

Disability and Health and Safety

A guide for UNISON safety reps

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1. Introduction

There are almost 11 million people in the UK with a limiting long term illness, impairment or disability according to the 2009 Labour Force Survey. Seven million in this group are of working age, which is almost 20% of the UK's working age population.

UNISON believes that those with disabilities should receive equal treatment at work including equality regarding health and safety at work. Health and safety should not be used as an excuse for not employing or not continuing to employ disabled people. In addition, we believe that a workplace that is accessible and safe for people with disabilities is also safer and more accessible for all employees, clients and visitors. Legislation and standards should be used to facilitate the employment of people with disabilities, not to exclude them

UNISON has a solid history of campaigning against discriminatory action and in favour of improved working conditions for disabled workers. We work to challenge discriminatory behaviour and prejudiced attitudes from employers, and we're committed to ensuring that UNISON's disabled members are treated fairly and with respect and dignity. We welcome any regulations that will improve the lives of our members, and we hope that the Equality Act 2010 will do so.

Health and Safety has a strong role to play in ensuring adequate provisions, fair treatment and the early prevention of new or aggravated health conditions for all workers, including disabled people. Stewards, safety representatives, branch equality coordinators and workplace equality representatives are encouraged to use both the Equality Act 2010 and the Health and Safety at Work Act (HSW) 1974, as well as other relevant legislation, in order to provide members with the best advice available.

The Equality Act 2010 sets out legal requirements for employers to make 'reasonable adjustments' for disabled workers. This Act takes the place of the previous Disability Discrimination Act in 1995 and an amendment in 2005, retaining the majority of the previous legislation while also clarifying and

enhancing particular aspects. The HSW Act provides a related perspective by setting out the duties of the employer to ensure 'the health, safety and welfare at work' of all employees, disabled or otherwise.

Although the Health and Safety at Work Act applies to all work situations, not all workplaces receive inspections from the Health and Safety Executive (HSE). Currently a workplace can expect roughly one HSE inspection in a working lifetime. UNISON expects this situation to worsen further following the devastating 35% funding cut that the HSE will face over the next few years.

This booklet aims to highlight some of the workplace health and safety issues faced by disabled workers and offers advice on how these can be resolved or improved with the use of health and safety and equality legislation.

2. Guide to useful legislation

2.1 The Equality Act 2010

The Equality Act 2010 was created to be a comprehensive, single piece of legislation that would set forth protections for all groups. Before this act was passed, each of the six equality strands (gender and transgender people, race/ethnicity, disability, sexual orientation, age and faith) had their own individual pieces of legislation. The hope is that The Single Equality Act will both cut down on bureaucracy and provide additional support for those people experiencing discrimination due to being members of more than one equality strand.

Discrimination is a difficult term to define concisely and accurately, although it can be easy to recognise. The Equality Act 2010 continuously defines and chisels the meaning of 'discrimination' throughout its 218 sections and 28 Schedules. The Act's method is first to define who has a 'protected characteristic' (ie one or more of the equality strands), then to describe what type of behaviour is not permissible. Examples range from the obvious types of direct harassment or victimisation to the more covert forms like withholding services or isolation.

The Act also has sections to cover work, education, transport and a small section on residential lettings.

There is also a provision for determining an individual case of discrimination by likening it to other types of discrimination, regardless of whether the discriminator also has any protected characteristics. In other words, it's still discrimination even if the person causing the offense is also disabled, gay, religious, etc.

Disability is specifically covered in the Equality Act in several sections. What follows are the most relevant points, although not a comprehensive list.

- **Part 2, Chapter 1, Section 6** establishes disability as a protected characteristic.
- **Part 2, Chapter 2, Section 15** broadly introduces what discrimination against a disabled person would be. It also provides a protection for

the person causing the offense if they can prove they didn't and couldn't know that the person had a disability.

- **Part 2, Chapter 2, Sections 20-22** state the duty of an employer to make reasonable adjustments to accommodate their disabled workers. Also in this section are what makes up a failure to comply with this duty and what can and cannot be put into regulations.
- **Part 11, Chapter 2** describes what constitutes positive action, and why special treatment to counteract an individual's disadvantage is not normally considered discrimination.
- **Part 12** covers adjustments that can be expected to be made for disabled passengers on public transportation.
- **Part 13** briefly describes what reasonable adjustments can be expected to be made by landlords.
- **Schedule 1** states what qualifies a person to be considered 'disabled' for the purposes of the Act.

Important to most UNISON members will be **Part 11, Chapter One**, which details the public sector's equality duty. The most important part of this section states that a public sector body is legally required to do the following three things:

- eliminate discrimination, victimisation and harassment
- advance equality between people who have a protected characteristic and those who don't
- foster good relations between people who have a protected characteristic and those who don't.

It's important to keep in mind however that much of what is written in the Act (and likewise much legislation) can be open to interpretation. Subjective terms like 'reasonable adjustments,' 'unwanted conduct' and 'unfavourable treatment' are often used, requiring proof be given of the offense and its after-effects.

Further guidance can be found on the Equality and Human Rights Commission (EHRC) website, here: equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/ which includes a link specifically for workers.

2.2 Codes of practice

The former Disability Rights Commission published several 'codes of practice' that set out what sort of treatment disabled people should receive and what actions employers could take to eliminate discrimination. The Code of Practice for Employment and Occupation devotes 235 pages to describing appropriate treatment for disabled workers. It covers everything from job applications to pensions to reasonable adjustments, and everything in between. It is a helpful source of guidance to determine what is appropriate in individual situations at work.

Although the Disability Rights Commission was merged into the Equality and Human Rights Commission (EHRC) in 2006, the EHRC still recognises the codes of practice as valid.

The 2010 Equality Act has several Codes of Practice that are applicable across all equality strands. They are the:

- Code of Practice on Equal Pay
- Code of Practice on Employment
- Code of Practice on Services, Public Functions and Associations
- Code of Practice on Further and Higher Education (*will hopefully be laid by the GEO in late Autumn 2011, subject to parliamentary processes*)
- Code of Practice for Schools (*completed its consultation period and is due to be laid by April 2012*)
- Code of Practice for the Public Sector Equality Duty (*available for consultation in late Autumn 2011*)

All can be found at equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice/

Because these documents have been written to be comprehensive, it can be difficult to pick out all the aspects relevant to disability and their respective indexes and tables of contents will be very helpful. The Code of Practice on Employment devotes its

fifth chapter to disability discrimination and its sixth chapter to reasonable adjustments, but aspects of the entire document will be relevant, such as some of the example provisions in chapter seventeen and legal considerations to making reasonable adjustments in appendix three.

2.3 UN convention on the rights of persons with disabilities

The Convention on the Rights of Persons with Disabilities is an international agreement that the United Nations adopted in late 2006 and continues to receive signatures and ratifications from countries around the world, including the UK. It confirms the rights of disabled people, most of which can be covered under the following: freedom from discrimination, right to access public services, and the generic human rights such as freedom from torture and violence, right to justice under the law, right to privacy and freedom of opinion (among others.)

The Convention marks an important shift in attitude toward disabled people. Previous approaches to disability often treated people as a medical problem, 'objects' of charity, treatment or care, placing focus on the disability rather than the person. The Convention however is indicative of what's called the 'social model of disability', meaning that it is not the impairment or condition that disables a person, it is the environmental, social or economic barriers to participation that causes disability discrimination. A disabled person is an individual first and foremost and should be treated as a person with dignity and rights, with the ability to claim those rights and make decisions with informed consent, as a full and active member of society.

What the Convention does not do is make any specific requirements on how these rights should be upheld. Additionally, the obligation to ensure these rights and freedoms is placed upon a country's government, rather than on individual employers. In practice this means that the Convention probably won't be as helpful to workplace reps as UK legislation like the Equality Act or health and safety regulations will be. It will however still carry some weight, particularly with public sector employers.

Additional information on the Convention can be found at the end of this booklet.

2.4 Health and safety legislation

There are numerous pieces of health and safety legislation, and guidance and advice devoted to each, available through UNISON, the TUC and the Health and Safety Executive (HSE). The two most relevant pieces of legislation here are the:

- The Health and Safety at Work Act
- Management of Health and Safety at Work Regulations.

This legislation applies to all workers, regardless of whether they are disabled or not. This includes a provision in the Management of Health and Safety at Work Regulations that employers must carry out a suitable and sufficient risk assessment and take into account their employees' capabilities.

UNISON's guide to 'The Health and Safety Six Pack' gives an uncomplicated but detailed overview of all relevant health and safety legislation. There is also a list of relevant legislation at the end of this section in 2.4.3.

2.4.1 The Health and Safety at Work Act 1974

The Health and Safety at Work Act 1974 is often the first piece of health and safety legislation UNISON safety reps will turn to. It sets out the employer's obligation to keep safe and healthy their employees and any members of the public who use their premises or are affected by their work.

The most relevant aspects of this Act are in section 2, the aim of which is the protection of workers and others who come into contact with the employer. This section states the employer's 'duty of care,' which includes the following:

- maintaining or improving standards of health, safety and welfare of people at work
- protecting other people against risks to health and safety arising out of work activities
- controlling the storage and use of dangerous substances

- controlling certain emissions into the air from certain premises.

Employers are also required to consult workers on arrangements for health and safety matters as well as publicise a written statement of their safety policies.

There is a further provision that employers may not charge workers for equipment or premises provided for health and safety purposes.

2.4.2 Management of Health and Safety at Work Regulations 1999

These regulations require employers to risk assess potential hazards from work activities. Employers with five or more employees must record all significant findings from the risk assessments. Furthermore all employers must:

- carry out appropriate health and safety measures
- set up emergency procedures
- appoint competent people to help with the implementation of health and safety arrangements
- provide information to employees that can be understood, as well as training and instruction
- work together with employers sharing the same workplace
- consult in good time with their safety representatives on issues that affect employee's health and safety (in a union-recognised workplace)
- provide facilities and assistance for safety reps to reasonably carry out their duties (in a union-recognised workplace).

Employees must:

- use equipment and dangerous substances in accordance with the training they received
- report dangerous situations and any shortcomings in their employers' health and safety arrangements.

2.4.3 Other health and safety legislation

Further important pieces of legislation include:

- Display Screen Equipment Regulations

- Manual Handling Operations Regulations
- Personal Protective Equipment at Work Regulations
- Provision and Use of Work Equipment Regulations
- Workplace Health, Safety and Welfare Regulations
- Health and Safety (Consultation with Employees) Regulations
- Control of Substances Hazardous to Health Regulations (COSHH)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)
- Safety Representatives and Safety Committee Regulations (SRSC Regs – aka the 'brown book.')

The overall aim of all of these regulations is to protect workers undertaking work activities, although each set of regulations has a specialist focus; using appropriate equipment, describing the minimum requirements for a suitable workplace, reducing or eliminating exposure to harmful substances, or ensuring the activities of safety representatives.

Information on all these regulations can be found in the UNISON publication 'The Health and Safety Six Pack' which can be ordered by quoting stock number 1660 or by visiting unison.org.uk/acrobat/10349.pdf

3. Tools for a fair and equal workplace

3.1 Risk assessments

A risk assessment is a detailed examination of what may cause harm in a particular workplace or during work-related activities. Risk assessments identify the hazards present and then evaluate whether current precautions are sufficient or if additional measures need to be taken. These documents are particularly helpful tools for safety reps to evaluate their workplaces.

Under Regulation 3, titled 'Risk Assessments,' The Management of Health and Safety at Work Regulations 1999 dictates that employers must 'make a suitable and sufficient assessment' of health and safety risks to both employees as well as non-employees in contact with the employer or premises.

If more than five people are employed, the employer must record the results of the assessment and any group of employees identified as being particularly at risk.

Additional requirements apply to risk assessing individuals under the age of 18 as well as expecting and recent mothers. It is best practice for employers to conduct specific risk assessments for disabled employees as well.

3.2 Reasonable adjustments

'Reasonable adjustments' means the changes an employer is required to make to remove barriers to disabled workers doing their jobs. What a reasonable adjustment is will depend on the situation, but might include things like the provision of accessible equipment, a change in hours or even moving the worker to a more appropriate job or work area. This is covered in the Equality Act 2010 in part two, chapter two, sections 20-22. The Act defines a situation in which a disabled person is at a disadvantage that could be overcome through a reasonable adjustment to their work.

Unfortunately there's not a piece of legislation that gives clear examples of reasonable adjustments

and when exactly they should apply; as much depends on the nature of the adjustment and the level of resources available to an employer. The former Disability Rights Commission's Employment and Occupation Code of Practice comes closest to providing examples of possible reasonable adjustments.

There is also a section devoted to reasonable adjustments in the Equality Act's Employer Code of Practice. This can be found in chapter six. Other parts of the document are relevant to disability as well, but unfortunately because the Code of Practice is a comprehensive document, these parts are scattered through its 326 pages. The detailed index will come in handy.

An additional source of advice that is available are the categories defined by the Department for Work and Pensions (DWP) in their new 'fit note' system. The fit note has replaced the traditional sick note, with the biggest change being that doctors can suggest adjustments to the workplace or work activities to aid a return to work when a worker is not ready to make a full return to normal duties and responsibilities.

The fit note categories suggested are as follows:

- a phased return to work after an illness or injury
- altered hours
- amended duties
- workplace adaptations.

There are many technologies available that can remove barriers in the workplace. Some examples are:

- screen readers and enlargers
- optical character recognition software
- speech recognition software
- adapted telephones with amplified receivers or text capabilities
- voice controlled computer input
- writing aids and speech output devices
- personal computers.

Any new technology or assistive device will need a thorough risk assessment. The worker will require proper training and should be informed of any identified potential hazards (such as back pain or eye strain). The risk assessment should also take account of any potential hazards that may be caused or created by the new equipment.

If the employer fails to make reasonable adjustments they will have committed an act of disability discrimination that is unlawful.

Some employers will use the same pot of money to fund both health and safety projects as well as reasonable adjustments. Find out how your workplace budgets for reasonable adjustments and consider negotiating with health and safety arguments.

Case study

Sometimes there will be outside elements that you can use to your advantage in negotiating. In one branch in the north east UNISON representatives successfully used their building's grade two listed status to further negotiate to improve health and safety. These activists researched the restraints on the building due to listed status, then proposed health and safety improvements that would complement the building as well as workers.

3.3 Disability leave

Disability leave will not be necessary for many disabled workers, but it is a type of 'reasonable adjustment' that may be appropriate. When possible, disability leave should be agreed in advance with the worker's line manager, without stipulating the length of future leave.

Disability leave can fall into two categories: leave planned in advance (for example time off for training with a new guide/assistance/hearing dog) and unplanned disability leave (for example illness brought on by disability). Both are considered disability leave, and neither should be held against the employee when sickness absence or a redundancy selection policy is considered.

How to structure disability leave at your workplace:

- Make sure disability leave is recorded separately from sick leave so that disabled workers are not unfairly penalised under absence management schemes like the Bradford Factor. Recording sickness absence for disabled employees is covered in the DRC Disability Code of Practice.
- Get disability leave agreed in advance where possible. Do this as part of agreeing (and reviewing) reasonable adjustments with a line manager
- Review planned disability leave annually, or more frequently as circumstances change (job role, capability, etc)
- The DDA list of steps for employers to consider taking as reasonable adjustments includes allowing the person to be absent during working or training hours for rehabilitation, assessment or treatment.

3.4 Access to Work scheme

Access to Work is a scheme sponsored by the government to financially assist and provide specialist advice on adjustments to disabled workers. Every year it funds some assistance to employers to help with the cost of accessible equipment, adaptations to buildings or contribute to the cost of transport to and from work where mainstream transport isn't accessible, appropriate or affordable.

People with a health condition that prevents them from doing part of their job for 12 months or more may be able to get Access to Work if they fall into one of the following categories:

- in a paid job
- unemployed and about to start a job
- unemployed and about to start a work trial
- self-employed.

Access to Work grants vary according to need and the size of the employer, and will be reviewed after one to three years have passed. Applying for a grant is a process to be completed between both the worker and employer, the details of which

can be found on the [direct.gov website](https://www.direct.gov.uk/en/DisabledPeople/Emplimentsupport/WorkSchemesAndProgrammes/DG_4000347) [direct.gov.uk/en/DisabledPeople/Emplimentsupport/WorkSchemesAndProgrammes/DG_4000347](https://www.direct.gov.uk/en/DisabledPeople/Emplimentsupport/WorkSchemesAndProgrammes/DG_4000347).

Or by contacting either the local Access to Work regional centre or the disability employment advisor at the local Jobcentreplus.

3.5 Two Ticks

Two Ticks is a symbol used by employers to advertise that they are positive about employing disabled people. The symbol is awarded by the DWP to employers in England, Scotland and Wales who have demonstrated a commitment to employ, keep and develop the abilities of disabled staff.

If an employer uses this symbol in a job advertisement, they should be willing to give a guaranteed interview to any applicant who meets the essential criteria of the job description and person specification

To find out which local employers use the Two Ticks symbol, contact the local Jobcentre.

Some employers however will have been awarded the Two Ticks symbol but may no longer deserve it. Threatening to have the symbol removed or actually getting it taken away can be a powerful bargaining tool because it makes the employer look bad in a public setting.

If your employer has the Two Ticks symbol but you think they don't deserve it, you can have it investigated and then subsequently removed by talking to your local Jobcentre. Invite the disability advisor to visit your branch to see the situation for themselves. This is exactly what one branch in the South East did when their employer failed to live up to the symbol's standards, much to the employer's great embarrassment.

4. What can branches do?

4.1 Avoid using health and safety as a discriminatory tool

Safety reps need to be aware that some employers have used health and safety regulations to discriminate against disabled people. While the Equality Act 2010 provides protections for some disabled workers, employers have still found loopholes allowing them to exclude disabled workers based upon projected safety concerns. This type of exclusion may result from a cost-benefit analysis indicating that workplace adjustments to accommodate a disabled worker are too expensive or inconvenient.

Other forms of discrimination against disabled people occur when services are withdrawn or altered for worker safety reasons, without any reasonable replacement provided. Home care workers for example may encounter restrictions to the care and services they can provide due to safety precautions. In these situations, best practice is usually to conduct a comprehensive risk assessment and suggest alternatives to individual care provisions, rather than withdraw the service entirely.

To ensure that risks and discrimination are removed or minimised, it may be necessary to introduce new equipment.

4.2 Consulting workers

It's important for your employer to consult workers and their safety representatives on any changes to the workplace. Not only is it a legal requirement, but it's in the employer's best interest to take advantage of workers' 'insider knowledge' of the workplace. Mistakes can be costly, particularly when they affect health and safety.

Safety representatives should also be consulted when changes are planned. The legal duty on employers to consult safety representatives is set out in the Safety Representatives and Safety Committees regulations.

Employers also have a duty of care for workers' wellbeing while at work. This is particularly important when planning 'reasonable adjustments' for disabled workers. Safety reps may have experience or knowledge that the employer doesn't have, and it cannot be assumed that will always make the best choice for you or your members.

4.3 Equalities training

Discrimination often results from ignorance or a lack of understanding. Disability equality training is advisable for line managers, all those with health and safety responsibilities, health and safety professionals, safety representatives and anyone involved in risk assessment and safety committees. Comprehensive equality training, covering the need

Case study

One member faced indirect discrimination when her employer refused to allow her medication to be delivered to work and stored in the work refrigerator. She was told that she needed to either buy a separate fridge with her own money or take time off work to collect it at home. However another employee did not ask permission to store his medication in the same refrigerator and had been storing it there for a long time without any problems. The member was penalised for asking permission and going about the situation in the 'right' way, but did not want to mention to management her co-worker's practice of storing his medication because she did not want him to get in trouble.

Some members may feel conflicted when they see care services being withdrawn from disabled clients on health and safety grounds. As services suffer cuts and new regulations are introduced it's likely we will see more services being taken from disabled people. It's OK to feel conflicted but if you think that a decision has been made unfairly you should talk to your safety rep or steward.

for organisations to embrace diversity throughout all their policies and practices, should include health and safety.

Encourage anyone at your workplace with responsibilities toward a disabled employee to complete equalities training.

4.4 Branch activities

UNISON's safety reps help make sure the workplace is a safe, accessible and healthy place for disabled members. Safety reps can advise managers, address work-related concerns, and provide support on issues that an individual may not feel comfortable confronting alone.

The issues faced by disabled workers can also be used to recruit new members.

Use your influence as a safety rep to try to achieve the following goals and make sure your success are publicised to help raise the profile of UNISON.

Restructure

- Organise a workplace inspection to ensure that the employer has carried out risk assessments for all work activities.
- Identify any barriers in your workplace that might exclude disabled people, then work with management to design improvements.
- Talk to managers about how best to encourage valuable skills like British Sign Language in your workplace.
- Make sure disability-related absence is recorded separately from sickness absence and does not feature on discipline records.
- Discuss whether it is appropriate to have a 'buddy system' for emergencies, and if so encourage your employer to put that system in place.

Inform

- Plan a discussion about the Equality Act 2010 at the next Health and Safety Committee meeting.
- Encourage your employer to give regular information and training to update workers on changes to legislation that affect them.

- Ask your members who do the job on a daily basis – what they think needs changing and what is working well?

Support

- Identify groups of workers who may be at greater risk and ask your employer, to make specific assessments of the hazards they face.
- Reassess any adjustments already made for disabled workers; does anything need to be changed or improved?
- Make sure all members know where they can go for support if they are/or become disabled.
- Make sure disabled members know their rights at work, the minimum health and safety requirements in the work place and details of any risk assessments carried out.
- Make sure all training (including health and safety training) is appropriate and accessible for everyone. Are there venue limitations? Assistive technologies that can be included? Alternatives to materials provided in written English?

Organise

- Encourage disabled members to become safety reps.
- Encourage your employer to apply for the Two Ticks symbol from Jobcentre. This symbol is awarded to employers in England, Scotland and Wales who have made commitments to employ, keep and develop the abilities of disabled staff. Make sure that the employer is living up to the commitments in the scheme.

4.4.1 Accessibility

'Accessibility' means more than access to buildings. It also means the ease with which all employees can use all aspects of a workplace, allowing for maximum independence. Many basic and inexpensive measures can make a significant difference to someone's life.

Checks you can perform as a safety rep:

- Are disabled parking bays clearly marked and near the entrance? Are they ever taken by cars without a blue badge?

- Are kerbs dropped near the building to allow ramped access?
- Is a ramp available in areas with steps? Both inside and outside the building(s)?
- If there is more than one floor, is there a lift, does it have Braille signage and a talking indicator?
- Are doors and corridors wide enough for wheelchairs? What about spaces around desks and in storage areas?
- Is the floor clear of trip hazards and clutter? Are there items being stored haphazardly in walking spaces?
- Are all floor surfaces even?
- Are all telephone wires and electric cables tethered and concealed?
- Are there accessible toilets available and are they well marked?

Remember - the needs of disabled workers should be considered at the design and planning stage, rather than waiting for a disabled worker to be employed and then make changes. Not only will this create a more inclusive environment for disabled workers, but it will often save the employer quite a lot of money as well.

4.4.2 Working environment

It is important that the working environment takes account of disabled workers. Safety reps can use the following checklist to ensure that this happens.

- Can adjustments be made to the premises or workstations? Consider lifts, light switches, steps edged in light paint, tactile warning strips at the top of stairs, audio or warning sounds, automatic opening devices on heavy doors, door handles, bells, entry devices reachable by wheelchair users and locatable by the visually impaired and non-slip, smooth flooring.
- Can disabled workers be assigned to better suited premises like the ground floor, a work room with more access or home working?
- Has equipment been acquired or modified? Consider Braille keyboards or hands-free phones
- Have reference manuals or instructions been modified to be more visual, pictorial, or to easy-read versions?

- Has a reader, text-phones (minicom) or book sign language interpretation services for meetings been provided?
- Has voice recognition software, zoom text, notes on disk, e-mail or audio-cassette been considered or installed?
- Is there good lighting for workers with visual impairments and lip readers?

4.4.3 Signposting

- Have signs been created for visitors and new workers highlighting the best routes? Particularly if your workplace covers a large geographic area.
- Have contrasting colours or textures in furniture, carpets, walls, doorways and so forth been used? Lettering on signs should contrast with the background.
- Are notices provided in large clear print?
- Is there a Braille alternative on signs? Are they placed near door handles?
- Are graphics and pictures used where possible to assist people who have difficulty with written English?
- Are signs provided with a matte finish to avoid reflections?

4.4.4 Communication

- Is health and safety information provided in accessible formats? Materials in easy-read formats, large font, text-only versions, other languages, or other ways that would suit the needs of your members should be considered.
- Have all disabled workers been consulted on planned changes to the workplace? Disabled people's access needs range so greatly that what works for one person might not for another. The easiest, fastest and cheapest way to plan for someone's needs is just to ask them.

4.4.5 Work organisation and duties

- Are tasks allocated to someone better suited, such as driving?
- Can a worker be transferred to a more suitable post?

4.4.6 Working hours

- Can working hours be altered to avoid rush hour, to part time or to working from home?
- Is absence for rehabilitation, assessment or treatment allowed?
- Can a phased return to work be organised?

4.4.7 Training and supervision

- Can the time or location of training be altered?
- Are course materials provided in different formats such as easy read or provide a reader or interpreter?
- Is individually tailored training offered to suit specific needs or to cover any additional equipment?
- Are managers and staff provided with any specific information and training they need on how to support a worker with a disability. Anyone with equalities responsibilities should have disability equality training as well.

4.4.8 Promotion and transfer

- Are promotions and transfers available to all suitable employees?
- Examine the application procedure; is there anything in this process that excludes someone on the basis of a disability?
- Can arrangements be made for any disabled employee to visit their new workplace so that adjustments can be made ahead of time?

4.4.9 Emergency procedures

- Consider whether all employees and visitors can get out of the building easily in an emergency. Does anyone need to be moved to a better location to accommodate evacuations?
- Are there any employees who might benefit from a Personal Emergency Evacuation Plan (PEEP)?
- Is any accessible equipment needed? Equipment should be trialled before it is purchased if possible. Has training on its use and someone assigned to store, maintain and check it with the rest of the emergency equipment been provided?
- If a 'buddy system' is set up for emergencies, is it checked frequently to make sure everyone knows their responsibilities?

- Are there visual or vibrating alarms installed in all areas, including the toilets?
- Do routes and procedures take account of anyone who might move more slowly?
- Have fire officers and evacuation assistants received training? Training areas should include:
 - evacuation techniques
 - assisting individuals with mobility aids
 - the use of any special evacuation equipment
 - basic sign language and instructions for individuals who use assistance animals
- Are safe areas and meetings points well marked?
- Does the written evacuation procedure include people who are disabled? Is this procedure reviewed regularly?
- Are employees encouraged to make a list of medications, allergies, special equipment, names, addresses and telephone numbers of doctors, pharmacies, family members and friends and any other important information? This information should be stored securely to make sure privacy is protected.
- Is there a supply kit available with suitable gloves (to protect hands from debris when pushing manual wheelchairs for example), patch kits to repair flat tyres, and extra batteries for those who use motorised wheelchairs or scooters?

5. Further information and useful contacts

5.1 UNISON

UNISON has always campaigned for equal rights and fair treatment for disabled members. We have produced a number of health and safety publications that may be useful to branches or safety representatives who are dealing with issues related to disability in the workplace. These are available from the Communications Department at the address below.

UNISON
130 Euston Road, London, NW1 2AA
Tel: 0845 355 0845

UNISON Welfare: 0207 551 1620
Health and safety website: unison.org.uk/safety
Health and safety email: healthandsafety@unison.co.uk
Disability website: unison.org.uk/disabled

5.2 Trades Union Congress

The TUC produces a wide range of guidance that includes health and safety and disability.

Trades Union Congress
Congress House
Great Russell Street, London WC1B 3LS
Tel: 0207 636 4030
Fax: 0207 636 0632
Website: tuc.org.uk

5.3 Equality and Human Rights Commission

The Equality and Human Rights Commission (EHRC) is a non-departmental public body established under the Equality Act 2006. It was created by merging the three previous equality commissions: the Disability Rights Commission, the Commission for Racial Equality and the Equal Opportunities Commission. The purpose of the EHRC is to enforce existing equality and human rights law and shape future policies in order to eliminate discrimination and promote equality of opportunity.

Equality and Human Rights Commission (EHRC)
Offices in London, Manchester, Glasgow and Cardiff
Helpline, England: 0845 604 6610
Helpline, Scotland: 0845 604 5510
Helpline, Wales: 0845 604 8810
Website: equalityhumanrights.com

5.4 The Health and Safety Executive

The Health and Safety Executive (HSE) has produced guidance on disability and health and safety. The guide is available online and 'promotes good practice in disability equality at work and health and safety risk assessment.' A copy of the guide can be found at hse.gov.uk/disability/largeprint.pdf

Health and Safety Executive (HSE)
Telephone: 0845 345 0055
Website: hse.gov.uk

5.5 The European Agency for Safety and Health at Work

The European Agency for Safety and Health at Work is the main reference point for the European Union on health and safety. The Agency works with governments, employers and workers to prevent work related ill-health by performing research, analysing risks and sharing good practice. Their website provides guidance, advice, practical case studies on workplaces, policy discussions and details of programmes and strategies. The section on disability guidance can be found at the web address below.

http://osha.europa.eu/en/priority_groups/disability

The European Agency for Safety and Health at Work
Gran Via 33, E-48009, Bilbao, Spain
Tel: +34 944 974 360
Fax: +34 944 974 383
Email: information@osha.europa.eu
Website: <http://osha.europa.eu>

5.6 Disabled Living Foundation

The Disability Living Foundation (DLF) is a national charity that provides advice, information, training

and assistance to disabled people in the UK. Their website provides a Q&A section, links to guidance, lists of assistive equipment available and even opportunities to trial this equipment.

Disabled Living Foundation
380 – 384 Harrow Road, London, W9 2HU
Tele: 020 7289 6111
Website: dlf.org.uk

5.7 United Kingdom's Disabled Peoples Council

The United Kingdom's Disabled Peoples Council (UKDPC) is an umbrella body for disabled people's organisations in the UK. UKDPC works with over 300 local and national organisations with the aim to achieve full inclusion of disabled people in society and in the workforce.

United Kingdom Disabled People's Council
27 Old Gloucester Street, London, WC1N 3AF
Tel: 0208 522 7433
Website: ukdpc.net

5.8 The Royal National Institute for Deaf People

The Royal National Institute for Deaf People (RNID) provides specialist advice and information on issues for people who are deaf or hard of hearing. They have an Information Line and a range of leaflets and fact sheets, many of which can be downloaded from their website.

- Communication services and the RNID's regional Communications Services Units (CSUs) who can direct enquirers to local and national communication and interpreting services, such as BSL interpreters, Sign Supported English (SSE) interpreters, Lipspeakers, Deafblind interpreters, etc.
- Learning British Sign Language (BSL) and what is involved in such training
- Deaf awareness
- Information on products and services designed for people with hearing impairments

Royal National Institute for the Deaf (RNID)
19-23 Featherstone Street, London EC1Y 8SL
Telephone: 020 7296 8000
Fax: 020 7296 8199
Website: rnid.org.uk

5.9 Royal National Institute for the Blind

The Royal National Institute for the Blind (RNIB) is a national charity that provides advice, support and information to the almost two million people in the UK with sight loss.

Royal National Institute for the Blind
105 Judd Street, London WC1H 9NE
Tel: 020 7388 1266
Fax: 020 7388 2034
Helpline: 0303 123 9999
Website: rnib.org.uk

5.10 Acas (Advisory, Conciliation and Arbitration Service)

Acas is an organisation that specialises in improving employment relations. They provide advice, information and training, and work with both employers and workers to solve problems and resolve disputes.

Acas
Helpline: 0845 747 4747
Website: acas.org.uk

5.11 Additional information

- **Access to work scheme:** available through JobCentre Plus: jobcentreplus.gov.uk
- **Convention on the Rights of Persons with Disabilities:** un.org/disabilities/
- Cancerbackup merged with **Macmillan Cancer Support** in April 2008. They provide high quality, expertly developed information about cancer. cancerbackup.org.uk
- The information and services available on the **Directgov** website are provided by a variety of UK government departments and agencies. direct.gov.uk
- **Disabled Peoples' International (DPI)** is a network of national organisations or assemblies

of disabled people, established to promote human rights of disabled people through full participation, equalisation of opportunity and development. dpi.org

- **Government Disability Unit.** Managed by the Disability Unit in the Department for Work and Pensions. Find out about your rights as a disabled person and learn more about the legislation that exists to help establish fully comprehensive and enforceable civil rights for disabled people. disability.gov.uk
- **Office for Disability Issues (ODI).** Works across government to ensure equality becomes a reality for disabled people. officefordisability.gov.uk
- **Ouch** is a website from the BBC. Its aim is to reflect the lives of disabled people right here and now in the third millennium. bbc.co.uk/ouch/



**Join UNISON online today at unison.org.uk/join
or ring 0845 355 0845**