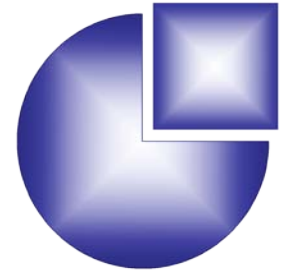


# Freenev Williams Limited

---



**FREENEY WILLIAMS LTD**

<http://www.freenevwilliams.com>

## **THE DISABILITY AND EQUALITY AGENDA E-BULLETIN – FEBRUARY 2008**

For information about how Freenev Williams Ltd can help your organisation achieve the disability and equality agenda please contact

[enquiries@freenevwilliams.com](mailto:enquiries@freenevwilliams.com)

Please forward this bulletin to a colleague so they can subscribe.

### **In this month:**

1. [\*\*CARERS COULD GET NEW RIGHTS IN LANDMARK DISABILITY CASE\*\*](#)
2. [\*\*RIGHT TO SIGN DENIED\*\*](#)
3. [\*\*CONCERN AT CRIME AGAINST DISABLED\*\*](#)
4. [\*\*RELIGION: THE FINAL FRONTIER\*\*](#)
5. [\*\*MENTAL ILL HEALTH COSTS UK EMPLOYERS £25 BILLION\*\*](#)
6. [\*\*NEW FREE PUBLICATION ON ACCESSING THE COUNTRYSIDE\*\*](#)
7. [\*\*DISABILITY CONFIDENCE EQUALS BETTER BUSINESS - FREE ONE-DAY SEMINAR\*\*](#)
8. [\*\*DISABILITY “LEADS TO POVERTY TRAP”\*\*](#)
9. [\*\*ACCESS STILL DENIED TO DISABLED WORKERS\*\*](#)

### [\*\*BACK TO TOP\*\*](#)

#### **1. CARERS COULD GET NEW RIGHTS IN LANDMARK DISABILITY CASE**

The mother of a disabled boy has won a crucial legal victory that could lead to new rights to flexible working for Britain's six million carers. Sharon Coleman, 41, says that she was forced to resign from her job as a legal secretary, working at a London law firm in 2005, after her employers refused her the same flexible working hours as other staff.

Ms Coleman says that she was called “lazy” when she needed to take time off to care for her son Oliver, now 5, who suffers from a rare breathing condition and is deaf, and that she was threatened with disciplinary action. But yesterday the chief legal adviser to the European Court of Justice in Luxembourg ruled that treating some employees less favourably than others because of their caring responsibilities for a disabled - or elderly – relative was unlawful.

For the full story click:

<http://business.timesonline.co.uk/tol/business/law/article3285485.ece>

### [\*\*BACK TO TOP\*\*](#)

## **2. RIGHT TO SIGN DENIED**

Deaf people are being denied basic rights in the criminal justice system, says a campaigner. Diana Smith, chair of the Legal Issues Group of the Association of Lipspeakers, said deaf and hearing-impaired people are sometimes hand-cuffed with their hands behind their backs or appear in court without a language service professional (LSP).

Others spend hours in cells without access to an LSP, and BSL-speakers have no legal right to have their statement recorded visually through an interpreter. For more information click:

<http://www.disabilitynow.org.uk/latest-news2/news-focus/right-to-sign-denied>

[\*\*BACK TO TOP\*\*](#)

## **3. CONCERN AT CRIME AGAINST DISABLED**

A “worrying picture” of hate crime against disabled people has emerged in the Highlands, according to a report. A survey by Highland Wellbeing Alliance found a quarter of respondents said they had experienced bullying because of their disability. It also found only half of those who have been attacked had reported the incident to the police.

For the full story click:

[http://news.bbc.co.uk/1/hi/scotland/highlands\\_and\\_islands/7187019.stm](http://news.bbc.co.uk/1/hi/scotland/highlands_and_islands/7187019.stm)

[\*\*BACK TO TOP\*\*](#)

## **4. RELIGION: THE FINAL FRONTIER**

Sunil Peck investigates whether major religions support disabled people on the path to independence or create barriers. For the full report click:

<http://www.disabilitynow.org.uk/living/features/religion-the-final-frontier>

[\*\*BACK TO TOP\*\*](#)

## **5. MENTAL ILL HEALTH COSTS UK EMPLOYERS £25 BILLION**

Businesses across Britain are losing £1,000 a year for every person they employ

because of mental ill health among their staff, says a report published today by the Sainsbury Centre for Mental Health. That is equivalent to £1,000 per employee in the workforce.

The costs comprise £8.4 billion in sickness absence, £2.4 billion to replace staff leaving their jobs and some £15.1 billion in reduced productivity among people still at work but unwell.

For more information click:

<http://www.scmh.org.uk/80256FBD004F6342/vWeb/pcKHAL79TMHJ>

**[BACK TO TOP](#)**

## **6. NEW FREE PUBLICATION ON ACCESSING THE COUNTRYSIDE**

Natural England, a public body which works for people, places and nature, and promotes access and recreation, has just launched a new freely available publication about the experiences of people with a range of disabilities when accessing the countryside.

To download the publication click:

<http://www.countryside.gov.uk/LAR/Recreation/DR/GuidanceAwareness.asp>

**[BACK TO TOP](#)**

## **7. DISABILITY CONFIDENCE EQUALS BETTER BUSINESS - FREE ONE-DAY SEMINAR**

It's a catchy title and one that can be taken several ways by employers. It really would be beneficial for your organisation to find out exactly what we mean!

Competition for the most skilled and talented labour is fierce. Everyone wants a settled and effective workforce. But, recruitment can be time consuming, expensive, and at times, frustrating! Employers have one thing in common; they want the right person for the job at the right time!'. This seminar will help you achieve this! It will be held on Thursday March 6<sup>th</sup> at the Crowne Plaza Hotel, Liverpool from 9.30 – 2.30pm – lunch included.

For more information or to secure your free place on this day, please contact Rita Dolman on 0151 229 1802 or [rita.dolman@merseysidecoalition.org.uk](mailto:rita.dolman@merseysidecoalition.org.uk)

**[BACK TO TOP](#)**

## **8. DISABILITY 'LEADS TO POVERTY TRAP'**

Disabled people are twice as likely to live in poverty as non-disabled people, according to a report from Leonard Cheshire Disability released at the beginning of January.

Continuing low levels of employment mean that many disabled people are trapped in inescapable poverty, said the report, 'Disability poverty in the UK'. It estimates there are 3 million disabled people living in relative poverty in the UK.

"Disability poverty is one of the most significant and most challenging problems facing the UK today. The failure to specifically tackle disability poverty represents a gaping hole in the government's otherwise strong record on poverty," said report author Guy Parckar, the charity's public policy manager.

The report notes that half of disabled people are not in work. Those that work are more likely to be in low-skill, low-paid jobs. It calls on employers to "adhere to their responsibilities under the Disability Discrimination Act, and extend the anticipatory duty to make reasonable adjustments to employment".

Other recommendations include greater support for the Access to Work Scheme and the introduction of rehabilitation leave to help newly disabled people to remain in work.

The case for addressing disability poverty is not only one of basic social justice, there is also an economic case, said the report.

It suggests that if a million disabled people moved into work, the Treasury could expect to gain more than £5 billion in income tax alone.

For more information about 'Disability poverty in the UK', visit [www.lcdisability.org](http://www.lcdisability.org)

[BACK TO TOP](#)

## **9. ACCESS STILL DENIED TO DISABLED WORKERS**

The following is an article from HR Zone concerning disabled people's position in the diversity agenda.

Disability campaigners say their cause is being drowned out by a cacophony of more popular diversity issues like race and gender. Matt Henkes investigates whether this is the case and how they can make themselves heard within organisations.

Diversity is in danger of becoming such an ominous and unwieldy term that some facets may be in jeopardy of slipping below the radar. And with disability arguably the most complicated and least publicised of such issues, is it surprising lobbyists

complain it is losing out to more straightforward targets like race and gender?

Around 7 million people of working age in the UK have some kind of disability - that's almost one in five, though only half of these are in work. In 2006, the Office of National Statistics reported that up to 1.2m disabled people were available and wanting to work. So why aren't they?

"Imagine the outcry if someone were managed out by an employer because they were female or from an ethnic minority." Paul Avis, corporate development manager, Ceridian Diversity says, in employment terms, in America following affirmative action on rights for black and Hispanic employees and the resulting backlash from their white colleagues.

Business leaders wanted their workforce to know they valued contributions from people who, in the context of the agitation around women's rights and Hispanic and black afro-Caribbean action at work, were feeling devalued. Nowadays, it has come to be associated with activities that help business employ staff from a wider pool than it otherwise would. However, this assumes that a company already delivers equal opportunities for all. One thing at a time.

The Employers Forum on Disability (EFD) argues this is rarely the case and warns that disabled workers are being failed by employers who are distracted by the lower hanging diversity fruit. "We're doing women this year," EFD founder and CEO Susan Scott-Parker was recently told by one corporate director when she asked about his company's diversity activities.

So why is disability slipping through? Paul Avis, corporate development manager at HR consultancy Ceridian, agrees that race and gender are much easier issues to deal with, so tend to be viewed as softer targets.

"Yes there are generic reasons for disability diversity, but you need to be smart and identify which ones particularly relate to your organisation and where it wants to be."

Diana Worman, diversity advisor, CIPD "How many employers still use ill health retirements to manage out people with disabilities?" she says. "Imagine the outcry if someone were managed out by an employer because they were female or from an ethnic minority. Put systemic issues such as this alongside the fact many employees become disabled, rather than are born disabled, and you can see why disability diversity is that much more complicated."

Dealing with disability (or becoming "disability confident", as EFD chief Scott-Parker calls it), requires a very specific but wide-ranging set of competencies that include managing attitudes and behaviours as much as systems and processes. For instance, can blind people complete your firm's online application? Could someone with a speech impediment get through your panel interview process? Does your training department ensure that all training videos are subtitled?

All these things are easily ignored or forgotten. The law requires that a firm considers what 'reasonable adaptations' can be made in order for a disabled person to function as an employee. However, Avis believes line managers directly responsible for recruiting would often prefer to hire employees without a disability, or replace staff rather than make such adaptations.

"As well as legislative compliance, the killer question is what would happen to you should you become sick or disabled?" he remarks. "Once the manager and supervisor understand the implications behind their actions they become far more willing to both recruit and retain employees with disabilities." There will always be barriers for disabled people if employers are not skilled at making adjustments for individuals and incorporating disabled-friendly policies.

However, argues Scott-Parker, somehow it has come to be regarded as "old hat or passé" to focus on one group in the world of diversity. "It's as if somehow you are working to the detriment of the rest," she adds.

There's no argument against the fact that many UK companies could probably do more in areas of diversity, but research from the Chartered Institute of Personnel and Development (CIPD) suggests that, among those that try, disability is not as neglected as the EFD believes. In its 2007 Diversity in Business report, the institute found that legal requirements were by far the biggest factor in motivating companies to take action on diversity issues. And, startlingly, the number one issue respondents claimed to be acting upon was disability (see graph below). "I think there is a feeling that disability hasn't really been on organisations' agenda regarding equal opportunities and that race and gender (race in particular) have dominated the discourse," says CIPD diversity expert Dianah Worman. "But I don't know that it really holds true according to the statistics we've got." It could be the timing of their work, she concedes, but adds that it certainly seemed disability isn't "way behind at all". Admittedly, while disability may not lag behind, life is still pretty tough for disabled people seeking employment. The same report also showed that almost two-thirds of organisations didn't have any specialised diversity or equal opportunities function and 70 per cent didn't allocate a budget to diversity.

Graph: Diversity categories covered by company policies  
[http://www.hrzone.co.uk/images/diversity\\_graph600.gif](http://www.hrzone.co.uk/images/diversity_graph600.gif) Source: CIPD

As the gate-keepers expected to know all there is to know on the subject, HR is left in a position where its job is to help management have the difficult conversations it inevitably will need to have about disability. HR needs to make sure it is inclusive in its thinking, not focusing too much on legal compliance and being more proactive on the agenda.

The talent argument has also created the need to be far more innovative when looking for the skills and abilities needed in the organisation. "You can forget traditional approaches because you're not going to get what you need by being very

old-fashioned," cautions Worman. Instead, HR needs to be very proactive about recognising that labour market characteristics are diverse in themselves.

"What you need to do is contextualise that business case to individual organisations," she adds. "Yes, there are generic reasons for disability diversity, but you need to be smart and identify which ones particularly relate to your organisation and where it wants to be."

Ultimately, the problem stems from labelling people as black and white or disabled, rather than perceiving them as a person with particular characteristics or needs. "We need a different approach," says Scott-Parker. "My prediction is that the language of diversity is going to need to change if the objectives of everyone working within the process are going to be delivered. "We need a different approach," says Scott-Parker. "My prediction is that the language of diversity is going to need to change if the objectives of everyone working within the process are going to be delivered."

[\*\*BACK TO TOP\*\*](#)

To subscribe or unsubscribe click

<http://www.freeneywilliams.com/dea-e-bulletin.asp>

© Freney Williams Ltd 2007

37 Buckingham Road  
Brighton  
East Sussex  
BN1 3RP

T 01273 327715  
F 01273 327715  
<mailto:enquiries@freeneywilliams.com>

[\*\*BACK TO TOP\*\*](#)