

**THE HIGHLAND COUNCIL****COMMUNITY SAFETY, PUBLIC ENGAGEMENT AND  
EQUALITIES COMMITTEE****13 JUNE 2013**

Agenda Item	16
Report No	CPE 29/13

**SUPPORTING PEOPLE WITH DISABILITIES INTO EMPLOYMENT****Report by Assistant Chief Executive and Director of Planning and Development****Summary**

This report sets out the support that is available to help people with disabilities to secure and retain employment. It outlines what the Council itself is doing and provides context to two presentations to be given to the Committee from Momentum Ltd and NHS Highland.

The Council Programme has a cross cutting commitment to implement the Fairer Highland Plan including general and specific duties of the Equality Act (2010), ensuring that people are treated fairly and with respect.

**1. Background**

- 1.1 Responsibility for supporting people with disabilities into work rests with a number of organisations as typically they need a range of services specific to their individual needs as they progress towards and into sustained employment.
- 1.2 This report and the accompanying presentations by Momentum Scotland Ltd and NHS Highland, seek to highlight the range of services required and provided.

**2. Highland Council: Employer Role**

- 2.1 The Highland Council is fully committed to employing and retaining staff that are either disabled or become disabled while working for the Council. This commitment has been in place for a number of years which has enabled the Council to use what is referred to as the “two tick symbol” when recruiting from Job Centre Plus.
- 2.2 The Equality Act 2010 (which replaced the Disability Discrimination Act) defines “disability” as when a person has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 2.3 The Act places a positive and proactive duty on the Council to make reasonable adjustments to take steps to remove or reduce or prevent the obstacles a disabled worker or job applicant faces. The duty aims to make sure that, as far as is reasonable, a disabled worker has the same access to everything that is involved in doing and keeping a job as a non-disabled person. The duty only arises when an employer is aware – or should be reasonably aware – that a worker has a disability.

2.4 The two tick symbol has a five point commitment which requires the Council to:

- interview all disabled applicants who meet the minimum job criteria for a job vacancy and consider them on their abilities;
- ensure there is a mechanism in place to discuss any time, but at least once a year with disabled employees what can be done to make sure they can develop and use their abilities;
- make every effort when employees become disabled to make sure they stay in employment;
- take action to ensure that all employees develop the appropriate level of disability awareness needed to make the commitments work; and
- annually review the 5 commitments and what has been achieved, to plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans.

## 2.5 Recruitment

During recruitment exercises, section 60 of the Equality Act prohibits employers from asking about the health of applicants before an offer of work is made except for the purposes of supporting disabled applicants during recruitment exercises. Section 158 of the Act allows the Council to take positive action to ensure that an applicant who is a disabled person can benefit from measures aimed at improving representation and employment rates of disabled people.

2.6 If an applicant identifies as disabled for the above purposes and they meet the essential criteria of the post, the individual is guaranteed an interview. Adjustments are also made for applicants with a disability to ensure they are not disadvantaged at any stage of the recruitment procedure, e.g. signers for deaf applicants, application forms in large print, adjustments for attending interviews if individual may have mobility issues etc.

## 2.7 During Employment

There are a range of procedures, practices and policies which support disabled employees in the workplace:

- The Employee Review and Development process (ERD) is currently being rolled out to replace the Personal Development Plan (PDP) process. Both processes involve a confidential meeting (held annually as a minimum) between an employee and their line manager to discuss development opportunities and any issues which may prohibit the employee's ability to carry out their job role. This process enables an employee direct access to their line manager to discuss any adaptations to the job role or work environment due to their disability.
- The Council has a close relationship with its Occupational Health provider RSOH. Early support and intervention or internal redeployment on medical

grounds with guidance from RSOH forms an important part of the Council retention of employees who have a disability. A physiotherapy provision has also been introduced through Occupational Health which may assist an employee receiving early treatment which may have resulted in a more serious condition.

- The Mobile and Flexible Working policy supports flexible working hours and less travelling for all employees. In particular those who have health problems and disabilities can benefit from these arrangements, e.g. less travel, working from home and at times more suitable to their health condition.
- Training and guidance for employees and managers is continuing to be developed. In 2012 an E-learning module Understanding Disability was launched, encouraging managers and employees to further develop their awareness levels. This module was developed in collaboration with Employee Disability network (EDEN) of which the Council is a key partner; awareness training is being developed for managers on Mental Health issues and a separate training on Dyslexia, both of which will be introduced this year.
- The Council is also working towards the Healthy Working Lives Gold Award, having successfully achieved the Silver Award and this demonstrates the corporate commitment it has to employee health and wellbeing, which includes disabled employees.

2.8 In the calendar year 2012, the Council supported 62% of employees who had been referred to Occupational Health to remain in the Council's employment. This was either achieved by making adjustments to their workplace or job role and where this was not possible redeploying the member of staff into an alternative job.

2.9 Results of the employee Survey in 2012 reported only 1% of employees strongly agreed and 5% tended to agree with the statement "Do you feel that employees of the Highland Council face barriers to employment or development opportunities on the basis of disability?" This compares with 2% of employees strongly agreeing, and 8% tending to agree when this question was introduced into the employee survey in 2007.

2.10 A refresh of equality monitoring will take place in 2013. The goal is to improve the quality and availability of information to meet the Council's reporting duties under the Equality Act.

### **3. Highland Council: Support for Business**

3.1 The Council, through the Planning and Development's Service Employability team, has a wage subsidy scheme in place which gives Small and Medium sized Enterprises a grant for new staff. This grant scheme is part funded via the European Social Fund, and works alongside a complementary specialist recruitment advice service for businesses which the Council has set-up, to be provided as part of the Business Gateway service.

- 3.2 To be eligible to benefit from the wage subsidy scheme, the staff involved must have been previously unemployed or issued with redundancy notices and aged over 16. Grant is offered at three rates and either over a 26 or 52 week period. The normal grant is 30% over 26 weeks but a higher rate of 50% is available for the recruitment of a disabled person (i.e. those accessing Employment Support Allowance or Incapacity benefit). If the new recruit is aged under 24 – the grant is payable for 52 weeks.

#### 4. Department for Work and Pensions (DWP)

- 4.1 The UK Government provides support and advice for disabled people to find and stay in work as follows:

##### Disability Employment Advisers

Each local Jobcentre has a Disability Employment Adviser (DEA) who can help individuals find a job or gain new skills, and advise about disability friendly employers in a local area. They can also refer individuals to a specialist work psychologist, if appropriate, or carry out an 'employment assessment', asking about:

- skills and experience;
- what kind of roles the individual is interested in.

#### 4.2 Work Choice

This programme is designed to help disabled people who find it hard to work, to get and keep a job. It is voluntary and the type of support provided is dependent on the help needed and is different for everyone but can include:

- training and developing your skills;
- building your confidence; and
- interview coaching.

The Work Choice Programme is delivered by different providers across the UK and Momentum Scotland Ltd is the provider in Highland. They offer 3 levels of help.

Level of help	What you get	How long it lasts
Work Entry Support	Advice on work and personal skills to help find a job	Up to 6 months
In-Work Support	Help to start work and stay in a job	Up to 2 years
Longer-term In-Work Support	Help to get on in a job and work without support	Long-term

The Work Entry Support can be extended by 3 or 6 months in exceptional circumstances and when there is a clear prospect of a job.

#### 4.3 Access to Work

An Access to Work grant helps pay for practical support to enable an individual who may have a disability, health or mental health condition. The money available can pay for things like:

- specialist equipment;
- travel when you can't use public transport; or
- a communicator at a job interview.

The value of the grant depends on individual circumstances.

4.4 Momentum Scotland Ltd. is the Work Choice Programme provider in Highland and manages the Access to Work grant Programme. Gavin Smith from Momentum Scotland Ltd. will present to Committee an overview of their work.

### 5. **Strategic Coordination**

5.1 Highland Works is the strategic community planning partnership reviewing employment, skills and workforce development issues within the Single Outcome Agreement. The Highland Community Care Partnership is currently involved in redesigning day care services to ensure that people have greater access to services that are personalised to their particular needs including employment opportunities, where relevant. The Integrating Care in the Highlands initiative will prompt a review of how employability and skills resources are deployed in Highland. This will include a review of transitions from Children's to Adult Services that has recently been instigated by the Chief Executives of Highland Council and NHS Highland.

### 6. **Implications**

#### 6.1 Resource, Legal, Equality, Climate Change, Risk

As this report and accompanying presentations seek to inform Members of the range of services available to support people with disabilities into employment, there are no specific implications directly arising.

### 7. **Recommendation**

The Committee is recommended to:

#### 7.1

- (i) Note the contents of this report.

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