



2.3 Employment of People with Disabilities Policy

Introduction

To provide details and clarification of Elizabeth Finn Homes Limited (EFHL's) policy towards job applications and employees who may have a disability, or who may have had a disability in the past, and are covered by the terms of The Equality Act 2010.

This policy should, where appropriate, be read in conjunction with the EFHL policies on Equality and Recruitment.

Aims/Legal Principles (which?)

Disability is defined as:

A physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

This applies for both people who currently have a disability and for those who have had a disability in the past.

Discrimination can occur when a disabled person (or someone associated with a disabled person) is treated less favourably than someone else where this treatment is related to the individual's disability and this treatment cannot be justified. Discrimination can also occur if an individual is treated less favourably because it is perceived that they are disabled, whether or not they are.

Discrimination can occur in all aspects of the employment relationship including recruitment arrangements, terms & conditions, training and development opportunities, facilities, or any other detrimental treatment of employment.

Unlawful discrimination against job applicants with a disability can occur:

- In seeking information about a disability prior to offering employment
- In the arrangements made for determining to whom a job should be offered
- In the terms on which employment is offered
- By refusing to offer, or deliberately not offering, a disabled person a job

"Arrangements" covers anything done by/for EFHL as part of our recruitment process or in making available opportunities in employment. This includes application forms, interviews and arrangements for selection.

Unlawful discrimination against current employees with a disability can occur:

- In the terms of employment afforded to the person;



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- In the opportunities afforded to the person for promotion, a transfer, training or receiving any other benefit, or by refusing to afford, or deliberately not affording him/her any such opportunity;
- By dismissing the person or subjecting him/her to any other detriment.

“Detriment” includes demotion, reduction of pay, other disciplinary measures and the harassment of disabled employees.

Discrimination against a disabled person occurs if:

- For a reason which relates to the disabled person’s disability, they are treated less favourably than EFHL treats or would treat others; and
- EFHL cannot show that the treatment in question is justified.

Discrimination also occurs if:

- EFHL fails to comply with the duty to make reasonable adjustments to work premises, practices and equipment in relation to the disabled person;
- EFHL cannot show that this failure is justified.

Recruitment and Selection

In order that disabled persons may have an equal opportunity of being recruited, EFHL will apply EFHL’s Equality and Recruitment Policies. In particular EFHL will:

- Examine and review job descriptions and person specifications in order to ensure that unnecessary requirements are not included that may exclude from EFHL a disabled person who could do the job and that the recruitment criteria for each job is ability based;
- Take reasonable steps to ensure that interview arrangements are such that disabled persons may attend without embarrassment or difficulty;
- To make such reasonable adjustments to premises, work practices and equipment as are necessary to enable a disabled person to take up employment with EFHL.

Career Development

Career development opportunities and training opportunities will be communicated as appropriate to all employees as detailed in EFHL’s Equality and other policies.

Provisions During Employment

Where an employee becomes disabled, whether through accident, illness or injury, every reasonable and practicable consideration will be given to ensure that they may remain in employment.

Examples of steps EFHL may take are:

- Making adjustments to premises;
- Allocating some of the disabled employee’s duties to another person;
- Transfer to alternative position which is vacant;
- Alteration of working hours;
- Transfer to a different location/place of work;



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- Time off during working hours for rehabilitation, assessment or treatment;
- Training and/or re-skilling;
- Modification or purchase of appropriate equipment;
- Provision of supervision and assistance.

If you have any queries about the implementation of this policy please contact HR.