

# Sussex Business Guide to Disability



## Introduction

Running a small or medium sized business usually means you are short on time, so this booklet concentrates on the most important things you need to know about employing disabled people, and the Disability Discrimination Act 1995 (DDA), as amended.

This guide highlights your responsibilities and provides examples of how easy it is to make changes in line with the DDA – changes that could be beneficial to you and your business.

You can find more detailed information/guidance about many of the issues covered in this booklet on our website [www.disabilityguide.info](http://www.disabilityguide.info) (which includes useful fact-sheets and links to organisations who can support your business with disability and diversity matters).

The DDA is a law designed to end discrimination against disabled people. It also meets the needs of small to medium sized businesses because it is flexible enough to take account of each business's individual circumstances.

If you have disabled employees, they may be able to help you make your business more accessible and help develop ways in which you can increase sales to disabled people. It's worth remembering that the combined purchasing power of disabled people in the UK is estimated to be in excess of £50 billion per annum. Treating disabled people fairly is not just legally and ethically correct, it also makes good business sense.

What the law requires you to do is mostly common sense. This booklet contains information on:

- Why should you bother about disability?
- The DDA and your business
- Who is covered by the DDA
- Disabled employees and job applicants
- Disabled customers

Cover shot is of Ben who is a Linen Porter at the Hilton Metropole hotel in Brighton and has autism. The Hilton Metropole provides a mentor for Ben - his name is Ian. Ben says "Ian helps me to do the things I can't do easily. He helps me to understand when I need to help someone else...He also tells me what I'm going to do each day."

## Why should you bother about disability?

Many smaller employers find employment law difficult and feel that it poses a threat to their business. However, disability is more common than people often think and being a flexible employer can mean you get the best out of your staff. Whether it's understanding childcare needs, flexibility for disabled people and those with long-term health conditions or days off for religious observance, on the whole, you get back what you put in.

Making sure that you can recruit and retain the one in five people of working age who is disabled in the terms of the Disability Discrimination Act (DDA) isn't something you should do just because there's a law about it or because it's a good thing to do. It can:

- make your workforce more representative of the community it serves
- attract and keep able staff
- avoid undervaluing, under-using or losing able staff
- avoid the costs and worry of recruiting and training someone new when you could have kept an employee – and kept valuable business expertise
- improve staff morale and productivity
- improve the way all staff are managed, including in areas like health and safety and absence
- help to develop good practice that improves customer care as well as your employment practice.

## The DDA and your business

The DDA requires all businesses to make reasonable adjustments but, as every business is unique, the law has been designed so that you only have to make changes that are reasonable for your business.

If you fail to do what is reasonable, a disabled person could take legal action against you for treating them unfairly. You need to take the DDA seriously.

### The DDA requires all businesses to make reasonable adjustments

You should consider the following when deciding what sort of adjustments are likely to be reasonable for your business:

- Type of business
- Size of the business and annual turnover
- Cost of the adjustment
- Disruption to the business while the work is being carried out
- Practicality of carrying out the adjustment
- Potential benefits to disabled customers and employees

## Who is covered by the DDA

- People with long-term health conditions, such as diabetes
- People with progressive conditions, such as multiple sclerosis
- People who have been diagnosed with HIV and cancer
- People with learning disabilities
- People with mental health conditions
- People who have mobility impairments
- Blind and partially-sighted people
- Deaf and hearing-impaired people

It is not always obvious that someone is disabled. For example, you may not know if a person has a “hidden” impairment, such as a heart condition, depression or diabetes, when you first meet them.

Some people who do not consider themselves disabled may also be covered by the DDA. This includes people with long term health conditions such as cancer, and older people, who may think of their impairment as part of ageing.

Over 90% of disabled people are not wheelchair users, so you need to think much wider than the stereotypical image of a disabled person.

If you are not sure whether someone is covered by the DDA you can contact the Commission for Equality and Human Rights (CEHR) via its website [www.cehr.org.uk](http://www.cehr.org.uk) or helpline: **08457 622633**

Remember, the DDA protects disabled people as both employees and/or customers.

Over 90% of disabled people are *not* wheelchair users

**Maureen**  
**Trustee & Lead Volunteer at MOSAIC**  
**Black & Mixed Parentage Family Group**

Maureen is a trustee and lead volunteer at MOSAIC Black & Mixed Parentage Family Group in Brighton, and has diabetes with associated complications.

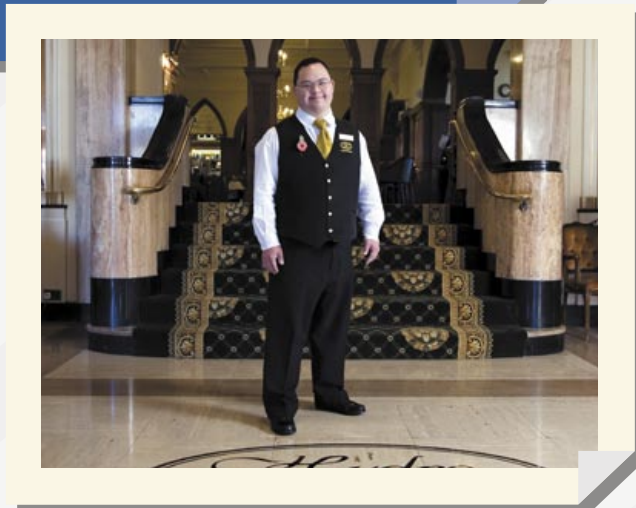
Diabetes is one of the many hidden 'impairments' that can be covered by the DDA.



**Jeremy**  
**Hotel Porter at the Hydro Hotel**

Jeremy is a Porter at the Hydro Hotel in Eastbourne and has a learning disability: "I have worked here for 6 years, it's my first job. I would like to stay working as a porter here in the future. I enjoy chatting with guests and helping them with any problems."

Jeremy sometimes has difficulties with his memory and finds being given lists of tasks or doing work shadowing useful.



## Disabled employees and job applicants

Getting the right person for the job is often one of the biggest challenges for any business. About one in every five people who are working or seeking work is disabled and many small to medium size businesses already have disabled employees, often without realising (because many impairments are not visible).

The DDA does not ask you to do anything that will put your business at risk. You are not required to employ someone who is unsuitable for a specific job and you don't have to make any changes 'just in case' you recruit a disabled person. What you must do is to treat everyone fairly. That does not mean treating everyone the same, because that would be unfair for some disabled people.

There is strong evidence that disabled employees do not, on average, have more absence than non-disabled employees. They may also be less likely to leave you for another employer.

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## Retaining disabled employees

Retaining an employee who becomes disabled or has a long-term health condition could save you money.

If an existing employee develops a health condition or becomes disabled, talk to them about what changes you could make so they can continue working. This could save you money on recruitment and training, and avoid you losing their skills and experience.

Small changes to the work environment can make a big difference to a disabled person. For instance, removing unnecessary furniture would help someone with a mobility or sight impairment to move around the building more easily.

You could also consider things like altering someone's working hours or parts of their job.

You need to think about changes like this as part of your duties under the DDA.

Small changes to the work environment can make a big difference to a disabled person

## Robin

### Assistive Technology and Disability Adviser at Sightsavers International

Robin works as an Assistive Technology and Disability Adviser at Sightsavers International in Haywards Heath and has low vision. Robin's top tips for making a job and a workplace more accessible for an employee with low-vision are: "Think laterally and look at possibilities not obstacles. Focus on the talents, knowledge, skills and abilities of the person. Talk to other employers who employ disabled people. Ask candidates and current employees to give you feedback on how accessible you are as an organisation and make the most of the various forms of support available at the earliest opportunity."



## Recruitment and employing disabled people

Ensure you are aware of the support that is available to help businesses to employ disabled people. For example, the Access to Work scheme could meet much of the costs of any adjustments (including assistive technology) to enable a disabled person to perform the job.

Before advertising a job, it is good practice to write a job description and person specification for that job, making them fair and non-discriminatory.

Consider wording your job adverts in a way that will attract more diverse applicants, including disabled people. For example, you could say that you welcome applications from all sections of the community, including disabled people.

If you can offer flexible working arrangements (e.g. part-time work, job-sharing, flexible hours, etc) saying this in the advertisement may attract applications from people who are good candidates but unable to work normal full-time hours.

You may be asked to put job application forms in different formats like large print.

Ask all short-listed candidates if they have any special access or other requirements before they attend for interview.

Consider offering work-trials to disabled people, including those who have had mental health conditions. Many are capable of working but may have no recent work experience. This is usually because of many employers' reluctance to offer them an opportunity, even after they have received treatment and, often, re-training. Work-trials give you and the potential employee an opportunity to see whether the person is suitable for the job.

Ensure you are aware of the support that is available to help businesses

Think flexibly, there are often lots of different ways to do a job, so be open-minded to new ways of doing things. Examples include job sharing, part-time working, allowing a disabled person to sit down while doing certain tasks or allowing several short breaks rather than one long one.

Don't make assumptions about what people can and can't do. Some people may be able to do a job if you make some basic adjustments. This could be altering the job or workplace.

If you are unsure whether a disabled person can do a job, talk to them about how they might perform certain tasks and what adjustments you might make to enable them to do the job, or do it better.

More detailed information on all these matters (including information about Access to Work) can be found in the fact-sheet section of our website [www.disabilityguide.info](http://www.disabilityguide.info) Access To Work can also be contacted direct on 01273 364750 or textphone 01273 364782.

## Disabled customers

The DDA states that you must not treat disabled customers unfairly. No matter what size your business is, if you can't provide your service to a disabled person, you must consider whether there are other ways of providing an equivalent service, such as home delivery, where this is reasonable.

This is also good business practice, because improving customer service for disabled people is likely to result in better customer service for many other people, too. For example, making your premises easier to access should also make it easier for people carrying heavy bags, parents with pushchairs, etc.

You may not have to make expensive changes to buildings. You do have to think about the needs of your disabled customers and make reasonable changes.

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There are lots of things you can do. Some changes don't cost very much, such as providing a seat for people who have mobility impairments and cannot stand for very long.

If you are unsure how you can assist a disabled person, you could consider asking them what you can do to help.

There are some examples of how other businesses have made changes to meet the needs of disabled customers at [www.dwp.gov.uk/dda](http://www.dwp.gov.uk/dda)

## Accessing your information

Think about producing signs and labels in large clear text, in contrasting colours, (e.g. black text on a white or yellow background) and mounted at a suitable height. Signs should be on a non-reflective surface.

Could you produce leaflets, brochures, menus and other customer information in large print or other accessible formats?

If you have a website, is it accessible to people who have sight impairments or who have learning difficulties, for example?

Can staff be trained to assist customers who may need help accessing information? This might include reading a menu out loud to a visually impaired person, writing down a price for a deaf person or speaking in simple, plain English for people with learning difficulties.

Can people contact your business in a variety of ways, e.g. by phone, text phone, email and fax? Deaf and hearing impaired people can use the Tynetalk relay system, which enables your business to be in telephone contact with deaf people by linking the people making the call with an operator who relays the conversation.

When advertising your business you may want to mention accessibility and say that you welcome disabled customers. Equally, if your premises are not accessible to wheelchair users, for example, and you cannot reasonably change this, consider explaining this in your publicity materials and include information about any other ways you could provide your service to them (e.g. by phone, home visit, etc).

## Entering and moving around your premises

It is a good idea to check that the entrance to your premises and the floor surfaces inside your property are level. Are there steps, steep slopes or lips on doorways that could make access difficult?

If you have steps, you might fit a handrail or replace them with a ramp. If it is not reasonable to make physical changes to your premises, could you install a bell or buzzer at the entrance, and go outside to serve a disabled person? Ensure this is at the correct height for a wheelchair user.

You could consider providing a personal shopping, home delivery or home visit service for people who can't get to your business.

Could you clear corridors and aisles so they are wide enough for a wheelchair user to pass through?

Provide a chair for customers who have to queue or wait.

You should ensure premises are well lit and that corners, steps and counter edges are marked with high visibility tape so they can be easily seen.

Could you fit easy-grip handles or move existing handles to a more accessible height for wheelchair users?

If you cannot provide parking, can you make a staff space available by prior arrangement or do you know where the nearest space for disabled people is?

## Customer service

Making your services accessible is good business sense because it means more staff and customers can use them.

You could arrange for your staff to receive training in disability awareness and offering assistance when appropriate.

This could include helping someone handle their money, carrying a product to a customer's car, offering to guide someone around your facilities, cutting up someone's food into smaller pieces or explaining something in a different way if someone doesn't understand.

Consider keeping a record of all the access needs of regular disabled customers so you can automatically provide the right support every time they visit.

If you normally ban animals, you need to amend this to allow for assistance dogs. It is not just visually impaired people who use assistance dogs, e.g. some hearing impaired people have specially trained assistance dogs. Consider using the sign that says "assistance dogs welcome" on your door.

It is a good idea to ask disabled people what you could do to improve things and act on their suggestions.

## Disability Equals Business Partners & Stakeholders

Disability Equals Business is a time-limited initiative funded by the European Social Fund to support businesses in Sussex to become more disability confident. This initiative ends in its current guise in December 2007

With the help of partners' expertise Disability Equals Business has helped hundreds of local small to medium size businesses effect cultural change in terms of diversity and equality, focusing on disability.

Many of the Disability Equals Business partners can be contacted for continuing support with disability and diversity matters after December 2007. More useful links to organisations that can support your business with disability and diversity matters are listed on our website [www.disabilityguide.info/links](http://www.disabilityguide.info/links) and on [www.realising-potential.org/links](http://www.realising-potential.org/links)

Disability Equals Business would like to extend a huge thank you to all of its partners.

 <p>www.equal.ecotec.co.uk</p>	 <p>www.bhfederation.org.uk</p>	 <p><b>University of Brighton</b> Brighton Business School www.brighton.ac.uk/bbs/</p>	 <p>www.equal-talente.de</p>
<p>Career Centre/LVC3</p>  <p>www.lv3.nl</p>	 <p>Actively empowering and supporting disabled people www.esda.org.uk</p>	<p>Sussex Partnership NHS Trust</p>  <p>www.sussexpartnership.nhs.uk</p>	 <p>www.westsussex.gov.uk</p>
 <p>supporting HEALTH • INDEPENDENCE • LEARNING www.impact-initiatives.org.uk</p>	 <p>www.barclays.co.uk</p>	 <p>eastsussex.gov.uk</p>	 <p>EUROPEAN UNION European Social Fund www.esf.gov.uk</p>
 <p>www.brighton-hove.gov.uk</p>	 <p>SOUTH EAST ENGLAND DEVELOPMENT AGENCY Working for England's World Class Region www.seeda.co.uk</p>	 <p>DELIVERED BY RBLI www.employmentsolutions-rbli.org</p>	 <p>Including Jobcentres and social security offices www.jobcentreplus.gov.uk</p>
 <p>www.sussexenterprise.co.uk</p>	 <p>WEST SUSSEX ECONOMIC PARTNERSHIP www.wsep.org.uk</p>	<p>HSBC</p>  <p>The world's local bank www.hsbc.co.uk</p>	 <p>www.unison.org.uk</p>
 <p>www.southdownhousing.org</p>	 <p>West Sussex Association for Disabled People www.equal.ecotec.co.uk</p>	 <p>making sense of the law martin searle solicitors www.ms-solicitors.co.uk</p>	 <p>Changing lives through employment www.opportunities.org.uk</p>
 <p>www.pro-fit-noe.at</p>	 <p>www.peninsula-uk.com</p>	 <p>www.equalbrightonandhove.org</p>	<p>Jobcomposing/OCR www.ocr.nl www.jobcomposer.eu</p>



The Sussex Business Guide to Disability is also available online along with more detailed guidance about many of the issues covered in this booklet: [www.disabilityguide.info](http://www.disabilityguide.info)

### **Disclaimer**

The Sussex Business Guide to Disability was written in the summer of 2007 by Disability Equals Business. The content will not be updated as the Disability Equals Business project ends at the end of 2007. Some information in this guide may therefore become out of date, and new legislation relating to disability may come into force, or current legislation may change.

Information can be double checked by following links from the Useful Links page on our website

[www.disabilityguide.info/links](http://www.disabilityguide.info/links)

None of the information within this guide is intended as legal advice and should not be taken as such.