employers' Charter' and the requirements of the 'Two Ticks' scheme

- reviewing recruitment procedures in order to encourage applications from disabled people, guaranteeing interviews to disabled applicants meeting the job requirements, and adopting open and inclusive recruitment processes, especially for part-time and/or temporary staff

- ensuring that each lifelong learning organisation sets out to achieve staffing which reflects the disability profile of the adult working population.[9]

The Commission reported a 'fatalism' in many disabled staff in lifelong learning and the belief that impairments shaped their careers and not societal barriers. There was 'evidence of good practice' and 'reasonable adjustments' in recruitment, induction, employment and promotion practices', but also of poor practice and unsatisfactory experiences, and above all a lack of consistency[10].

The arguments for including disabled people through employment

Government policy is strongly focused on developing and improving the skills of everyone in the working-age population. One of the arguments for increasing the employment of disabled people is that the UK cannot afford to continue to do otherwise. Billions of pounds of revenue are lost through the payment of benefits and lost employment opportunities for tens of thousands of disabled people. This revenue would be better spent on creating employment opportunities and benefiting the UK as a whole. There are related arguments about social cohesion and other compelling reasons to remove barriers and facilitate employment such as the benefits to families and dependents.

[6]Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – summary report:* Leicester, NIACE pages 17-25
[7]IBID page 17
[8]IBID page 18
[9]IBID page 20
[10]IBID page 7

In addition to this argument about the cost of exclusion is the 'business case' for getting disabled people into employment. This can be persuasive and useful. Disabled people constitute a large market for goods and services. They are becoming more discerning, as this quote shows:

"If you disclose and the institution is ignorant, its response tells you what kind of institution you're dealing with and whether you want to attend the course." [11]

In colleges and HEIs, disabled people attract funding as learners and students. Employing disabled people sends a powerful and positive message to local and wider communities. However, those committed to attracting disabled employees to lifelong learning do need to know that many disabled people view the business case as a means to an end and can feel patronised by it. As an example of this widely held view:

"Why do I need to have a business case made for me to earn a decent living and be an equal citizen with equal rights in this society?"

Legal and quality assurance arguments for inclusion are becoming increasingly important. Failure to comply with legal requirements can bring financial penalties and inspection regimes are putting more emphasis on closer monitoring of equality and diversity issues.

The moral, human rights case for attracting disabled people into employment, including into colleges and universities, is the strongest. There can be no excuse for excluding or continuing the under-representation of large numbers of people in society who are held back, not by their impairments, but by the barriers raised by society and organisations. Organisations that work to dismantle these barriers in order to allow equal access and secure full inclusion will flourish and grow in confidence by doing what is right. The moral case for disability equality will bring the greatest number of advantages and be the most durable. It applies equally in times of economic prosperity and recession.

[11] IBID page 77

Activity 1   General overview of impairment and recruitment issues for potential disabled employees in the further or higher education sectors

Use the 'traffic light' options to assess your position in this and subsequent activities at the end of each chapter.

In each table, red indicates that you have not made any progress and need to, amber that you have made some progress but there is some way to go and green that you are in a strong position (though improvements are always possible). You may believe that some statements are not appropriate to your organisation.

	Position statement	Red	Amber	Green	Evidence/comments
1	Our organisation is aware of the general challenges facing disabled people.				
2	Our organisation is aware of the employment challenges faced by disabled people.				
3	We are aware of the challenges, potential and current, disabled employees face in our own organisation.				
4	Specifically, we: • are a 'Mindful Employer' and are signed up to the 'Two Ticks' scheme • have reviewed our recruitment procedures and have an open and inclusive recruitment process • have a disabled staff profile matching that of the disabled adult working-age population (see Chapter 4)				
6	We recognise the social and economic costs of excluding disabled people from the lifelong learning workforce.				
7	We recognise with caution the usefulness and pragmatism of the business case for attracting disabled staff in to colleges and universities.				
8	We endorse the human rights case for achieving the right level of representation of disabled people in our workforce.				

Note: Some of these items are explored in further detail in subsequent chapters. The following template can be used for initial action points. The more detailed action plan template at the end of Chapter 6 will enable you to develop a strategic approach incorporating initial action points.

Action points	Output
1.	1.
2.	2.
3.	3.
4.	4.

Further information

In addition to the sources included above, one of the most accessible overviews and introductions to issues and challenges facing disabled people is the literature survey of the Commission for Disabled Staff in Lifelong Learning[12], which examines disabled people and employment.

Most guidance documents (like this one) and policy papers have some summary of 'key facts' relating to disabled people, for example:

• Employers' Forum on Disability briefing documents[13]

• Former Disability Rights Commission Publications such as *Ending Poverty and Widening Employment Opportunity*[14]

• *Disability, Skills and Work: raising our ambitions* (Social Market Foundation)[15]

• Learning and Skills Council Equality and Diversity fact file 2[16].

[12]Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – literature survey Pages 14-15*
[13]http://efd.org.uk/
[14]http://drc.uat.rroom.net/DisabilityDebate/pdf/Priority4.pdf
[15]http://smf.smf.co.uk/assets/files/publications/Disability, per cent20skills per cent20and per cent20work.pdf
[16]http://readingroom.lsc.gov.uk/Lsc/National/nat-eadfactfile2-apr08.pdf

Chapter 3
The legal position

The situation reported in Chapter 1 shows how important it is to attract disabled people to work in colleges and HEIs. In developing strategies to do this, you need to be aware of and comply with the legal framework. Embracing compliance fully and successfully will get you and your organisation well along the road to disability equality.

Overview of legislation

The legislation, codes of practice and guidance relevant to the challenge of attracting disabled people as employees into your organisation consist of the following:

- Disability Discrimination Act (1995) Part 1 – covering the definition of disability, which is very wide and was extended in 2005 to include HIV, cancer and multiple sclerosis from point of diagnosis

- Disability Discrimination Act (1995) Part 2 – employment (amended in 2004 to strengthen the rights of disabled people in employment and vocational training as a result of the European Union Directive on Equal Treatment)

- The Employment and Occupation Code of Practice (2004)

- The Disability Discrimination Act (2005) – which amongst other things introduced a duty to promote disability equality on the public sector – the Disability Equality Duty

- Understanding the Disability Discrimination Act (2007) – a guide for colleges, universities and adult community learning providers in Great Britain

- Code of Practice (revised) for providers of post-16 education and related services (2007).

Key issues
Making reasonable adjustments in the recruitment process

An employers' duty to make adjustments vis-à-vis employment and occupation is not anticipatory. That is, employers only need to make adjustments in the recruitment process when they know, or can reasonably be expected to know, that an applicant is disabled and likely to be disadvantaged in the recruitment process. They must also ensure that disabled potential employees know how to ask for adjustments, but it is the employers' responsibility to ensure that those reasonable adjustments are in place. Employers should not rely on applicants to identify what reasonable adjustments there should be. In practice of course, because organisations are required to 'have due regard' to the elimination of discrimination under the Disability Equality Duty, adopting a proactive approach of anticipating disabled applicants' needs makes very good sense.

Effect of asymmetric legislation

Unlike legislation linked to other equality strands such as gender, race and age, disability equality legislation is 'asymmetric'. This means, according to the Employers Forum on Disability[17] that:

"It only protects the rights of disabled people. It does not protect non-disabled people apart from in limited circumstances where a non-disabled person is treated less favourably because they (sic) have supported a complaint of discrimination by a disabled person…"

Non-disabled people do not have equal and opposite rights. This is in contrast with, for example, sex discrimination legislation under which men and women are treated equally, or race discrimination legislation where different ethnic groups have equal and opposite rights.

The publication goes on to say:

"This means that most employers can decide to either advertise jobs as open only to disabled people or allow disabled people the first attempt to secure vacancies. Only when the suitability of the disabled candidates has been decided would they widen the recruitment drive."

The possibilities and options arising from this second key issue are considered in more practical detail in Chapter 6 below.

The requirements of the Disability Equality Duty (2006)

This Duty is particularly important. It requires systemic change to achieve equality for disabled people with general and specific duties. General duties include the need to:

- promote equality of opportunity between disabled and non-disabled people

- eliminate unlawful discrimination

- promote participation by disabled people in public life

- 'take steps to take account of disabled people's disabilities, even when that involves treating disabled people more favourably than others'[18].

Specific duties include the need to:

- involve disabled people (and this is, or should be, a means by which colleges and HEIs recruit more disabled employees)

- set out arrangements for gathering and using information

- set out ways of carrying out impact assessments – all through drawing up a Disability Equality Scheme or subsumed into a Single Equality Scheme.

Finding ways of attracting disabled people into your organisation is an important part of fulfilling the Disability Equality Duty; and it is a leadership issue, as the DRC notes:

"Change starts at the top. Strong, clear and consistent leadership is the key to achieving change in the public sector. Senior management and governing bodies need to take visible ownership of the Disability Equality Duty."[19]

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[18]Disability Rights Commission (2007) Code of Practice (revised) for providers of post-16 education and related services: Stratford, DRC
[19]IBID

Example of good practice 1

Involving disabled people I

A community college has achieved a 16 per cent proportion of disabled people as members of its governing body. In addition it has the chief executive officer of the sub-region's Disability Federation, and there is active consideration to advertise future governor recruitment in the disability press.

The college has a large and active Disabled Staff Group and a proportion of disclosure (5.5 per cent) which is slightly higher than the rate of employed disabled people in the national working-age population. This visible presence of disabled people in college life provides a strong springboard for strategies to encourage more potential disabled employees to apply for posts at the college.

Example of good practice 2

Involving disabled people II

A small further education college appoints a deaf education professional as a corporation member. That person's national expertise in equality and diversity and related equality and diversity impact measures (EDIMs), enables the college to develop awareness of the key issues and begin the process of being more active in achieving a workforce profile with higher proportions of disabled employees at all levels.

The adjustments the new member receives through Access to Work in the form of electronic note-takers (which other members of the corporation have not come across before) alongside the new member's own approach to their impairment, helps to raise awareness of the importance of inclusion and addressing change through application of the social model of disability. Their ability to make key contributions demonstrates the potential of other disabled people's contributions.

A college or HEI whose leadership is fully committed to disability equality will not have a passive approach to recruiting disabled staff. Its leaders will not only ensure that data about impairment is collected comprehensively and accurately, but will use it as a starting point for innovative and proactive recruitment strategies, noting where under-representation is and addressing it. As a particular priority (as this has such potential for change) it will involve current disabled staff in developing strategies, exploring barriers and finding ways of overcoming them. It will have effective methods of carrying out equality impact assessments on its whole recruitment process, from initial ways of reaching out to advertisements, applications, job descriptions, person specifications and interview processes (including training staff for interviewing). Such assessments will ensure that potential disabled employees are not unnecessarily excluded from applying. The need to promote positive attitudes to disabled people extends to making disabled applicants and candidates welcome at every stage of the recruitment process, from promotional material to reception by 'front-line' staff.

Legislative change is constant. The Single Equality Act will consolidate previous Acts of Parliament and employment regulations covering all the equality strands including impairment. There are concerns among disabled groups that consolidation will 'water down' current rights for disabled people. Those responsible for recruitment and recruiting disabled employees will need to take account of the new legislation and its implications whilst continuing to maximise opportunities.

Activity 2   Your organisation and the legal position

	Position statement	Red	Amber	Green	Evidence/comments
1	Our organisation complies with disability discrimination legislation and follows the codes of practice.				
2	Our organisation goes beyond legislative compliance in trying to attract disabled employees into the organisation.				
3	We try to take an anticipatory, proactive approach to making reasonable adjustments for potential disabled employees, preparing ahead for applications from people with a range of impairments.				
4	We are aware that disability discrimination legislation is 'asymmetric' and of the opportunities that this gives us for positive discrimination to attract disabled people, as well as positive action.				
5	We fulfil our Disability Equality Duty through proactive leadership which actively seeks to employ disabled people.				
6	We have an action plan for fulfilling the Duty with specific parts on recruitment of disabled people.				
7	As part of the Disability Equality Duty, we have a strategy to involve our disabled staff in exploring the means to attract and employ other disabled people.				

Action points	Output
1.	1.
2.	2.
3.	3.
4.	4.

Further information

One excellent and comprehensive source of information is the *Code of Practice – Employment and Occupation* issued by the former Disability Rights Commission[20], which deals with discrimination in the recruitment of employees.

This is backed up by *Understanding the Disability Discrimination Act: A guide for colleges, universities and adult community learning providers in Great Britain* (DRC 2007)[21], which covers marketing, websites, advertising and promotion.

The Employers Forum for Disability publication *A practical guide to managing recruitment* has a good section on the regulatory framework.[22]

[20]http://83.137.212.42/sitearchive/DRC/pdf/4008_323_employment_occupation_pdf.pdf Section 3, pages 93-110
[21]http://83.137.212.42/sitearchive/DRC/pdf/EDU23.pdf Section 2, pages 34-64, and Section 3.1
[22]Employers Forum on Disability (undated) *A practical guide to managing recruitment*: London, EFD page 3&4

Chapter 4:
Disabled employees in colleges and higher education institutions: knowing workforce profile and setting targets

Legal compliance is important. Establishing the workforce profile in relation to disabled employees as a starting point is essential. If you are not aware of your workforce profile, you cannot know what action you need to take. Similarly, it is important to know key external benchmarks so that, once you have the internal data you need, you can set targets. The key benchmarks referred to in this guide come from the Equality Challenge Unit:

"… 11.6 per cent of the working-age population have a work-limiting disability and/or are considered disabled under the terms of the Disability Discrimination Act…, but of the employed population, this figure halves to a little over 5 per cent[23] (note this definition of 'disability' is different from that used in the HESA staff data reporting)."[24]

Even taking into account low levels of disclosure and the use of different definitions, disabled employees are under-represented in colleges and HEIs according to the available data – well below 5 per cent (employed disabled people) and 11.6 per cent (disabled people in the working-age population). The next sections provide more detail.

Under-representation of disabled people in the further education system

Lifelong Learning UK's *Annual Workforce Diversity Profile 2006/7* makes the following important observations in relation to further education:

- The declared disability rate was low, at between 2.2 and 2.6 per cent of the occupational groups in 2006/7. This compares with a level of 20 per cent reported for the population at large through the 2001 census (NB the percentage of working age disabled people is lower – at 11.6 per cent).

- For managers, the percentage increased marginally over the three years, from 1.8 per cent in 2004/5, to 2 per cent in 2005/6 to 2.2 per cent in 2006/7.

- The percentages for teachers were slightly higher, and increased from 2.1 per cent in 2004/5, to 2.3 per cent in 2005/6, and again to 2.6 per cent in 2006/7.

- The percentages for 'all other staff' were at a similar level and followed a similar trend to teachers, with 1.9 per cent declaring a disability in 2004/5, 2.3 per cent in 2005/6 and 2.6 per cent in 2006/7.

Slightly more promising is the trend of disabled staff on full time and permanent contracts increasing over the 2004-2007 period. According to Lifelong Learning UK, 'this suggests a positive movement into more secure employment' for disabled employees, however, disabled staff may be less likely to be offered flexible working opportunities.

Overall, Lifelong Learning UK's data on disabled employees indicates a slight increase in the percentage of staff with a declared impairment over the three years, but at 2.1 per cent in 2006/7 this is still very much below the benchmark of 11.6 per cent of disabled people in the adult working population as a whole.

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[23]Labour Force Survey, Quarter 1, 2007
[24]Equality Challenge Unit (2008) *41.6 per cent male; 58.4 per cent female: equality in higher education statistical report 2008*: London, ECU page 12

Under-representation of disabled people in higher education institutions

Summary figures produced by the Equality Challenge Unit (ECU) for higher education in the UK shows a similar picture. Almost 2.2 per cent of academic staff declared an impairment and of this a lower figure amongst research-only staff. Of professional and support staff, 2.9 per cent declared an impairment. In contrast, 8.2 per cent of undergraduates declared impairments, of whom almost half (47 per cent) have dyslexia and 5 per cent (7,000 students) have mental health difficulties. Amongst postgraduates, fewer declare impairments overall (4.6 per cent compared to 8.2 per cent) and fewer declare dyslexia as a main area of impairment (1.7 per cent compared to 47 per cent).

What the ECU says about disabled graduates and employment seems to be significant and reflects, if to a lesser degree, the general challenges of disabled people:

"Disabled graduates are less likely to be in work (59.2 per cent) than graduates with no known disability (64.8 per cent), but they are more likely to take further study… Initial unemployment rates are also higher for disabled graduates (7.7 per cent) than for those with no known disability (5.4 per cent)."[25]

Knowing the workforce profile and key national comparative benchmarks presents valuable opportunities for those responsible for recruitment. This includes almost everyone in senior management, human resource and operational management positions. Of the following activities, activity 3 is aimed at higher education institutions and activity 4 is for further education providers. Bear in mind that these activities are just a starting point in the journey to disability equality in your organisation. In a report to The Higher Education Funding Council for England (HEFCE)[26] on impairment (and other diversity) data, it is indicated that there are problems relating to how data is gathered. For example, simply asking whether or not staff 'have a disability' only elicits a narrow picture about impairment. Impairments and legislative definitions of disability are extremely wide ranging and require very different responses and reasonable adjustments (from recruitment processes through to employment and promotion). The more sophisticated the data capture is, the better the analysis can be. The resultant strategy for attracting disabled employees is therefore more likely to be effective. Accurate data capture also depends on effective and trusted impairment disclosure procedures.

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[25]Equality Challenge Unit (2008) *41.6 per cent male; 58.4 per cent female: equality in higher education statistical report 2008**: London, ECU page 4

[26]Abbott P et al (2005) *Statistics for equal opportunities in higher education Project 1 report to HEFCE, SHEFC, HEFCW*: Glasgow, Glasgow Caledonian University. passim

Activity 3   Identifying targets for recruiting disabled employees in higher education

Step 1: Establish the current position by completing the blank columns to the right[27]

Academic staff declaring impairment

	Overall UK higher education institutions 2006/7		Name of higher education institution	
	Declared impairment (per cent)	Total who disclosed impairment status i.e. stated whether or not they had an impairment (per cent)	Declared impairment (per cent)	Total who disclosed impairment status i.e. stated whether or not they had an impairment (per cent)
Professor or head of department	2.2	92.4		
Below professor or head of department	2.3	92.0		
Teaching only	2.4	91.6		
Research only	1.6	90.9		
Teaching and research	2.5	93.3		
Open-ended or permanent contract	2.5	93.9		
Fixed term contract	1.8	89.9		
All	2.2	92.4		

[27]Equality Challenge Unit (2008) *41.6 per cent male; 58.4 per cent female: equality in higher education statistical report 2008*: London, ECU, pages 39 and 41

Professional and support staff declaring impairment

	Overall UK higher education institutions 2006/7		Name of higher education institution	
	Declared impairment (per cent)	Total who disclosed impairment status i.e. stated whether or not they had an impairment (per cent)	Declared impairment (per cent)	Total who disclosed impairment status i.e. stated whether or not they had an impairment (per cent)
Managers and professionals	2.55	Not known		
Technicians (including nurses)	3.28	Not known		
Support and administrative staff	2.81	Not known		
Other	2.95	89.4		
All	2.85	92.4		

Step 2: Establish the benchmark and the target

Targets could be set for the short, medium and long terms. A short term target might be to achieve a figure of 5 per cent of staff in an institution with declared impairment from a disclosure rate of 100 per cent by 2011-2012, with proportionality at all levels. A longer term target would be to aim for 11.6 per cent, also trying to achieve proportionality at all levels. This would make a real and enduring difference to both institution and disabled people. The table can be adapted and refined according to the requirements and agreed targets of each organisation.

Name of institution:

	Actual (specify date)		Actual (2007)		Target (specify by when)	
	All academic staff	Professional and support staff	Working age disabled population	Working age disabled population actually employed	All disabled academic staff	Disabled professional and support staff
Declared impairment (per cent)			11.6 per cent	5 per cent	5 per cent, 11.6 per cent or other?	5 per cent, 11.6 per cent or other?
Total disclosing impairment status (i.e. stating whether or not they have an impairment) (per cent)			n/a	n/a	100 per cent?	100 per cent?

Activity 4   Identifying targets for recruiting disabled employees in colleges[28]

Step 1: Establish the current position by completing the blank columns to the right (NB learner data is included to indicate the contrast between employees and learners)

Disabled people, disabled people in working population and actually employed			Disabled people: overall position in FE colleges (including disabled learners) (2006/7)				Name of institution: Date: Profile of disabled people i.e. who have disclosed impairment			
Overall population of disabled people (per cent)	Working age disabled population (per cent)	Working age disabled population actually employed (per cent)	Learner profile (per cent)	Managers (per cent)	Teaching staff (per cent)	All other staff (per cent)	Learner profile (per cent)	Managers (per cent)	Teaching staff (per cent)	All other staff (per cent)
20.0	11.6	5	10.8	2.2	2.6	2.6	2.6			

Step 2: Establish the benchmark and the target

Targets could be set for the short, medium and long terms. A short term target might be to achieve a figure of 5 per cent of staff in an institution with declared impairment from a disclosure rate of 100 per cent by 2011-2012, with proportionality at all levels. A longer term target would be to aim for 11.6 per cent, also trying to achieve proportionality at all levels. This would make a real and enduring difference to both institution and disabled people. The table can be adapted and refined according to the requirements and agreed targets of each organisation.

Name of institution:	Actual (specify date)			Target (specify by when)		
	Managers (per cent)	Teaching staff (per cent)	All other staff (per cent)	Managers (per cent)	Teaching staff (per cent)	All other staff (per cent)
Declared impairment (per cent)				5 per cent, 11.6 per cent or other?	5 per cent, 11.6 per cent or other?	5 per cent, 11.6 per cent or other?

[28]Adapted from Lifelong Learning UK (forthcoming a) *Annual Workforce Diversity Profile 2006/07*, page 106,: London, LLUK

Colleges and universities seem to be better at capturing data about impairment from their learners and students, with associated procedures in place to support them. There may be less fear of stigma in these populations compared with that reported by disabled staff, in terms of mental health difficulties and dyslexia. Learners and students declare impairment in order to receive support and reasonable adjustments and are encouraged to do so. As the Commission reported[29] disabled employees are often reluctant to do so through fear of the consequences.

Note: The suggested activities are a starting point to stimulate thinking about how to increase the employment of disabled people in your organisation.

The 'further information' section indicates useful resources to take this work further.

Example of good practice 3

Proactively initiating target setting for disabled staff recruitment at governance level

Members of the staffing sub-committee of a college examine the workforce profile across all equality strands and endorse the data produced. They note that the data seems accurate and comprehensive but that the number and percentage of staff disclosing impairments is low. They recognise that the college is receptive to increasing the numbers of disabled staff but does not have a proactive strategy for addressing the issue. They ask the human resources director to set targets for recruiting disabled staff at various levels of the organisation over an agreed timescale and develop a strategy to achieve those targets. They arrange to seek endorsement from the corporation to achieve this and ask for an update at the next staffing sub-committee meeting. A sub-committee member who works for a national organisation for the advancement of learning agrees to assist in this work.

Activity 5   Knowing the data and establishing the targets

	Position statement	Red	Amber	Green	Evidence/comments
1	Our organisation has effective processes and procedures for staff disclosing impairment.				
2	We have effective and accurate ways of collecting data from staff about a wide range of impairments; we don't just collect basic data e.g. 'do you have an impairment? Yes/No'.				
3	We have accurate, comprehensive and up to date data about disabled staff.				
4	We have established targets within our organisation for employing disabled people at every level.				

[29]Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – summary report*: Leicester, NIACE, page 10, 2008 a Section 5 pages 39-47 passim;

Action points	Output
1.	1.
2.	2.
3.	3.
4.	4.

Further information

The report[30] to HEFCE concerns other equality strands as well as impairment and gives a good account of data collection in HEIs and its shortcomings. It calls for disaggregation of 'disability categories' and makes the point that 'collecting data is not the same as monitoring; monitoring implies making judgements and initiating action on the basis of the data'.

Equality Challenge Units (ECU) equality in higher education statistical report[31] provides useful data about disabled employees (and of course other categories), and Lifelong Learning UK's *Annual Workforce Diversity Profile*[32] does the same for colleges. The Learning and Skills Network (LSN) publication *How to gather and use information to improve disability*[33] covers gathering and using data for disability equality in the further education system. It concentrates to a large extent on the collection of learner data but also alludes to data on disabled staff.

[30]Abbott P et al (2005) *Statistics for equal opportunities in higher education Project 1 report to HEFCE, SHEFC, HEFCW*: Glasgow, Glasgow Caledonian University
[31]Equality Challenge Unit (2008) *41.6 per cent male; 58.4 per cent female: equality in higher education statistical report 2008**: London, ECU
[32]http://www.lluk.org/equality-and-diversity-awdp.htm
[33]Rose C (2006) *How to gather and use information to improve disability equality*: London, LSN

Chapter 5:
Attracting disabled people by reaching out: innovative approaches to recruitment

It is one thing to comply with the legislation and collect data, which colleges and HEIs are getting better at doing, but it is another thing to monitor the data and plan improvements for proactively working towards disability equality. Once you have established the position of disabled employees in your institution through effective disclosure processes, data capture and analysis, you are in a position to address shortcomings and establish targets. To some extent, getting the policy, procedures and processes for disclosing impairment within your institution will help you achieve some progress. However, most organisations can be more innovative and thoughtful with recruitment. This chapter explores how.

Seeking the involvement of disabled staff within the organisation

It is often said that the best advice comes from complaints and of those who make them. If complainants are listened to carefully and courteously, and effective actions are taken and explained (even if not all aspects of a complaint can be dealt with satisfactorily from the complainant's point of view) then significant progress and improvement can be made.

In the same way, colleges and HEIs have a large body of 'experts through experience' in the form of disabled learners, students and staff. Most (unless they have acquired an impairment after they have joined an organisation) will have gone through a recruitment process as a disabled person. Organisations should, under the legislation, have disabled staff networks or methods for involving disabled people often operating through trade union support and initiatives. Seeking the experience of disabled staff in network meetings or through online notice boards or virtual learning environments (VLE) can be very effective, provided this is properly resourced and supported at a senior level.

A survey might have the following features, requests and questions:

- An explanation as to why you are seeking the information i.e. in order to recruit a better representative profile of disabled people and improve disability equality throughout the organisation.

- Questions about employees experience of the recruitment process, including:
  - inclusiveness of advertisement
  - accessibility of information pack (job description, person specification, application form, other details)
  - invitation to interview and interview arrangements
  - arrangement for reasonable adjustments, if necessary
  - accessibility of organisation and welcome etc
  - interview and job offer.

- Questions about how the organisation can do better at attracting disabled people as employees.

Example of good practice 4

Networks for disseminating good practice in relation to involving disabled staff

A number of equality and diversity managers and officers who facilitate disabled staff forums in their HEIs meet at a national equality and diversity conference for the higher education sector. They discuss the activities of their different forums and agree to set up an informal email network to exchange ideas and good practice to help disabled employees support themselves and their institutions better. They agree to suggest that the forums in the different organisations focus on particular aspects and issues affecting disabled people. The first aspect for such a focus is the recruitment process. They agree to liaise together and publish a set of recommendations to their organisations after the next round of forum meetings.

Seeking the advice of external experts and advocates

A number of organisations staffed mainly or exclusively by disabled people can undertake 'audits' of policies, procedures and facilities with a focus on attracting disabled people if necessary. They can be contracted to provide comprehensive advice about access and inclusion. Access to Work advisers can provide advice, financial support and workplace assessments for the provision of reasonable adjustments at interview as well as during employment.

Example of good practice 5

The 'catalyst' of external advice

A Scottish general further education college engages a national organisation for learning to help update its Single Equality Scheme through a day of training for senior and middle managers, including the human resources director. At every stage during the day there is an opportunity for individuals to develop action points for their contribution to the Single Equality Scheme. The human resources director identifies the opportunity to engage with local communities of disabled people about a range of vacancies coming up. This includes the teacher training department working within the partnership of the regional Centre for Excellence in Teacher Training (CETT) and with other academic departments that provide skills and qualifications required by the college.

Their action points lead incrementally during the day to a decision to develop a strategy for increasing the number of disabled employees by engaging with groups and individuals inside and outside the college.

Reaching out to disabled communities

All colleges and universities are situated where there are disabled communities. Instead of a passive advertisement process, institutions could reach out and engage with these communities, which would need to be carefully planned. If an organisation has jobs but its target disabled community does not contain people with the skills and qualifications to do the jobs, then disappointment and disillusionment are likely. A better approach would be to engage with disabled communities, build links with them, and even offer extensive work preparation and qualifications to prepare disabled people within them for job opportunities. Open days and online or virtual tours are valuable ways of reaching out.

Example of good practice 6

Federations for reaching out

A loose federation consists of three colleges situated close together in a dense conurbation. They recognise that disabled people and other minority groups are under-represented in their workforce profiles. They therefore run a project with three strands:

- a regularly updated mailing list

- one-to-one support to help people with application forms and one–to-one support for preparing for interview

- strategic awareness raising through conferences and other means to show how groups are under-represented and to share ways of addressing it.

Some disabled communities need special attention. For example, prospective and currently employed deaf[34] tutors whose first language is British Sign Language rather than English may be affected by the consequences of raising the level of 'minimum core' knowledge, understanding and personal skills in English, maths and information and communication technology that teachers must attain to support learning.

Example of good practice 7

Reaching out to specific communities

A further education college has a very active disabled staff network organised through the two principal trade unions - the University and College Union and Unison. Its focus for this year is on trying to make the college more attractive for disabled people. It invites the human resources director and vice-principal with lead responsibility for equality and diversity to one of its meetings to present the case for a programme of recruitment that concentrates strongly on the blind and visually impaired community in the city. The college recognises that it will need to make changes and adjustments in many areas of its practice as it makes contact and develops a partnership with this community.

At the meeting, it is agreed that blind and visually impaired colleagues in the group will work with human resources on all aspects of the recruitment process from advertising posts to interview arrangements. The college agrees to contact representatives of the community to establish links and ways forward for blind and visually impaired potential employees, including access to advertisements, pre-application training and development, reasonable adjustments at interview and equality impact assessments of recruitment processes.

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[34]Those deaf people whose first language is British Sign Language tend to refer to themselves as a linguistic and cultural minority and not as disabled people.

Establishing partnerships

An example provided by the Employers Forum on Disability (EFD)[35] reports a sustained attempt by the company Centrica to employ disabled people in its operations in the Manchester area by working in partnership with EFD, JobCentre Plus and other organisations. Key features of this Recruitment That Works (RTW) approach were:

- the offer of 'real jobs' for disabled people and carers

- a structured, project-based approach, with 'the systems, policies and attitudes of both organisations… aligned to shared goals'

- joint communications (Centrica was seeking disabled people and carers for 50 'real' jobs)

- alignment of jobs with 'whole business units' capable of making independent decisions

- addressing 'Critical Success Factors' such as understanding the local labour market, understanding local employer issues, enthusiastic team members, a project manager with credibility and authority and a high-quality advertising and PR programme

- 'disability awareness' training for Centrica managers

- work preparation training for potential disabled employees

- articulation of a genuine 'Business Case' accepted by and engaging line managers who will see the benefits of inclusive recruitment (see pages 7-8 for caveats).

The project had four stages from initial commitment, planning, preparation and design to action and completion activities with 'go/no go' decisions along the way.

The EFD publication *A practical guide to managing recruitment*[36] reports on another partnership that has used this RTW approach. Barclays engaged PosAbility Ltd to manage RTW programmes at their contact centres in the UK, which sought to employ 10 disabled employees at each site. The report states that: "It was a steep learning curve for Barclays in terms of having to change their processes and in challenging their perceptions of disability".

A project-based approach tends to work when organisations are recruiting for a 'batch' of posts. Adopting such an approach is attractive because specific targets, milestones and processes can be used. A successful short or longer term project to establish partnerships with disabled people and communities with a view to employing disabled people can make a powerful case at strategic leadership level.

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[35] Employers Forum on Disability *Recruitment that works: enriching your workforce through partnership*: London, EFD
[36] Employers Forum on Disability *A practical guide to managing recruitment*: London, EFD

Reaching out to disabled learners and students

Colleges and universities produce large numbers of highly skilled and qualified people, including those who have impairments. They have departments and sections devoted to information, advice and guidance for all learners and students, including disabled people. There are opportunities here to encourage disabled students to become employees in lifelong learning through connections between human resources departments and others. It would be useful for organisations to establish:

- the extent of current formal connection or partnership between human resources departments and other departments

- the extent to which organisations offering degrees to disabled students liaise with colleges requiring graduate teachers

- the formal links between teacher training departments and college employers requiring skilled staff

- the links between business studies departments with disabled learners in colleges and human resource departments requiring administrative staff, or child care/early years departments and human resource departments seeking employees for college crèches.

There are dangers to achieving fairness and embedding equality and diversity in informal networks and recruitment arrangements, but a formalised partnership and collaborative working could be very helpful. Human resource departments could offer training and advice to potential disabled employees from the learner and student population within their organisation.

Reaching out to disabled people nationally and internationally

It is recognised that colleges and HEIs need to attract applicants for management and academic positions from a national, and in some cases international, recruitment 'pool' to be able to appoint candidates of suitable calibre. Amongst these applicants may well be disabled people. It is essential that there are effective processes for people to disclose impairments and request reasonable adjustments during recruitment as well as within employment. An inclusive and accessible approach will make it possible to attract the required range of diverse candidates.

Activity 6   Reaching out to disabled people

	Position statement	Red	Amber	Green	Evidence/comments
1	Our approach to recruiting disabled staff is proactive rather than passive. We reach out to disabled groups and communities rather than 'hope for the best'.				
2	We involve our disabled employees, including through the trade unions, in advising us about all aspects of the recruitment process for disabled people and act on their advice.				
3	We seek the advice of external specialist organisations of disabled people to help with recruitment of disabled staff.				
4	We reach out to disabled communities with realistic ways of offering employment opportunities.				
5	We seek partnerships with other organisations like the JobCentre Plus.				
6	We have initiatives to increase the number of disabled staff in our organisation.				
7	We have formal links between human resources and other departments; our human resource department offers training and work preparation for disabled learners and students.				
8	We make it completely clear in our national and international recruitment processes that we are an inclusive and accessible organisation that welcomes applications from disabled people.				

Further information

The Employers Forum on Disability is particularly active in encouraging organisations to be more proactive in reaching out to disabled people. It stresses that positive discrimination for disabled people is possible because of the asymmetric nature of DDA legislation.

The Barclays case study referred to previously is explained on page 5 of its publication *A practical guided to managing recruitment*. The partnership approach is fully explained in *Recruitment that works: Enriching your workforce through partnership* (Employment Action File 1)[37].

Chapter 6
Making your organisation a good place for disabled people to work

Your organisation will build a good reputation if it is an attractive place for disabled people to apply to and work in. There is a range of ways to show this and your key aims should be to achieve inclusion and accessibility for everyone.

Good recruitment practice

There is plenty of advice available about recruitment processes for disabled people. Much of it is geared towards legal problems if things go wrong or if people make mistakes. Getting things right from a legal point of view will make your organisation an attractive place to work. If there is no discrimination in the recruitment process, then this will send a very positive message to prospective employees. The Commission for Disabled Staff in Lifelong Learning allude to the fact that disabled people may judge whether or not they want to work or study in an organisation based on how much disability equality they believe it has. Offering and accepting employment is a two-way process.

Employers who are serious about achieving disability equality will be keen to adopt, or will have already adopted, the 'Two Ticks' scheme and Mindful Employer Charter, whose commitments are well established. The 'Two Ticks' scheme amongst other things guarantees interviews to disabled applicants who meet the minimum criteria for a job vacancy (the job interview guarantee scheme (JIGS)). But there are dangers to this. Whilst the Commission for Disabled Staff in Lifelong Learning reported that some disabled employees were very positive about the 'Two Ticks' scheme, others were less positive[38]. The message is clear: such schemes are attractive and valuable when organisations genuinely understand and are determined to fulfil their obligations.

Organisations with good employment practices will ensure, perhaps through an equality impact assessment process, that job descriptions and person specifications concentrate on what the job must achieve rather than how it must be achieved. They will avoid needless discrimination and unnecessary or marginal requirements.

In terms of advertising vacancies, being inclusive means using all the usual outlets for advertisements locally and nationally including websites, but also actively approaching local disabled communities and associations of disabled people. Good practice includes using publications for, and networks of, disabled people and specialist agencies that support them. Disability Employment Advisers within Jobcentre Plus offices are a vital link for many posts in colleges and universities. Good employers will provide time and capacity to convert documentation into accessible formats and recruitment packs catering for diverse applicants. Web-based material will be accessible to disabled applicants using screen readers and compliant to Worldwide Web Consortium/Web Accessibility Initiative (W3C/WAI) standards.

The inclusion process extends to application form and information pack. Everyone, disabled or non-disabled, should receive the same information in their pack, regardless of what format is appropriate for the individual. It should be possible to apply for a job in different ways – by telephone, on paper or by tape (although there may be problems with alternative processes if they are to be audited on a regular basis). A good employer will know that disabled applicants need to be able to disclose impairments without fear of prejudice in order to get the reasonable adjustments they need for the interview and selection process. Disclosure

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[38]Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – final report:* Leicester, NIACE page 37

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will ensure accessibility at later stages of the recruitment process, for example ensuring accessible parking if a disabled candidate is called to interview.

In a good process, disabled people will not in any way be disadvantaged compared to non-disabled candidates. They will have accessible interview arrangements, explored and agreed beforehand according to the nature of their impairment(s).

If disabled people trust the reasons why employers ask about their impairments, they will be more inclined to disclose them and be confident that reasonable adjustments will be provided. As a result they will be able to participate fully in the recruitment process. Good employers will know that where applicants have long-standing impairments, they themselves are the experts on the barriers they face and how these barriers can be removed. With newly disabled people employers will understand the need for sensitivity and mutual exploration of the barriers the organisation will need to remove. This does not invalidate the fact that employers remain ultimately responsible for making reasonable adjustments and should not rely fully on the requests of disabled applicants and candidates.

Even if disabled applicants are not successful on a particular occasion and are given feedback, providing that their experience from advertisement through to interview has been positive and inclusive, they will not be discouraged from making applications in the future.

Overall, good employers will be used to working with disabled people and therefore confident about their processes and arrangements to remove barriers to the gainful and effective employment of disabled people.

Avoiding poor practice

Disabled applicants need to know that recruitment practices are fair. Human resource departments are often aware that formal procedures can be bypassed. In the further education sector it is reported that 'current pressures… may lead to inappropriate recruitment and selection procedures contributing to workforce imbalance'[39].

The same report also remarks:

"The appointment of part time staff has been found to involve circumvention of formal procedures, including the use of personal networks."

The report highlights research that provides "interesting examples of the questionable use of personal contact in connection with recruitment into FE, including, for example, the good offices of the husband of a friend, and, in another case, those of a neighbour" It also highlights other research findings, including that 53 per cent of survey respondents heard about their (part time) jobs through personal contact and 31 per cent had not been formally interviewed.

Similar issues were reported in higher education[40] - broadly speaking there was a gap between formal policies and procedures in HEIs and dubious practice that reinforced the status quo.

[39]Noel P (2006) *The secret life of teacher educators: becoming a teacher educator in the learning and skills sector* in the Journal of Vocational Education and Training 58:2 pages 151-170: London, Routledge

[40]Deem et al in Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – literature survey* pages 26-27

The Commission for Black Staff in Lifelong Learning[41] alluded to "informal recruitment practices… seen to stem from an over-reliance on exclusive social networks…". Their report also mentions: 'cloning' or own-image recruiting, where applicants have attitudes and characteristics similar to interviewers; 'fitting in', where decisions are influenced by candidates' perceived ability to be acceptable to other employees; and stereotyping, where decisions are based on pre-conceived assumptions.

Subconscious discrimination faced by black and minority ethnic people also applies to disabled people. Human resource departments will be aware of poor practices. They need to ensure that operational managers, often driven by the need for 'quick fixes' to address staffing problems, are trained to avoid practice that undermines disability equality and other equality strands.

Publicly stated strategic leadership for disability equality

Having a named member of a strategic management team or equivalent who leads on disability equality (perhaps as part of a general equality and diversity remit) and advertising this on an organisation's website and through wider channels, sends a strong message to disabled people and will encourage their involvement and interest. This person could be responsible for such things as:

- ensuring a 'whole organisation' approach to equality and diversity so that it is everyone's responsibility and not 'someone else's job'

- meeting recruitment and/or workforce profile targets reflecting the profile of the disabled adult working age population

- well-informed management and governance through training and appraisal

- sound policies and practice on disability absence and disclosure

- review of recruitment procedures, including guaranteed interviews and competence-based recruitment to disabled applicants meeting job requirements

- effective processes for prompt provision of reasonable adjustments to meet the needs of disabled people with a wide range of impairments

- ensuring the active participation of disabled people in institutional policies and procedures.

Reaching out into the community to appoint disabled governors, corporation members or others responsible for governance will also send a positive message. One way of establishing a strategic approach could be to 'make the disability equality commitment'[42] called for by the Disability Equality Implementation Group,:, using the 11 principal recommendations of the Commission for Disabled Staff in Lifelong Learning as a benchmark or 'road map'.

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[41]Commission for Black Staff in Lifelong Learning (2002) *Attracting people who want to get in: a good practice guide Book 1*: London: Commission for Black Staff in FE
[42]http://www.lluk.org/disability-equality-commitment.htm

Example of good practice 8

A strategic approach in recruitment and induction

At a general further education college, a strategic approach to equality and diversity is led by the vice-principal supported by an equality and diversity manager who sits on the college management team. As part of a strategic approach, the college subscribes to the 'Two Ticks' positive about disability scheme, and interviews all disabled applicants who meet the minimum criteria for a post. Another strategic focus is at induction, when the human resources equality champion makes it a point of duty to contact new staff who have disclosed impairment and alert them to the support they're entitled to.

Example of good practice 9

Strategic partnership for attracting disabled potential employees

A university and a further education college in the same community in a large city have strategic links at governance level. The college, having 'made the disability equality commitment' suggests that the university does the same.

Both institutions, using the recommendations of the Commission for Disabled Staff in Lifelong Learning as a benchmark, decide jointly to target ways of attracting potential disabled employees to their organisations as an initial priority and collaborate on the best means of doing this.

Publishing disability equality documentation

Potential disabled employees will be attracted to lifelong learning organisations with well-designed and thought through Disability Equality Schemes (if appropriate, this may be subsumed into Single Equality Schemes), comprehensive equality and diversity policies and uncompromising, zero tolerance anti-bullying, anti-harassment and anti-victimisation policies. If disabled employees can see documentation outlining arrangements for 'reasonable adjustments' and examples of adjustments that have been or could be made, this will give them confidence, especially if they are centrally funded rather than through devolved budgets. Clear action plans and milestone monitoring will demonstrate that the commitment to achieve disability equality is genuine.

Example of good practice 10

Using a website for recruitment information for disabled candidates

A large university has put its checklist relating to disabled candidates and how to prepare for them in the recruitment process on its website, splitting it into three sections:

- preparation and advertising
- interviewing
- appointments.

It asks that those involved in these processes think about issues such as:

- considering what adjustments future disabled applicants may need and making them in advance (preparation and advertising)
- checking the accessibility of buildings, interview rooms and test rooms, and making reasonable adjustments in advance (interviewing stage)
- terms and conditions that reflect any reasonable adjustments with new disabled members of staff (appointment stage).

Staff training

If disabled people are aware that an organisation delivers disability equality training to its staff and this is manifested in their experience of the organisation, they will be more inclined to apply for work there. Disability equality training for all staff is important, but it is essential for anyone involved in the recruitment process. This will mainly involve human resource staff but will also include other staff, mainly managers, who must help frame job advertisements, job descriptions, person specifications and conduct interviews. Training will include how to avoid the kind of discrimination highlighted in the section on poor practice accessibility for disabled applicants, making reasonable adjustments and suitable questioning about capacity to do the job. Disability equality training is vital for front line staff who need to be aware of the importance of accessible parking for those with mobility-related impairments, clear and appropriately-paced speech for hearing impaired people and proper guidance and support for blind people.

Activity 7   Making your organisation an attractive place for disabled people to work

	Position statement	Red	Amber	Green	Evidence/comments
1	We have good recruitment practices which we have equality impact assessed.				
2	We work hard to identify and eradicate unsatisfactory recruitment and other practices that could discourage disabled applicants.				
3	We have a named member of our senior management team or equivalent with specified strategic lead responsibilities for disability equality, and this information is publicly available.				
4	Disability equality documentation including policies, schemes and action plans is publicly available.				
5	All staff undergo disability equality training.				
6	Staff involved in any part of the recruitment process, including front line staff who are the first point of contact for disabled applicants, have to undergo specialised disability equality training to fulfil their recruitment function.				

Action points	Output
1.	1.
2.	2.
3.	3.
4.	4.

Further information

Good recruitment practice, which is essential to attract disabled staff into your organisation, is covered in a number of publications.

The Employers Forum on Disability has two briefings:

1. *Recruitment that works: enriching your workforce through partnership*

2. *A practical guide to managing recruitment.*

The Equality Challenge Unit has offers excellent guidance in their publication: *Employing disabled people in higher education*, with which includes a section focusing on recruitment from job specification to 'unsuccessful candidates'.

The Disability Rights Commission has published guidance for *Understanding the Disability Discrimination Act: A guide for colleges, universities and adult community learning providers in Great Britain*. Section 2 of this guide relates to the employment section of the legislation, and some of part 3, particularly 3.1, is also relevant.

The Disability Rights Commission Code of Practice: employment and occupation, section 7, deals with 'Discrimination in the recruitment of employees'.

In the area of employers' responsibility for making reasonable adjustments in the recruitment process, two examples show the complexities but also how firmly the onus is on employers. See Y v Calderdale Council[43] and Y v Bradford Council[44].

University College London (UCL) has a very useful webpage with information about how to support disabled candidates[45]: The human resources section of their website[46] also includes welcoming and useful information about impairment.

[43]http://www.stammeringlaw.org.uk/cases/calderdale.htm
[44]http://www.stammeringlaw.org.uk/cases/bradford.htm
[45]http://www.ucl.ac.uk/hr/equalities/disability_checklist.php
[46]http://www.ucl.ac.uk/hr/

Chapter 7:
A strategic approach

This guide has so far covered various aspects of how to attract disabled employees into colleges and HEIs. At the end of each section readers have been invited to complete an activity and then use the outcomes to develop key action points.

These action points could be consolidated into the appropriate parts of an action plan based on an adaptation of Woodhams' and Corby's (2007)[47] 'sets of human resource management practices' into a 'framework of elements'. This framework could produce a more focused strategic approach for attracting disabled staff to the lifelong learning sector.

A framework of elements for a strategic approach to attracting disabled people into an organisation's workforce and address under-representation

1. Having written policies
These set the direction and focus for the organisation in terms of:

- equality and diversity policy/statement of intent
- Disability Equality Scheme (perhaps subsumed in a Single Equality Scheme)
- anti-bullying, harassment and victimisation policy
- schemes and charters e.g. 'Two Ticks', Mindful Employer, Investors in Diversity.

2. Developing managerial responsibilities
These recognise the importance of managers' attitudes and behaviour in any efforts to address under-representation, for example:

- designating a senior manager to be responsible for addressing under-representation
- disability equality training for managers (including how to avoid poor practice)

- devolving targets and action plans for disabled employment to manager level.

3. Positive action and positive discrimination
This focuses on developing practices that will proactively achieve disability equality with the following nine aspects:

- involving disabled staff in strategies to recruit more disabled employees
- reaching out to disabled communities
- reserving jobs for disabled applicants at various levels of the organisation (i.e. not only the lowest paid or lowest skilled jobs)
- using work introduction schemes
- providing unpaid work experience for disabled people
- providing training solely for disabled staff
- setting organisation-wide targets for disabled people's employment
- monitoring impairment in recruitment and employment
- achieving effective disclosure of impairment.

4. Resourcing measures
This element has a more traditional approach to equality and includes the standardisation of entry procedures, reviewing interview and selection processes and organising events for potential disabled employees.

5. External help and advice
Specialist advice and support includes:

- consulting with and involvement of trade unions (locally and nationally)
- regular contact with Disability Employment Advisors at JobCentre Plus

[47]Woodhams C and Corby S (2007) *Then and Now: Disability Legislation and Employers' Practices in the UK* in British Journal of Industrial Relations 45:3, page 556: London LSE

- use of government schemes such as Workstep, Pathways to Work and Access to Work

- use of DDA Codes of Practice

- contact with external agencies such as Skill[48], The National Institute of Adult Continuing Education (NIACE), the Shaw Trust, Remploy and the Employers' Forum on Disability.

6. Making adaptations

This involves consulting and subsequently making adaptations, usually on an individual basis but this could also include proactively anticipating the needs of potential disabled employees with a range of different impairments requiring different responses. For example:

- establishing a central budget

- undertaking regular access audits

- installing special equipment

- adapting premises

- re-allocating duties to ensure retention

- involving disabled staff in removing barriers to their efficient working

- adapting training procedures to ensure accessibility.

This element, applied to the process of attracting people to the lifelong learning sector, is about reasonable adjustments and adaptations throughout the recruitment process.

In their longitudinal analysis of human resource management practices in relation to disability equality, *Then and Now: Disability Legislation and Employers' Practices in the UK*[49] showed that proactive measures to encourage the employment of disabled people, including positive discrimination, has had a significant impact. Human resource measures concentrating on 'managerial responsibilities' and 'making adaptations' has had a similar impact. This report argues that human resource departments should use the full range of measures (i.e. framework elements 1-6), including positive discrimination, to address the under-representation of disabled people in the workforce, which should be underpinned by 'enforcement measures'. Positive discrimination might include opening job opportunities only to disabled applicants, or doing so within a particular timeframe. If vacancies remained, they could then be advertised more widely.

Those with a strategic responsibility for disability equality may not accept these conclusions, but the elements can be used to formulate a strategic approach to attracting disabled applicants, candidates and employees. A bold, proactive and innovative strategy will reach out to disabled communities and have positive measures (element 3) at its centre. It will take advantage of the asymmetric legislation permitting positive discrimination in favour of disabled people, in order to reach targets or until targets are met. A less bold strategy will be to time-limit positive discrimination to meet targets. Other effective strategies will concentrate on positive action, 'winning hearts and minds' and a suitably incremental approach.

If an organisation were to contemplate positive discrimination along the lines of the Centrica project it would need to be implemented carefully, with proper attention to:

- effective and legal implementation

- developing a strong rationale that would be accepted by disabled applicants and disabled and non-disabled people in general

- risk assessment and long term implications for the organisation

- an appropriate timescale and plan.

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[48]Skill: National Bureau for Students with Disabilities
[49]Woodhams C and Corby S (2007) *Then and Now: Disability Legislation and Employers' Practices in the UK* in British Journal of Industrial Relations 45:3 pages 556-580: London LSE

Activity 8   A strategic action plan for attracting disabled employees into your organisation

Element 1: Written policies

Actions	By whom	Monitored by	Output	Outcome	By date

Element 2: Managerial responsibilities

Actions	By whom	Monitored by	Output	Outcome	By date

Element 3: Positive action and positive discrimination

Actions	By whom	Monitored by	Output	Outcome	By date

Element 4: Resourcing measures

Actions	By whom	Monitored by	Output	Outcome	By date

Element 5: External help and advice

Actions	By whom	Monitored by	Output	Outcome	By date

Element 6: Making adaptations

Actions	By whom	Monitored by	Output	Outcome	By date

Chapter 8:
The prize

Attracting disabled people into your organisation as valued, efficient and effective employees so that their numbers reflect and even exceed comparative numbers in the working-age disabled population will bring many benefits.

It will make your organisation one that disabled and non-disabled people will be interested in and perhaps even aspire to working for. It will assist in achieving "a culture that promotes disability equality that will inevitably bring improvements and dignity at work for all"[50].

It will be likely to improve inspection grades and other measures of quality. If learners and students have a better and wider experience of impairment and work with disabled tutors, lecturers, administrators, managers, premises staff and other employees, then they will take that knowledge and understanding into wider society.

Having disabled employees will make the organisation confident about employing disabled people in future and removing the barriers they face. It will prepare your organisation for a workforce whose average age is likely to be getting higher. Some of your organisation's employees will acquire impairments as they age. Good, sensitive responses to this will maintain staff morale and keep sickness absences and absences through impairment lower.

Of course, as we remarked on page 6, it's not just about disability equality. Diversity across all the equality strands is vital and some of the suggestions in this guide will be relevant to these other strands. But there is no better way to make the next transformational step to equality and diversity than by a concerted attempt to provide employment for such an under-represented, marginalised and disadvantaged group.

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[50]Commission for Disabled Staff in Lifelong Learning (2008) *From compliance to culture change: disabled staff working in lifelong learning – summary report*: Leicester, NIACE

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Note: Asterisked titles (*) are available to access and download online.

Useful websites

www.cae.org.uk

http://www.disabilityfwd.co.uk/about-us.php

http://www.disabledgo.info/Default.asp

http://www.efd.org.uk/

http://www.equalityhumanrights.com

www.equality.leeds.ac.uk

http://www.inclusion.me.uk/

http://www.lluk.org/equality-and-diversity.htm

http://www.shaw-trust.org.uk/home

http://www.skill.org.uk/

www.techdis.ac.uk

LIFELONG
LEARNING
UK

Skills for Learning Professionals

Lifelong Learning UK

BELFAST
2nd Floor, Alfred House, 19-21 Alfred Street, Belfast, BT2 8ED
Tel: 0870 050 2570 Fax: 02890 247 675

CARDIFF
Sophia House, 28 Cathedral Road, Cardiff, CF11 9LJ
Tel: 029 2066 0238 Fax: 029 2066 0239

EDINBURGH
CBC House, 24 Canning Street, Edinburgh, EH3 8EG
Tel: 0870 756 4970 Fax: 0131 229 8051

LEEDS
4th Floor, 36 Park Row, Leeds, LS1 5JL
Tel: 0870 300 8110 Fax: 0113 242 5897

LONDON
5th Floor, St Andrew's House,
18-20 St Andrew Street, London EC4A 3AY
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Email: enquiries@lluk.org
Information and Advice Service: 020 7936 5798

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