



**WE ARE
WATFORD**

DISABILITY IN EMPLOYMENT POLICY

APRIL 2025



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1. INTRODUCTION

- 1.1 The Council is committed to creating an inclusive and supportive working environment where employees with disabilities or long-term health conditions feel valued, respected, and empowered to reach their full potential.
- 1.2 Our commitment to supporting disabled employees, removing barriers to employment, and fostering a diverse and equitable workplace is reflected in our achievement of **Disability Confident Leader** status.
- 1.3 The Disability Confident scheme supports employers in maximising the talents of disabled people. As part of this scheme, the council has voluntarily committed to several initiatives to recruit, retain, and develop disabled employees — including offering work experience opportunities and ensuring a flexible, inclusive recruitment process.

2.0 SCOPE OF THE POLICY

- 2.1 This policy applies to all employees, temporary workers and job applicants.
- 2.2 The scope of this policy covers conditions including, but not limited to physical disability, sensory conditions, mental health conditions and neurodiversity conditions.

3.0 THE EQUALITY ACT

- 3.1 Under the Equality Act 2010 a person is disabled if they have a physical or mental impairment which has a substantial (not minor) and long-term effect (has lasted or is likely to last more than 12 months) on their ability to carry out normal day-to-day activities.
- 3.2 However there are special rules that apply to people with certain impairments like progressive conditions. Also, some people are deemed to be disabled people, for example those with HIV, cancer and some visual impairments.
- 3.3 In addition, a mental illness does not have to be 'clinically well recognised' before it is judged to be a mental impairment for the purposes of the Act.
- 3.4 Certain conditions are not regarded as impairments for the purposes of the Act, e.g. drug or alcohol addiction or a tendency to start fires, steal or physically abuse others.
- 3.5 The Equality Act 2010 provides disabled people with protection from discrimination in a range of areas, including employment. It amounts to unlawful discrimination if an employer:

- Treats a disabled employee or job applicant less favorably than others because of their disability.
 - Has a policy or procedure which, although it applies to all individuals, puts those who share the same disability at a particular disadvantage when compared with those who do not share it.
 - Treats an employee/job applicant less favorably because of something arising from their disability.
 - Fails to comply with its duty to make reasonable adjustments for a disabled employee/job applicant.
- 3.6 We are committed to creating an inclusive working environment and removing barriers for any employee who is experiencing a barrier whilst doing their job.

4.0 REASONABLE ADJUSTMENTS

- 4.1 There is a legal duty to make reasonable adjustments to any provision, criterion or practice, or to physical features of their premises, to enable a disabled person to work or continue working if they would otherwise be at a substantial disadvantage compared with non-disabled workers.
- 4.2 Line Managers need to ensure employees have everything they need to do their job to the best of their ability. Line managers should be proactive in spotting the signs of when an adjustment might be needed and having supportive conversations with employees. Line managers should not focus on the medical nature of the employee's disability or long-term condition but should focus on how to remove the barriers that the disabled employee might be facing.
- 4.3 The duty to make adjustments rests with the employer so line managers must have proactive conversations with all employees to ensure everyone has everything they need to do their job.
- 4.4 There is no legal duty placed on disabled employees to tell the council about their disability or long-term condition. However, disabled employees are encouraged to share this information with their manager if they feel comfortable to do so. Having honest and open conversations between employees and their line manager is the best way to put effective, person-centred support in place.
- 4.5 Adjustments for employees must be tailored to the individual's specific needs and should not be based on any assumptions. Apart from consulting the employee concerned, Occupational Health advice should be sought prior to determining suitable adjustments and if necessary, that of a specialist adviser in the specific condition which that employee has to ensure that the adjustment/s are appropriate. Adjustments should be kept under review and modified as appropriate.

4.6 Reasonable adjustments may include measures such as: .

- Modifying physical features of the workplace
- Altering working hours
- Allowing absences during working hours for rehabilitation, assessment and treatment
- Additional training
- Equipment changes such as using modified equipment, for example a telephone with text display for use by a person with a hearing impairment or using ICT software or other technical aids for a visually impaired person
- Assigning a different place of work or training
- Modifying instructions or reference material
- Providing supervision or other support
- Transferring the employee to fill an existing vacancy
- Modifying procedures for assessments/testing

5.0 RECRUITMENT AND SELECTION OF DISABLED PEOPLE

- 5.1 We will ensure that our recruitment and selection policies and procedures are equitable and fair so that the best people are attracted to apply and be appointed to deliver our services.
- 5.2 Applicants will be considered for jobs based on their relevant experience, skills and abilities unless a 'Genuine Occupational Requirement' (GOR) exists for specific posts.
- 5.3 All disabled applicants who meet the minimum requirements of the job as set out in the job description and person specification will be offered an interview.
- 5.4 When candidates are invited to an interview, the council will ask if they need any adjustment to be made to allow barriers to attendance to be removed.
- 5.5 Applicants who have a disability are encouraged to declare their disability at the application stage in order that reasonable adjustments can be made
- 5.3 Successful candidates complete a confidential Health Assessment Questionnaire which is sent to Occupational Health. If there are any declared health issues, the candidate is required to complete a supplementary form to give further details. This allows Occupational Health to complete the risk assessment and assess for any reasonable adjustments. Confidential medical information is not shared with the line manager, only information relating to the reasonable adjustment is given.

6.0 PROMOTION, TRANSFER AND TRAINING

- 6.1 We adopt a person-centred approach by asking all employees if they need any adjustments or support to fully access any training and opportunities for promotion and other aspects of career development based on their abilities.
- 6.2 Promotion and training will be made accessible to disabled employees through the implementation of reasonable adjustments tailored to the individuals' needs.

7.0 SICKNESS AND ABSENCE

- 7.1 We are committed to dealing fairly and sympathetically with employees who are absent from work for long periods because of ill health.
- 7.2 We aim to assist employees on long-term sick leave with their rehabilitation and eventual return to work. We understand that an employee may have a health condition or injury that means that they are not fit for work, and that the employee's recovery may be a slow process. However, the council must also pay due regard to its operational needs.
- 7.3 Where sickness results in absence this will be addressed within the terms of the Sickness Absence Management policy. In cases of long-term sickness, line managers are responsible for assessing the impact on the service and maintaining communication with the employee.
- 7.4 Depending on the circumstances, individuals may need to be advised that if there is no medical indication of a return to work soon, and all reasonable and practicable attempts to support their return—including any necessary adjustments—have been made, then dismissal on the grounds of capability may be considered.

8.0 DISABILITY LEAVE SCHEME

- 8.1 We are committed to supporting employees with disabilities and will make reasonable adjustments as necessary. The disability leave scheme provides a structured mechanism for all employees with a recognised disability to request leave of absence for rehabilitation, treatment or assessment.
- 8.2 There is no qualifying period for disability leave, it is available to all employees. Each request will be considered on its own individual merits, and the approved time off will be recorded as disability leave. This will not be recorded deducted from annual leave, sick leave or any other form of leave.
- 8.3 Disability Leave may be of particularly beneficial for recently disabled employees or those experiencing a deterioration in their condition, allowing

for an agreed period of leave to help manage the changes in personal and professional circumstances.

- 8.4 Employees seeking disability leave should discuss their needs with their line manager. The line manager is responsible for considering the request and taking into account the employee's condition and any potential changes to their needs.
- 8.5 Requests should include any operational considerations. If disability leave is being requested for medical appointments, employees should provide their line manager with a relevant appointment card or letter. Requests for disability leave should not be unreasonably refused.
- 8.6 Employees may take up to 10 working days of disability leave within a 12-month period, which will be fully paid at their usual salary with the option for review or extension on an annual basis, as appropriate.
- 8.7 The Special Leave/Disability Leave form should be completed on the staff portal and signed off by the manager and the Head of Service. The form will then be sent to Human Resources so the leave can be recorded appropriately.
- 9.9 Human Resources will be responsible for liaising between managers, employees and occupational health wherever necessary, to determine what support and assistance will be in the best interests of the employee and the service. Human Resources will maintain a disability leave record for monitoring purposes.

9.0 HEALTH AND SAFETY – EXTRA NEEDS IN THE EVENT OF AN EMERGENCY

- 9.1 It is essential to ensure that all individuals on the premises are adequately considered in terms of Health and Safety during an emergency. The support required may vary depending on the individual's disability or specific needs.
- 9.2 The fire and rescue services are not responsible for the routine evacuation of individual's during an emergency; their role is to rescue those who are trapped or injured. It is therefore the responsibility of line managers to ensure that appropriate arrangements are in place for the safe evacuation of employees with disabilities. These arrangements must be clearly communicated and understood by colleagues.
- 9.3 Special consideration should be given to the following factors:
- Ensuring individuals can recognise and respond to the emergency alarm
 - Safe evacuation procedures for those with mobility impairments

- Methods for transporting wheelchairs or mobility aids down staircases
- Clearly defined responsibilities for assisting safe evacuation

By proactively addressing these considerations, we can ensure a safe and inclusive working environment for all employees.

9.4 Further advice can be obtained from the Health and Safety Adviser.

10.0 TEMPORARY IMPAIRMENT

10.1 Temporary impairments such as an employee with a limb in cast or temporary loss of hearing) can occur at any time and may affect employees.

10.2 Employees with temporary impairments may be able to continue working, provided that their safety and the safety of those around them is not compromised and they have received medical approval from their doctor.

10.3 Whilst temporary impairments may not be covered under the Equality Act 2010, the requirements for both normal workplace accessibility and emergency evacuation are the same as for employees with long-term disabilities. Before an employee with a temporary impairment returns to work, their needs must be addressed to ensure appropriate support is in place.

10.4 Although employees may be able to use standard workplace facilities, such as lifts, for daily access, alternative arrangements must be considered in case of an emergency where lifts may not be operational.

11.0 EXTERNAL SUPPORT FOR EMPLOYEES WITH DISABILITIES

11.1 External support is available through various schemes facilitated by the Employment Service's Disability Advisers (DEA) who are part of the Employment Service Disability Team based at local job centres.

11.2 Access to Work is a programme run by the Department of Work and Pensions and provides tailored support to disabled employees to help overcome the practical work-related challenges.. The scheme requires the employee to initiate the application process, after which an assessment is conducted to determine eligibility for financial assistance with additional employment costs. Once the employee applies, the employer can follow up as needed.

11.3 Support available through Access to Work may include:

- A communicator for those who have a hearing impairment and need assistance during interviews

- A reader at work for employees who are blind or have a visual impairment
- Special equipment or modifications to existing equipment to accommodate specific work-related needs due to disability
- Adjustments to the workplace or working environment, to improve accessibility
- Financial assistance for travel to work if a disability prevents the use of public transport
- External guidance and assistance through the 'Employment Services Disability' team based at local Jobcentres

11.4 The programme may also provide a grant to help cover the costs of implementing reasonable adjustments for a disabled employee.

11.5 Human Resources can provide further information and advice to managers and disabled employees about this scheme.

12.0 COMMITMENT TO SUPPORTING DISABLED EMPLOYEES

12.1 As part of our commitment to equal opportunities and fostering an inclusive workplace, we will take all reasonable measures to support and retain disabled employees, ensuring they can thrive in their roles.

12.2 All disability-related provisions of the Equality Act 2010 apply equally to employees who become disabled—whether suddenly or gradually—as they do to employees who already have a disability. The Act also applies to employees whose impairment worsens or remains stable but whose job role changes.

12.3 Line managers are responsible for considering and implementing reasonable adjustments for disabled employees, particularly where dismissal is being considered on the grounds of sickness or incapacity.

12.4 Disability must not be a factor when selecting employees for redundancy and should not be used as grounds for compulsory early retirement or dismissal without first exploring all reasonable adjustments.

12.5 If after all reasonable adjustments have been fully considered, an employee is unable to continue in their current role, we will explore options for suitable alternative work. Employees in this situation will be designated as “at risk” of job loss and will receive priority consideration for available jobs.

12.6 If a suitable alternative role has already been advertised, the affected employee will be offered an interview before external candidates are considered to assess their suitability.

13.0 DISCIPLINARY AND GRIEVANCE

- 13.1 We will take appropriate action against incidents of harassment, bullying or discrimination, and offer support and advice to victims or witnesses to incidents.
- 13.2 We will take disciplinary action against employees who discriminate against people who work for the Council or who seek employment with the Council.
- 1.3.3 We will have in place a process by which an employee or job applicant who considers that they have been treated unfairly or discriminated against on the grounds of their disability can raise the matter and have it heard fairly and objectively