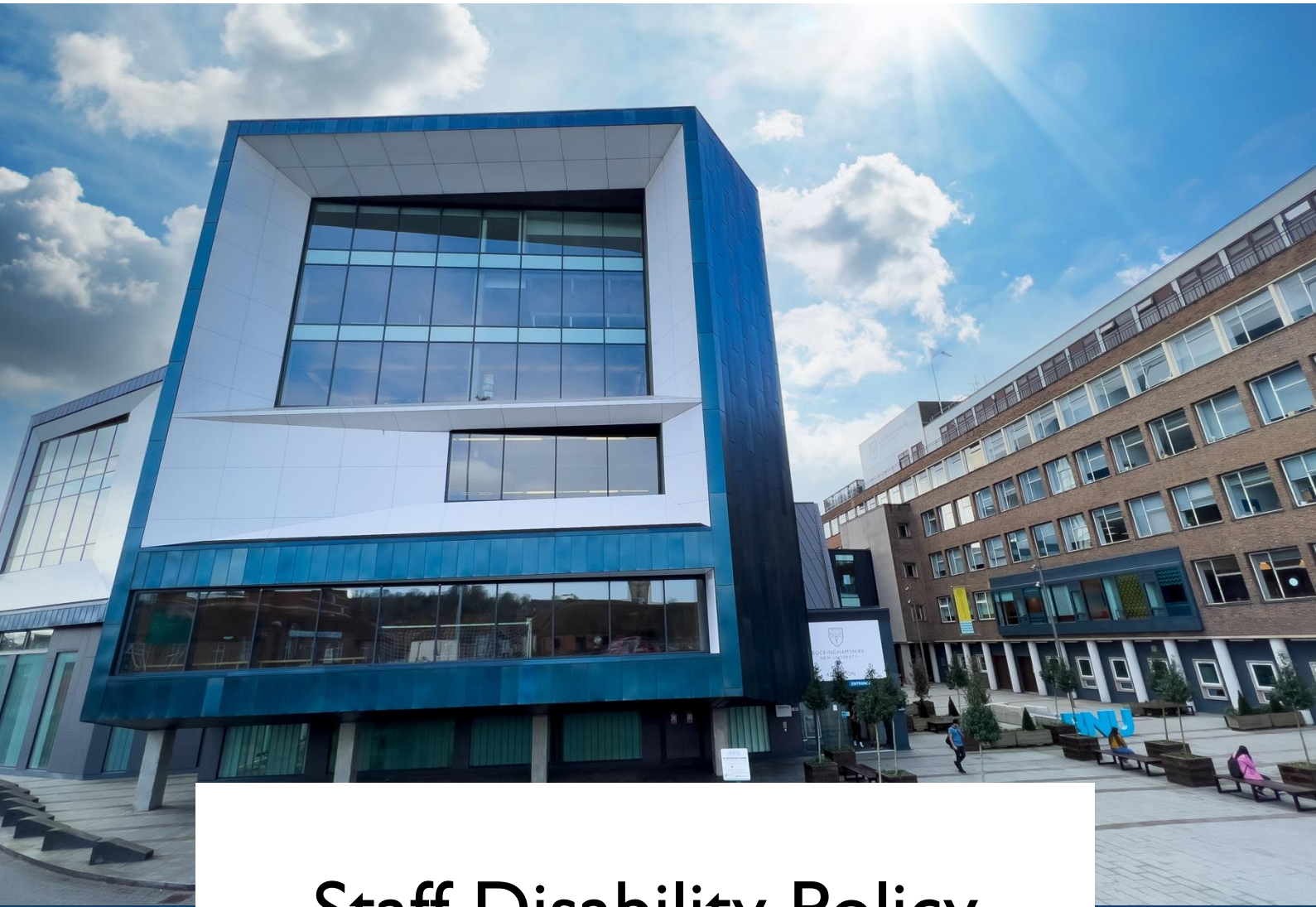




BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891



Staff Disability Policy

Contents

Background	2
Why disclosure is important	2
Reasons for disclosure.....	3
New employees	3
BNU employees.....	3
Reasonable adjustments definition	3
Factors to be considered in determining ‘reasonableness’	4
Procedure for disclosure and the agreement of reasonable adjustments	4
Access to Work.....	5
Appendix 1: Disability Confident Employer- Level Two	6
Appendix 2: Mindful Employer	7
Appendix 3: Disability Definition under the Equality Act 2010.....	8
Appendix 4: Examples of reasonable adjustments and BNU case studies.....	10
Appendix 5: Information about our Employee Assistance Programme, Care First	12
Appendix 6: Equality Impact Assessment.....	14

Forms

[Being You at BNU Inclusion Passports](#)

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This document has been designed to be accessible for readers. However, should you require the document in an alternative format please contact the University Secretariat.

Background

- 1 BNU is committed to ensuring that all employees with a recognised disability, including dyslexia, are treated fairly under the Equality Act 2010. The Equality Act 2010 prohibits discrimination against people with the protected characteristics that are specified in section 4 of the Act. Disability is one of the specified protected characteristics. Protection from discrimination for disabled people applies to disabled people in a range of circumstances, covering the:
 - provision of goods
 - facilities and services
 - the exercise of public functions
 - premises
 - work
 - education, and associations.
- 2 Only those disabled people who are defined as disabled in accordance with section 6 of the Act, and the associated Schedules and regulations made under that section, will be entitled to the protection that the Act provides to disabled people. However, the Act also provides protection for non-disabled people who are subjected to direct discrimination or harassment because of their association with a disabled person or because they are wrongly perceived to be disabled. The Office for Disability Issues has produced [guidance on matters to be taken into account in determining questions relating to the definition of disability](#).
- 3 The University has received the level two accreditation from **Disability Confident (see Appendix 1)** for being positive about disabled people and has signed the **Mindful Employer (see Appendix 2)** charter for employers who are positive about mental health. We would therefore always encourage the formal disclosure of a disability as it can bring about benefits and necessary support to all.

Why disclosure is important

- 4 Many employees choose not to disclose their disability, sometimes for fear of discrimination, sometimes because they are able to manage their workload, or don't require any additional support. However, every individual's situation can change for a variety of reasons and this may impact their decision or need to disclose. We are keen to create an inclusive and accessible environment where individuals can feel confident that when disclosing a disability, impairment, or medical condition to us, they would not be disadvantaged.
- 5 In the first instance, staff must disclose their disability on Business Connect, and ensure Business Connect is updated with any changes to their disclosure(s) too.
- 6 We encourage all staff and line managers to use the [BNU Inclusion Passports](#) to support induction processes and 1:1 meetings to ensure we are consistently supporting all staff with disclosures.
- 7 If employees or managers are uncertain as to whether a condition would be considered a disability the advice of their HRBP should be sought. See Appendix 3 for a summary of disability definitions under the Equality Act 2010.

Reasons for disclosure

- 8 Disclosure can occur at any time and the following factors are some of the reasons why individuals are encouraged to disclose:
- their personal circumstances may change, such as acquiring a disability or medical condition
 - they may experience a progression of their disability
 - they may feel more comfortable and confident about disclosing once an environment is familiar
 - they may be confident to disclose their disability knowing that it will not lead to discriminatory attitudes and actions
 - their job and conditions may have changed - e.g. moving to a new work location, agreeing to take on additional duties, a new manager and/or new colleagues, any of which may highlight issues in relation to a disability
 - they may identify a specific support that may not have been available when they commenced the job - e.g. new software or hardware
 - they may not be performing well in the job due to their disability and may need to explain the situation to their line manager.

New employees

- 9 It is expected that new employees will make a disclosure as part of the recruitment process thus enabling any reasonable adjustments to be put in place as they commence employment at BNU. Please speak to a HR Advisor or your HR Business Partner for further information about disclosing a disability.
- 10 All new employees can complete the [Inclusion Passport](#) and it is recommended that line managers discuss this with new members of their team to create an inclusive and accessible environment for all individual needs at BNU. All new employees also have access to the Employee Assistance Programme, [Care First](#), (see 'BNU Employees' and Appendix 5).

BNU employees

- 11 Employees must ensure they disclose their disability on Business Connect and keep Business Connect updated with any changes.
- 12 It is recommended that all employees complete the [Inclusion Passports](#) and share these with their line manager to inform inclusive and supportive 1:1 discussions. The Inclusion Passports can support discussions about reasonable adjustments and requirements for dynamic working too.
- 13 All employees can access the Employee Assistance Programme, [Care First](#), which provides support for disabled employees, neurodiverse employees and employees who require support tailored to speech and hearing needs too. For more information please see Appendix 5.

Reasonable adjustments definition

- 14 ACAS define reasonable adjustments 'as changes an employer makes to remove or reduce a disadvantage related to someone's disability. For example:
- making changes to the workplace
 - changing someone's working arrangements

- finding a different way to do something
- providing equipment, services or support

Reasonable adjustments are specific to an individual person. They can cover any area of work.’
[\(<https://www.acas.org.uk/reasonable-adjustments>\)](https://www.acas.org.uk/reasonable-adjustments)

- 15 In line with the Equality Act 2010 and the Public Sector Equality Duty, we must make ‘reasonable adjustments’ for disabled people. Reasonable adjustments are specific to an individual’s circumstances. They are normally agreed between the individual, line manager and others as appropriate (such as: Access to Work, Health and Safety Manager, Human Resources, Occupational Health etc.).
- 16 Changes are to be made where you know or could reasonably be expected to know that an employee is a disabled person and is, or is likely to be, at a disadvantage as a result. This means doing everything you can be reasonably expected to do to find out. For example, talking to employees about their work and wellbeing during regular 1:1 meetings; reminding employees to use the inclusion passports and to keep line managers, Health & Safety and Human Resources informed of anything related to their disabilities that will have an impact on their work etc.

Factors to be considered in determining ‘reasonableness’

- 17 The following factors are pivotal in establishing appropriate reasonable adjustments.
 - an open-minded problem-solving approach to making adjustments
 - the disabled person’s views on what they need
 - how effective the adjustment would be in overcoming the disadvantage
 - how practical it is to make the adjustment
 - the extent of any disruption to activities
 - effects on other staff
 - sustainability
 - the financial and other costs incurred by the University.

Procedure for disclosure and the agreement of reasonable adjustments

- 18 Employees can arrange an informal meeting with their HRBP or the Equality and Diversity Business Partner to discuss disclosure before they follow the formal disclosure process.
- 19 An employee can disclose a disability by amending their personal details on Business Connect. The Human Resources Advisor will then contact the employee to arrange a meeting to discuss this and any reasonable adjustments that may be needed.
- 20 The Human Resources Advisor and/or HR Business Partner may also recommend that an employee completes the Inclusion Passport and shares this with their line manager if this has not been done already, to further create a supportive and accessible working environment, for the employee.
- 21 Appendix 4 gives examples of some reasonable adjustments and two case studies.

Access to Work

- 22 Access to Work is a grant scheme that provides support beyond reasonable adjustments and covers a wide range of interventions to overcome barriers for disabled, have a mental health condition or a long-term health condition that has an impact on your ability to work.
- 23 For more information about Access to Work please take a look at our [Access to Work](#) roadmap or contact your HR Advisor

Appendix 1: Disability Confident Employer- Level Two



At BNU we have achieved a level two in the Disability Confident scheme. To achieve this the University completed a self-assessment focusing on two themes:

1. Getting the right people for our business
2. Keeping and developing our people

As an employer we aim to:

- Promote a culture of being Disability Confident
- Provide a fully inclusive and accessible recruitment process
- Offer interviews to those who meet the minimum criteria for the job irrespective of any disability
- Support employees to manage their disabilities or health conditions
- Ensure there are no barriers to the development and progression of disabled staff
- Ensure employees have appropriate disability equality awareness

We do this by:

- Identifying and addressing any barriers that may prevent or deter disabled people from applying for jobs
- Making sure all processes both online and offline are fully accessible
- Providing an environment that is inclusive and accessible for all
- Providing support networks for staff
- Valuing and listening to feedback from disabled staff
- Proactively offering and making reasonable adjustments as required

Appendix 2: Mindful Employer



Charter for Employers Who Are Positive About Mental Health

As an employer we recognise that:

- People who have mental health issues may have experienced discrimination in recruitment and selection procedures. This may discourage them from seeking employment.
- Whilst some people will acknowledge their experience of mental health issues in a frank and open way, others fear that stigma will jeopardise their chances of getting a job.
- Given appropriate support, the vast majority of people who have experienced mental ill health continue to work successfully as do many with ongoing issues.

As an employer we aim to:

- Show a positive and enabling attitude to employees and job applicants with mental health issues. This will include positive statements in local recruitment literature.
- Ensure that all staff involved in recruitment and selection are briefed on mental health issues and The Equality Act 2010, and given appropriate interview skills.
- Make it clear in any recruitment or occupational health check that people who have experienced mental health issues will not be discriminated against and that disclosure of a mental health problem will enable both employee and employer to assess and provide the right level of support or adjustment.
- Not make assumptions that a person with a mental health problem will be more vulnerable to workplace stress or take more time off than any other employee or job applicant.
- Provide non-judgemental and proactive support to individual staff who experience mental health issues.
- Ensure all line managers have information and training about managing mental health in the workplace.

Appendix 3: Disability Definition under the Equality Act 2010

- 1 The Office for Disability Issues has produced [guidance on matters to be taken into account in determining questions relating to the definition of disability](#) and further information can be found in this document.
- 2 In order to be protected by the Act, a person must have an impairment that meets the Act's definition of disability or be able to establish that any less favourable treatment or harassment is because of another person's disability or because of a perceived disability.
- 3 A person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has, what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.
- 4 There is no requirement for an employee to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment, not the cause.
- 5 In relation to impairment:
 - conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.
 - HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
 - severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below).
 - people who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.
 - mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia.
- 6 The other tests to apply to decide if someone has the protected characteristic of disability are:
 - the length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur or if the person no longer has the condition, they will be considered to be a disabled person
 - whether the effect of the impairment is to make it more difficult and/or time-consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience, if the activities that are made more difficult are 'normal day-to-day activities' at work or at home

- whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids or assistance or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is considered.

For example:

Someone who has ADHD might be considered to have a disability even if their medication controls their condition so well that they rarely experience any symptoms, if without the medication the ADHD would have long-term adverse effects.

- 7 Progressive conditions and those with fluctuating or recurring effects are included, such as depression, provided they meet the test of having a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

Appendix 4: Examples of reasonable adjustments and BNU case studies

- 1 Reasonable adjustments have included some of the following, but this list is not exhaustive:
 - Acquiring or modifying equipment – for example, providing a specially adapted keyboard for a visually impaired person or someone with arthritis
 - altering the disabled person’s working hours – for example allowing the disabled person to work flexible hours to enable additional breaks to overcome fatigue
 - timetabling adjustments – for example ensuring that an employee with a mobility disability is timetabled into the rooms nearest to their office to reduce walking
 - providing hearing support – such as a palantypist, or sign interpreter
 - allowing the disabled person to be absent during working hours for assessment or treatment – for example to attend hospital appointments in relation to their disability

BNU case studies

- 2 Employee with a Specific Learning Difficulty (SpLD):

“After a disappointing PDR, I felt the need to disclose my disability as I felt it had affected my performance negatively. My line manager and my supervisor were very supportive, and I was put in touch with my HR Business Partner, who explained the process for disclosure and reasonable adjustments. I was referred to Access to Work for an independent assessment. The Assessor listened carefully to all the difficulties I was facing and recommended several solutions- which ranged from a very simple change of desk position, to personal coaching and equipment to assist me in my day to day work. The coaching was invaluable and has made me feel much more confident in my abilities by focusing on my strengths, and using those to overcome my weaknesses. My performance in my role has greatly improved thanks to everyone involved in the process and I would strongly urge anyone in a similar position to make the most of the support on offer.”

- 3 Employee with a mobility disability:

“I have an autoimmune disease called scleroderma, which affects all connective tissues, and causes pain and swelling in my joints. I was finding typing increasingly difficult to do, as it was becoming really painful, and as this is a key part of my role, I was very worried about how I would be able to continue my job. After speaking to the Equality & Diversity manager about reasonable adjustments, I contacted Access to Work. They came out to my office within two weeks of my first phone call, and did a full needs assessment of my office set up. This was followed by a very detailed report, which included recommendations for installation of, and

training for Dragon Hands-Free Software (voice recognition software), as well as ergonomic equipment, stationery and furniture. This adjustment/support has enabled me to use my computer fully, but with minimum use of my hands. My job includes a great deal of computer work every day, including reports, spreadsheets, emails and feedback to students. Now I can do all of this using Dragon, it's made such a positive change - enabling me to work at full capacity. I cannot emphasise enough how much this adjustment has improved my ability to work effectively".

Appendix 5: Information about our Employee Assistance Programme, Care First

[Care First](#) very much seeks to support individuals with whatever concern they have, be it practical or emotional. Our counsellors and advisors do not judge callers, and we seek to make our EAP as inclusive and accessible as possible.

Additionally, we operate a translation service to ensure that callers can converse with our counsellors in their preferred language, whatever that language may be. All Care first counsellors are highly trained accredited members of the BACP (British Association of Counselling and Psychotherapy) and have extensive experience of working with clients in different settings. All counsellors also undertake regular peer-supervision, so the types of issues we support in calls can be discussed, and any learning shared between our teams. This helps to ensure that each of our counsellors has an appreciation of the concerns we are supporting in our customer organisations. Individuals are able to contact Care first to discuss concerns of any nature.

Care first BACP accredited counsellors all go through LGBTQIA+ specific training as part of their training when they train to become a counsellor. This would form part of their overall training and they would also receive training on lots of other areas around diversity and inclusion to ensure they are well prepared for any issues raised by a client regardless of the client's background or/and situation and to ensure that the counsellor stays impartial and to ensure the best support possible is provided to the client. Care first do regular LGBTQIA+ refresher training with our counsellors which also features an online module which needs to be completed yearly by all Care first employees.

Care first also has an Inclusion & Diversity champion called Maverick as part of the team. Care First will always provide support to neurodivergent individuals. Care First have Counsellors that are more confident and have more experience supporting neurodivergent individuals than others on the support line. Therefore, it might be that if a client makes it clear to the Counsellor that they are seeking support relating to their neurodiversity, that we might arrange a call back from another Counsellor within our network, or our Clinical Management Team who have more specialist expertise to support a neurodiverse individual.

To assist those with hearing or speech difficulties Care firsts telephone service can be accessed via Relay UK (previously Next generation Text Service/Typetalk) where appropriate, Relay UK is a service run by BT for everyone on behalf of all UK landline and mobile phone providers. It helps deaf, deaf-blind, hard of hearing and speech impaired individuals make and receive calls to and from hearing people.

Online counselling accessed via the Care first lifestyle website can also provide a further choice of access for those with hearing or speech difficulties. Individuals can self-refer to Care first by using the free phone number using Relay UK (18001 dial number)

Video counselling - We also use Language line who can provide BSL interpreters for any visual contracted/face to face counselling sessions. However, we understand that individuals often prefer to use their own interpreters which is no problem at all and where we can, we will accommodate

this. Care first can organise a BSL interpreter for any in the moment support (24 hour helpline) needed this may take a little longer than a pre organised session, but this can be done very quickly through language line and a video session can be set up to support this.

Appendix 6: Equality Impact Assessment

An EqIA helps us to reach better evidenced outcomes first time. They analyse how all our work might impact differently on different people.

1. What is changing and why?				
The Staff Disability Policy has been updated to include reference to our BNU Inclusion Passports, to support line management meetings, inclusion and accessibility for all staff. We have also updated the provisions that our Employee Assistance Programme provides to support staff impacted by the disability policy.				
2. What do you know?				
There has been some feedback from staff about ensuring channels of communication and information are clear and transparent for staff who need to update Business Connect and speak with their line managers and HRBPs regarding disability. These have been updated within the policy.				
3. Assessing the impact				
	Could benefit	May adversely impact	What does this mean? <i>Impacts identified from what you know (actual and potential)</i>	What can you do? <i>Actions (or why no action is possible) to advance equality of opportunity, eliminate discrimination, and foster good relations</i>
a) How could this affect different ethnicities? <i>Including Gypsy, Roma, Traveller, Showmen and Boaters, migrants, refugees and asylum seekers.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The use of inclusion passports can support staff with discussions and conversations with HR and their line managers, to understand individual needs and for employees to be made aware of the support we have on offer for staff.	Encourage the use of Inclusion Passports and ensure all staff are aware they can use these to communicate individual needs.
b) How could this affect cisgender and transgender men and women (including maternity/pregnancy impact), as well as non-binary people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The passports offer an intersectional approach to inclusion and therefore staff who require support/reasonable adjustments via our disability policy can use the the inclusion passport to also discuss their intersectional identity, individual needs where relevant with line management.	Encourage the use of Inclusion Passports and ensure all staff are aware they can use these to communicate individual needs. Ensure all managers are aware that the Inclusion Passports are intersectional and can support reasonable adjustments for all staff.
c) How could this affect disabled people or carers? <i>Including neurodiversity,</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The policy directly impacts disabled people and carers, along with neurodivergent employees as this is what they should be directed to when	Ensure all staff at key transition points, along with managers know where to access this information. Ensure BEN articles and key comms

<i>invisible disabilities and mental health conditions.</i>			looking for information about how we support disabled staff and staff with disabilities.	are updated and easily accessible for BNU employees.
d) How could this affect people from different faith groups?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Again, the use of the inclusion passports along with enabling conversations with line management can support individuals with intersectional identities. We may notice that staff from different faith groups seek different types of support from a wellbeing and spiritual perspective when it comes to disability and wellbeing – it is important that we approach this with a strong level of cultural intelligence.	Amplify the intersectional uses of the inclusion passports amongst staff and management. Diversity in training and development: diverse representation and enhancing the support we deliver, representative of our staff and student body.
e) How could this affect people with different sexual orientations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The use of the inclusion passports along with enabling conversations with line management can support individuals with intersectional identities.	Amplify the intersectional uses of the inclusion passports amongst staff and management.
f) How could this affect different age groups or generations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Disability is often stigmatised and neurodiversity in particular is a term that is still not too familiar across generations. The policy and introduction of inclusion passports helps to encourage dialogue and individual reasonable adjustments, therefore removing barriers that can be caused by perception, assumptions and language too – individuals are empowered to complete these in a way that works for them and they can then lead these conversations with their managers. There has been new guidance, very recently issued re: menopause and disability. This has caused some controversy (menopause is not a disability) and it is something we will navigate with the menopause experts we have worked with in the past.	Amplify the intersectional use of the inclusion passports whilst reminding staff that the passports enable them to lead conversations about any individual reasonable adjustments that may be needed. Reinforce our inclusion and support for all staff of all ages, whilst addressing the often stigmatised identities and feelings of vulnerability of staff of different ages.

g) How could this affect those who are married or in a civil partnership?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If staff have a partner who is impacted by a disability, information about our EAP and the inclusion passports can support them too in requesting any advice or reasonable adjustments necessary.	Amplify the positive impact the Inclusion passports can have on staff bringing their 'authentic selves' into the workplace.
h) How could this affect people from different backgrounds such as: socio-economic disadvantage, homeless, alcohol and/or substance misuse, people experiencing domestic and/or sexual violence, ex-armed forces, looked after children and care leavers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Often, individuals who fall into these categories may feel they are unable to disclose their needs for reasonable adjustments due to stigma and feelings of vulnerability too. The policy and passports help us create a culture of belonging and safety for staff and line managers can support staff to create a working environment in which they can thrive and one which is accessible too.	Line managers to encourage and amplify a culture of belonging that can be nurtured via the inclusion passport as a tool to create psychological safety for their teams.
i) How could this affect people with multiple intersectional experiences?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The inclusion passport and conversations that it should lead to wholly support staff with intersectional lived experiences and intersectional reasonable adjustments.	Continue to amplify the need for inclusion passports at key transitions, particularly when line managers are getting to know their staff and during 1:1s too.
4. Overall outcome				
No major change needed <input checked="" type="checkbox"/>	Adjust approach <input type="checkbox"/>	Adverse impact but continue <input type="checkbox"/>	Stop and remove <input type="checkbox"/>	
5. Details of further actions needed				
NA				
6. Arrangements for delivery and future monitoring				
The policy will be updated and communicated via BEN to all staff and relevant stakeholders.				
7. Completed by:	Zahara Chowdhury	EDI Business Partner	Date	19/02/2024
8. Signed off by:	Nicky Wilson	Organisational Development Business Partner	Date	19/02/2024



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