



# DISABILITY DISCRIMINATION

**D**isabled workers share the same general employment rights as other workers, but there are also some special provisions for them under the Disability Discrimination Act (DDA).

Under the DDA, it is unlawful for employers to discriminate against disabled people for a reason related to their disability, in all aspects of employment, unless this can be justified. The Act covers things like:

- application forms
- interview arrangements
- proficiency tests
- job offers
- terms of employment
- promotion, transfer or training opportunities
- work-related benefits such as access to recreation or refreshment facilities dismissal or redundancy

## REASONABLE ADJUSTMENTS IN THE WORKPLACE

Under the DDA, your employer has a duty to make 'reasonable adjustments' to make sure you're not put at a substantial disadvantage by employment arrangements or any physical feature of the workplace.

Examples of the sort of adjustments your employer should consider, in consultation with you, include:

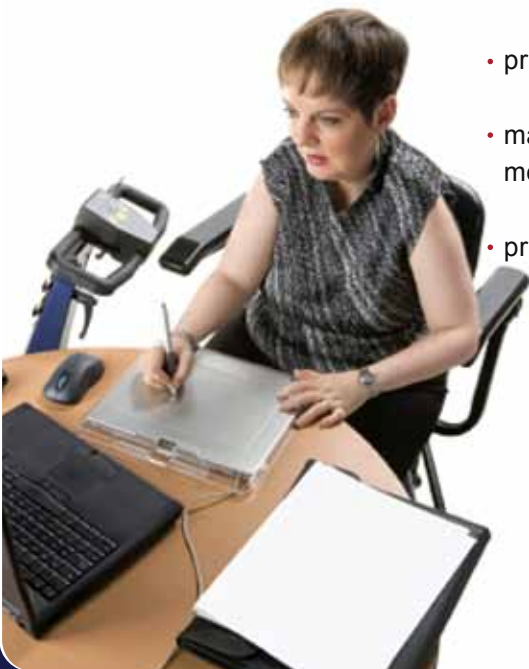
- allocating some of your work to someone else
- transferring you to another post or another place of work
- making adjustments to the buildings where you work
- being flexible about your hours - allowing you to have different core working hours and to be away from the office for assessment, treatment or rehabilitation
- providing training
- providing modified equipment
- making instructions and manuals more accessible
- providing a reader or interpreter

## THINGS TO CONSIDER AT WORK

You can play an active role in discussing these arrangements with your employer. You might also want to encourage your employer to speak to someone with expertise in providing work-related help for disabled people.

The Equality and Human Rights Commission, which has replaced the Disability Rights Commission, provides guidance and advice for you and your employer about the DDA and what adjustments might be reasonable. Issues for you both to consider include:

- how effective will an adjustment be?
- will it mean that your disability is slightly less of a disadvantage or
- will it significantly reduce the disadvantage?
- is it practical?
- will it cause much disruption?
- will it help other people in the workplace?
- is the cost prohibitive?



You may want to make sure that your employer is aware of the Access to Work programme run by Jobcentre Plus. Through this programme, employers can get advice on appropriate adjustments and possibly some financial help towards the cost of the adjustments.

## JOBCENTRE PLUS OFFICES AND JOBCENTRES

Jobcentre Plus is responsible for the national network of Jobcentres. These give skilled advice at every stage of your search for a job and make sure you know which benefits or allowances you're entitled to claim. They can also support you if you're concerned about the impact of your disability on your existing job.

Your local Jobcentre Plus office or Jobcentre can help and advise you regardless of your situation - even if you don't have any work experience or if you haven't worked for a long time.

## BOOKLET AND 'WE CAN HELP' DVD FROM JOBCENTRE PLUS

You, or someone you know, may benefit from a 70-page booklet and/or DVD about Jobcentre Plus disability services. Both contain information about the advice and practical support that can be offered to you, using 'real life' examples of people who have benefited from Jobcentre Plus disability services.

The booklet and DVD are available in various community languages plus British Sign Language (DVD) and Braille and audio tape (booklet).

Visit or contact your local Jobcentre Plus or Jobcentre office to get hold of your free copy.

## DISABILITY EMPLOYMENT ADVISERS

You and your Jobcentre Plus adviser may decide that further specialist advice and help would be a good idea. They can then arrange for you to have an interview with a Disability Employment Adviser (DEA).

They will find out about your abilities and the sort of job that would suit you, then draw up a plan of action with you to help you get a job or go on a training course.

Disability Employment Advisers (DEAs) can give you help and support regardless of your situation. They can help you find work or gain new skills

even if you have been out of work for a long time, or if you have little or no work experience.



## SERVICES PROVIDED BY DISABILITY EMPLOYMENT ADVISERS

Your Disability Employment Adviser can offer you:

- an employment assessment to identify what type of work or training suits you best
- a referral, where appropriate, to Work Preparation, an individually tailored programme designed to help some disabled people
- a referral to a work programme for disabled people, like the Job Introduction Scheme, WORKSTEP or Access to Work
- a referral, if needed, to an Work Psychologist for a more detailed employment assessment to identify the best work or training for you
- a job-matching and referral service - the DEA can let you know about jobs that match your experience and skills information on employers in your area who have adopted the 'two ticks' disability symbol

## EMPLOYMENT ASSESSMENTS

An employment assessment can help you identify your abilities and strengths. At the end of it, you and your DEA will have created an action plan of steps you can take towards achieving your employment goals.

What happens at the assessment  
Your employment assessment will usually take place at your local Jobcentre Plus office or Jobcentre. You will have an interview with your DEA, which is an opportunity for the two of you to:

- talk about your skills and abilities
- discuss any previous work experience you may have
- agree what might be the most suitable job for you

As part of the assessment, you may be asked to carry out some practical tasks and written work. These tasks will be similar to common tasks involved in various types of work.

The assessment may take half a day or longer, depending on your individual needs. The DEA will discuss the length of your assessment with you beforehand.

## AFTER THE ASSESSMENT

You and your DEA will talk about your assessment and agree on an action plan to help you achieve your job goals. Your action plan may include training or taking part in the 'Work Preparation' programme.

An employment assessment does not affect your benefits. You can claim travel expenses for attending an assessment.

## ADVISERS FOR PEOPLE RECEIVING INCAPACITY BENEFIT

Most Jobcentre Plus offices and jobcentres have a Special Incapacity Benefit Personal Adviser (SIBPA) who can give advice and support for people claiming Incapacity Benefit but not other disability benefits - such as Disability Living Allowance.

'Pathways to Work' is a programme that has been developed to provide greater support to help people claiming Incapacity Benefit back into work. It is a programme that is currently available only in some areas of the UK. Incapacity Benefit Personal Advisers (IBPA) are part of the 'Pathways to Work' programme and are also responsible for giving specialist advice and support to people.

## WORK SCHEMES AND PROGRAMMES

If you have a disability that affects the kind of work you can do, you will be eligible to join some of the many programmes open to people who have been unemployed for some time, without having to wait for the qualifying period.

## WORKING AND RECEIVING DISABILITY AND SICKNESS BENEFITS

### *Disability Living Allowance:*

Disability Living Allowance is a benefit that can be paid whether you are in or out of work or training, providing you have a level of care or mobility needs which meets the entitlement conditions. If you receive Disability Living Allowance and are about to start or return to work, your Disability Living Allowance will remain the same as long as your care and/or your mobility needs have not changed.

However, if you are starting or returning to work or training because your care and/or mobility needs have changed and you have not already reported this change to the Department for Work and Pensions, then you must report it so that your benefit award can be reviewed and, if necessary, a new decision made. This could result in either an increase or a decrease in the amount of Disability Living Allowance you are entitled to.



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