



# Disability Policy (Policy & Procedure)

**OFFICIAL**

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# Policy

## Statement

Merseyside Police is fully committed to meeting the requirements of the Equality Act 2010, and recognises the importance of taking proactive measures to remove barriers from the working environment for disabled people. It will also ensure that the Force is able to recruit and retain the best employees on the basis of their abilities and individual merit.

This Policy and associated Procedure incorporates our legal obligations and also reflects our commitment to equality of opportunity for disabled people.

## Aims

- a) To ensure that disabled people receive fair and lawful treatment in every aspect of employment.
- b) To ensure that disabled staff achieve their full potential at work by offering the same facilities, career prospects, training and promotion opportunities which are available to all staff.
- c) To comply with the requirement to make needs assessments and where appropriate make reasonable adjustments for new and current staff.
- d) To prevent discrimination on grounds of disability.

## Objectives

- a) Compliance with legal requirements.
- b) A decrease in the number of complaints, grievances/employment tribunal claims relating specifically to disability.
- c) An increase in the number of staff, applicants who are disabled and those applying for promotion who choose to declare that they have a disability.

## Application and Scope

All police officers and police staff, including the extended police family and those working voluntarily or under contract to Merseyside Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

This policy satisfies the legitimacy of its aims; the justification and proportionality of the actions intended by it; and it defines the need to document the relevant decision making processes and outcomes of action.

## Outcome Evaluation

Merseyside Police will collect monitoring data with regard to all aspects of the employment of our disabled staff to meet both legislative and corporate requirements. The monitoring information will be used to measure the effectiveness of this Policy and our commitment to equality of opportunity and valuing diversity.

Outcomes will reflect specific objectives and be measured against these objectives on a routine annual basis by the Head of People Services

The ACC People Services is responsible for overseeing this Policy including the monitoring of its progress and implementing any changes required to ensure continued compliance with Equality Legislation.

# Procedure

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## 1. General Principles

- 1.1 If a member of staff is considered disabled under the Equality Act 2010, every possible effort, including reasonable adjustments will be made to enable them to continue in their current role and provide them, where appropriate, with training. Where this is not possible, redeployment on medical grounds will be considered in accordance with current Force Policies.
- 1.2 No member of staff will be required to terminate their employment with Merseyside Police on the grounds of their disability without considering any reasonable adjustments and proper consideration of pension requirements. Line Managers in conjunction with HR Advisors will ensure that all such cases are referred to the Occupational Health Unit.

## 2. Equality Act 2010

- 2.1 Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment, which has a substantial and long-term adverse effect, on their ability to carry out normal day-to-day activities. The Act also applies to people who have had a disability in the past, for example someone with a mental health condition lasting 12 months or more but has now fully recovered will be protected in respect of this disability.
- 2.2 To be protected against discrimination under the Act, an individual must either have, or have had, a disability that affects day-to-day activities and has lasted, or is likely to last, 12 months or more.

## 3. Discrimination

- 3.1 It is against the law for Employers to discriminate against a disabled person because of their disability
- 3.1 Employers also discriminate if, without being able to justify it, they do not take reasonable steps to prevent a disabled person from being at a substantial disadvantage because of any working arrangements or physical features of the premises. This is commonly known as the duty to make "reasonable adjustments".

## 4. Definitions

- 4.1 For further information on the Equality Act 2010 and legal definitions please see [Appendix1](#).

## 5. Disclosure

- 5.1 There is no legal obligation for disabled staff to disclose their disability, however Merseyside Police encourages staff who are disabled or those who have had a disability to tell us that they fall within the definition of the Act. This will ensure that, wherever appropriate, every assistance is provided to maintain ongoing support within their role. The Force is mindful that not all forms of disability require adjustments but the voluntary disclosure of this information is encouraged.

## 6. Responsibilities

- 6.1 The Chief Officers have responsibility for ensuring that all staff are aware of the requirements of the Equality Act 2010 and do not act in a discriminatory manner towards disabled people.

- 6.2 Managers, including those staff who have supervisory roles, have both managerial and personal responsibilities and as such carry their own individual personal liabilities for acts of discrimination during the course of employment in the management of people. Liability can rest with the employer and/or an individual and it can also involve situations where employees are severally liable.
- 6.3 Individual employees have their own personal responsibilities. It is incumbent on all staff to have ownership of their actions and to ensure that this policy is complied with. This includes a moral obligation and legal duty not to harass colleagues for a reason relating to their disability or ask intrusive and/or inappropriate questions.
- 6.4 Where there is doubt about the application of any part of this policy or Equality Legislation, guidance should be sought via Ask HR or by contacting the HR Advisors.

## 7. Suitability of Posts

- 7.1 All police staff posts within Merseyside Police will be deemed as suitable to be performed by a disabled person and each individual will be considered according to their abilities taking into account the possibility of reasonable adjustments. Job descriptions are drawn up against the kind of knowledge, skills and experience that are necessary to enable satisfactory performance in the job. Short-listing and final selection will be made on fair, equitable and consistently applied criteria to ensure that the right person is appointed.
- 7.2 It is unlawful to automatically exclude any police officer applicant with a disability. Each case will be looked at on its merits, and all individuals must be assessed on whether they will be able to carry out the duties of the post with or without reasonable adjustments. The Workforce Management Department have separate procedures relating to the recruitment of Student Officers.

## 8. Advertisement of Posts

- 8.1 All recruitment and advertisements for posts externally and internally to the Organisation will display the Department of Work and Pensions Disability Confident Employer Symbol and will contain the following statement: '**Merseyside Police is committed to equality of opportunity and valuing diversity**'. Further information with regards to the recruitment & selection process can be obtained from the [Force Recruitment & Selection Policy](#).

## 9. Management of Disabled Staff

- 9.1 The responsibility for the management, administration and monitoring of disability issues remains with Strand Leads and Departmental Heads, supported by the Employee relations HR Advisors.
- 9.2 Should disabled staff experience difficulties in performing their job in the course of their employment, or, if a member of staff becomes disabled, they must inform their Line Manager who should contact a HR Advisor for advice and guidance when required. In addition the local Jobcentre Plus Disability Employment Adviser (DEA) may be contacted for additional advice and guidance regarding needs assessments and the involvement of Access to Work (ATW) can be obtained if necessary. Guidance for managing staff who give notification of a disability within the meaning of the Equality Act 2010 is contained in the Checklist and Access to Work Guidance Notes attached as appendices to this policy. The Risk Assessments required for disabled staff must be completed by the local Health and Safety Advisor or the Force Health and Safety Officer.

## 10. Reasonable Adjustments

- 10.1 Reasonable adjustments are simply modifications that take into account the effects of an individual's disability. For example, modifications could be made to a selection process, premises or workplace, hours or duties of the role etc. Reasonable adjustments in selection processes are intended to ensure that disabled applicants are able to compete fairly with non-disabled applicants. Reasonable adjustments in the workplace are intended to ensure that disabled staff have everything they need to perform their role effectively. The concept of reasonable adjustment is unique in the legislation and only applies to disability. A failure to comply with the duty of reasonable adjustment is an act of discrimination. Managers should be alerted to possible situations where the obligation may apply, and seek appropriate advice from a HR Advisor before taking any action.

## 11. Managing Attendance.

- 11.1 For the purposes of the Equality Act 2010, absence from work due to disability will be considered in two categories:

- a) Disability Related Sickness
- b) Disability Related Leave

### 11.2 Disability Related Sickness

- 11.2.1 When reporting sick all members of staff must be asked if the absence is related to a disability. A member of staff may disclose a disability for the first time when reporting sick and so it is vital that this is followed up with sensitive discussion with the individual. Where further clarification is required medical opinion must be sought from the OHU or the individual's GP. The individual's personal records must be updated by HR Shared Services.

- 11.2.2 For some purposes, disability related sickness can be treated differently to other sickness absence. As a reasonable adjustment, the Force can discount disability related sickness for the purposes of promotion, postings and capability/UPP/disciplinary procedures for poor attendance, as long as the sickness absence is **directly** related to the disability. It may not be reasonable in every case to discount all disability related absences. However, recording the absences, as 'disability related' will make it easier for management to make a decision on what is and is not reasonable. Please refer to the Force [Attendance Management Policy](#) for further guidance.

### 11.3 Examples of Disability Related Sickness

- 11.3.1 Examples are:

- a) An officer with arthritis might be absent from time to time due to the condition. It is not possible to predict when and for how long the officer will be absent so this is recorded as disability related sickness.
- b) An officer has multiple sclerosis. Absences are unpredictable and cannot be planned for and so are again recorded as disability related sickness absence.

- 11.3.2 The sickness absence must be **directly related** to the disclosed disability. The OHU can advise on what may or may not count as disability related, but the final decision remains with local management.

#### 11.4 Disability Related Leave

11.4.1 Disability related leave must be directly related to the disclosed disability and is a reasonable adjustment that the Force can provide. It enables a member of staff to adjust to changes in their life caused by the development of a new disability, or to manage an existing disability. The leave must facilitate rehabilitation, preventive measures, treatment for, or adjustment to a disability and must be for a fixed period, or periods of time that the Force and member of staff know about in advance. In other words, there is a fixed end date for the leave. Disability related leave is also suitable for absences of short periods of time needed on a regular basis for rehabilitation, physiotherapy, treatment or training, hospital appointments etc.

11.4.2 The predictable and fixed nature of disability related leave distinguishes it from disability related sickness absence, which is unpredictable and for unknown periods of time. Recording absences as 'Disability Related Leave' where appropriate, means it will not impact upon the individual's entitlement to sick pay, nor should it trigger disciplinary/capability/UPP proceedings for sickness absence. In addition the facility for approving disability related leave could result in a positive impact upon attendance figures.

#### 11.5 Examples of Disability Related Leave:

11.5.1 Examples are:

- a) A member of staff attends a four-week residential course to be trained to use a new guide dog.
- b) A member of staff requires a period of adjustment and rehabilitation following an accident that has resulted in a mobility impairment covered by the Equality Act 2010. (NB: this individual will have been on sick leave during initial medical care and treatment. Disability related leave might be granted following discharge from hospital in order to allow time to adjust to the living environment).
- c) A member of staff needs three hours of physiotherapy directly related to their disability every fortnight for a fixed and agreed period of time, e.g. Wednesday mornings for the next eight weeks.

11.5.2 Disability Related Leave must be agreed with the person's Line Manager, according to the individual needs of the member of staff. The member of staff will be paid for the leave agreed for as long as it is reasonable for the Force to do so. For all requests of Disability Related Leave, the Line Manager must record details on [Form DL 1](#). Staff must provide written documentation, which outlines the reason for the request, including the leave start and end date, for example correspondence from a Hospital, GP or Medical Appointment Card. Reasons for refusing disability related leave must be fully justified in writing and retained. Members of staff may appeal against a decision to decline a request for disability related leave by utilising the [Fairness at Work \(Grievance\) Policy](#). All documentation, including Form DL 1 must be kept in confidence in a secure sealed envelope in the individual's personal file.



## 11.6 Paid Leave

- 11.6.1 Please note that if a member of staff is off work because the Force has not yet provided the required reasonable adjustments, this is not disability related leave or disability related sickness, it is paid leave because the member of staff is willing to work, but is unable to do so because the employer has not fulfilled its duty to make reasonable adjustments. Likewise, if an individual is absent awaiting redeployment required as a result of a disability and any required reasonable adjustments are not in place, the individual should be on full pay, even if it is following a period of long-term sickness absence until the adjustments are in place.

## 12. Redeployment

### 12.1 Police Staff

- 12.1.1 Where an individual can no longer undertake the full range of duties relating to their substantive post as a result of a disability under the Equality Act 2010, the Line Manager will make reasonable adjustments, and, where necessary and where appropriate, arrange for referral to the Force Occupational Health Unit. When the Force Occupational Health Physician forms the view, based on medical prognosis, that even after considering reasonable adjustments an individual can no longer carry out the duties of their substantive post then management must raise the appropriateness of Medical Redeployment. Should it prove impracticable to redeploy an individual to a suitable alternative post, then ill health retirement or termination of employment on the grounds of capability will be considered. See also the [Redeployment \(Staff\) Policy](#) and [Capability Policy](#).

### 12.2 Police Officers

- 12.2.1 Where an officer becomes restricted / disabled as a result of an injury or medical condition that falls within the Equality Act 2010, the Force will make reasonable adjustments to facilitate retention in their current post, or consider the redeployment of the officer to another role if the condition warrants such a move. It is important to note that an officer who is permanently disabled from the ordinary duties of a police officer may not meet the definition of disability under the Equality Act 2010. The physical requirements for the ordinary duties of a police officer are such that a condition may prevent an officer from undertaking a full operational role, although there is no long-term adverse affect on ability to partake in day-to-day life. See also the [Redeployment \(Officers\) Policy](#).

## 13. Disability Support Network

- 13.1 The Force has a Disability Support Network (DSN) that is available to all staff. The DSN is a voluntary peer support group. Members have knowledge or experience of disability issues and the support services available i.e. carer advice help-lines and access to work etc. Further details can be found on the Force Intranet.

## 14. Complaints

- 14.1 External applicants who are protected by the Equality Act 2010 who may feel aggrieved about the way they have been treated can write to the Head of HR, who will look into the complaint and reply to the individual.
- 14.2 Any member of staff who feels aggrieved about their treatment on the grounds of their disability can seek support from the Staff Associations, Trades Unions and Disability Support Network. They can also invoke the [Fairness at Work \(Grievance\) Policy](#).

- 14.3 Any disabled member of staff or external applicant, who feels that an act of discrimination has been committed against them, has the right to complain to an Employment Tribunal. There is a time limit to register a claim to an Employment Tribunal, which is three months less one day. The general rule is that a complaint of disability discrimination must be presented to an Employment Tribunal within the period of **three months** less one day from the date when the alleged discrimination happened.

## **15. Confidentiality**

- 15.1 All documentation regarding disability must be treated in confidence. All documentation, including Access to Work reports and completed checklists, must be kept in a secure sealed envelope and on the individual's personal file. Access to the documents will be approved for legitimate reasons only and by written request to the HR Shared Services Manager.

## **16. Monitoring and Review**

- 16.1 Merseyside Police will monitor the effectiveness of this Policy to determine whether equal opportunities and valuing diversity is being consistently and fairly delivered. Where monitoring data identifies any cause for concern the Force will take appropriate action.

## **17. Advice**

- 17.1 The Disability Policy is published on the Force Intranet. Advice on any aspect of the Disability Policy must be sought initially from line management. Further advice and information may be obtained from the HR Advisors.

## APPENDIX 1

**DEFINITIONS****Who is a disabled person or when is a person disabled?**

Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment, which has a substantial and long-term adverse effect, on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

A person has a disability if he or she has:

- a) A physical or mental impairment
- b) that impairment has an adverse effect on the ability to carry out normal day-to-day activities
- c) the effect is substantial
- d) the effect is long-term

The definition of disability has been extended to cover people with HIV, Cancer and Multiple Sclerosis from the date of diagnosis.

The Act also applies to people who have had a disability in the past, for example someone who had a mental health condition in the past lasting more than 12 months, but has now fully recovered.

To be protected against discrimination under the Act, an individual must either have, or have had, a disability that affects day-to-day activities and has lasted, or is likely to last, 12 months or more.

**What does the Equality Act 2010 say about Disability?**

It is against the law for Employers to discriminate against a disabled person because of their disability:

- a) In the way they decide who gets the job - for example, the way the applications are handled; the way the interview is carried out; or tests given to candidates
- b) In the terms on which they offer a job - for example, by giving only a short-term contract, or by refusing or omitting to offer a job.

Employers also discriminate if, without being able to justify it, they do not take reasonable steps to prevent a disabled person from being at a substantial disadvantage because of any working arrangements or physical features of the premises. This is commonly known as the duty to make "reasonable adjustments".

The concept of reasonable adjustment is unique in the legislation and only applies to disability. A failure to comply with the duty of reasonable adjustment is an act of discrimination. Managers should be alert to possible situations where the obligation may apply and seek appropriate advice from a HR Advisor before taking any action.

**How does discrimination happen?**

It is against the law for an Employer to discriminate against a disabled worker because of their disability:

- a) In their Terms and Conditions of Employment.
- b) In opportunities for promotion, transfer, training or other benefits, and/or by refusing to give them favourable consideration.
- c) By dismissing them unfairly.
- d) By treating them less favourably than other workers.

The Equality Act 2010 also includes a new protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (eg a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

Additionally, indirect discrimination now covers disabled people. This means that a job applicant or employee could claim that a particular rule or requirement that is in place disadvantages people with the same disability. Unless there is justification, it would be unlawful.

The Act also includes a new provision that makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health or disability before offering them work.

### **What does "discriminate" mean?**

According to the Equality Act 2010 there are three main forms of discrimination that are unlawful under the employment provisions of the Act:

**Direct discrimination** – less favourable treatment – (“because of the disabled person's disability”) – which can never be justified and **indirect discrimination** - rules or requirements that indirectly discriminate against disabled persons, unless they can be justified.

Also specifically, failure to comply with a duty to make reasonable adjustments – which can never be justified.

**Associative Discrimination** - It will cover direct discrimination (or harassment) against carers on the grounds that they are caring for a disabled person.

**Perceived Discrimination** – If a person receives less favourable treatment because they are thought to be disabled. This would be disability discrimination, irrespective of whether or not the person is disabled

The Equality Act 2010 is based on the idea of fair treatment. It does not require you to favour disabled people at the expense of others. It requires you to make reasonable adjustments to remove the barriers that prevent disabled people from competing for employment opportunities on equal terms with other applicants or employees.

### **What does “discrimination” mean?**

#### **Direct Discrimination**

Discrimination is defined within the Equality Act 2010 as taking place if:

“A Person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats, or would treat others”. This is seen as being wide enough to cover cases of direct discrimination based upon an incorrect perception that a person has a particular protected characteristic, or where the treatment is based on association with someone having a particular protected characteristic.

Take the following example: A disabled woman who uses a wheelchair applies for a job that she can do as well as the other applicants. The Employer feels the wheelchair will cause an obstruction so gives the job to an individual who is no more suitable but does not use a wheelchair.

The woman has been treated less favourably than her comparator (the non-wheelchair user with the same abilities), as they have not been rejected in the same way.

**Discrimination arising from disability**

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified. Treatment can be justified if it can be shown that it is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown then the treatment will be lawful.

This form of discrimination can occur only if the service provider knows or can reasonably be expected to know that the disabled person is disabled.

**Failure to comply with a duty to make reasonable adjustments** – This can never be justified.

The duty arises where a provision, criterion or practice applied on by the Employer or any physical feature of premises occupied by the employer, places a disabled person at a substantial disadvantage compared with people who are not disabled.

The Employer must take such steps as are reasonable in all the circumstances to prevent the disadvantage to a disabled person.

Provision, criterion and practice includes arrangements for:

- a) The offer of employment
- b) The terms and conditions or arrangements for employment, promotion, transfer, training or any benefit are offered or afforded.

For example the duty extends to selection and interview procedures and the premises used as well as job offers, contractual arrangements and working conditions. Management must take any steps which are reasonable to take to reduce or remove any substantial disadvantage which a *physical feature* of premises or *employment arrangements* causes a disabled member of staff or job applicant compared to a non-disabled person. You **cannot** justify less favourable treatment of a disabled person for a reason related to the disability where the reason for the treatment can be removed, or made less than substantial, by a reasonable adjustment. Failing to make a reasonable adjustment without justification is discrimination. Some examples of adjustments are [listed in appendix 4](#).

**What does the Equality Act 2010 says about normal day-to-day activities?**

The Equality Act 2010 states that an impairment must have a long-term substantial adverse effect on normal day-to-day activities. Day-to-day activities are normal activities carried out by most people on a regular basis.

**What does the Equality Act 2010 say is long term?**

A long-term effect of impairment is one:

- a) Which has lasted at least 12 months; or
- b) Where the total period for which it lasts, from the time of the first onset, is likely to be at least 12 months; or
- c) Which is likely to last for the rest of the life of the person affected

**Information on certain aspects of the definition.**

**Physical impairment:** this includes, for instance, a weakening of part of the body (eyes, ears, limbs, internal organs, etc) caused through illness, by accident or congenitally. Examples such as blindness, deafness, paralysis of a leg and heart disease.

**Mental impairment:** this includes a clinically well-recognised mental illness and what is commonly known as a learning disability.

**Substantial:** put simply, this means the effect of the physical or mental impairment on a person's ability to carry out normal day-to-day activities is more than minor or trivial. It does not have to be a severe effect.

**Long-term adverse effect:** the effect has to have lasted, or be likely to last, overall for at least 12 months and the effect must be a detrimental one. A person with a life expectancy of less than 12 months is, of course, covered if the effect is likely to last for the whole of that time.

**A normal day-to-day activity:** this is something that is carried out by most people on a fairly regular and frequent basis, such as washing, eating, catching a bus or turning on a television.

**Fluctuating conditions.**

People with fluctuating or recurring conditions are covered by the Equality Act 2010, even if an individual episode might not last as long as twelve months. If the substantial adverse effects are likely to recur, as for example, with arthritis, they are regarded as continuing.

**Medical and special aids.**

Control by medication or special aids will be ignored when assessing the adverse effects of impairment. Examples are the control of epilepsy by medication and the wearing of prosthetic limbs. People whose sight impairment is corrected by spectacles or contact lenses are excluded, unless a substantial adverse effect still continues.

**Severe disfigurement.**

People with severe disfigurements are protected by the Equality Act 2010, providing that the disfigurement is long-term or likely to recur, for example, eczema. The disfigurement does not have to be facial.

**Progressive conditions.**

People with a progressive condition will be considered disabled when they begin to experience symptoms, which have an effect however slight, on one of the normal day-to-day activities. This remains the case even if the symptoms disappear completely or for a period of remission, or if they are controlled by medication.

People with progressive conditions are not considered disabled simply as a consequence of diagnosis. They are only protected under the Equality Act 2010 if they have or have had symptoms causing the effect, however slight, on a normal activity.

The Equality Act 2010 does not define the term 'progressive condition', although examples of cancer, HIV, multiple sclerosis and muscular dystrophy are cited.

**LIST OF CONTACTS****APPENDIX 2****INTERNAL:****HR Employee Relations****Occupational Health****Health & Safety****Disability Support Network**

For all internal enquiries please submit your question via Ask HR or alternatively contact HR Advisors <HR.Advisors@merseyside.police.uk>

**EXTERNAL:**

**Disability Employment Adviser (DEA)**, Jobcentre Plus – See telephone directory.

**Access to Work Team (ATW)**

Tel: 0800 121 7479 Text phone: 0800 121 7579

Online: [www.gov.uk/access-to-work/apply](http://www.gov.uk/access-to-work/apply)

You can also write to Access to Work at the following address:

Access to Work  
Operational Support Unit  
Harrow Jobcentre Plus  
Mail Handling Site A  
Wolverhampton  
WV98 1JE

**Business Disability Forum**

Nutmeg House  
60 Gainsford Street  
London SE1 2NY  
Tel: 020 7403 3020  
Minicom: 020 7403 0040  
Fax: 020 7403 0404; Web-site: [www.employers-forum.co.uk](http://www.employers-forum.co.uk)

**Equality & Human Rights Commission**

For information, advice and support on discrimination and human rights issues and the law:  
Equality Advisory Support Service (EASS)  
Tel: 0808 800 0082 Textphone: 0808 800 0084

For general enquiries contact:

Correspondence Unit  
Arndale House  
The Arndale Centre  
Manchester  
M4 3AQ  
E-mail: [info@equalityhumanrights.com](mailto:info@equalityhumanrights.com) Web-site: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## APPENDIX 3

**MERSEYSIDE POLICE**

**DISABILITY CHECKLIST FOR MANAGERS**

**EQUALITY ACT 2010**

Name	Date
Section or Station	Room No.
Strand/Department	Workstation

	Yes	No	Further Action Required	Date Action Completed
<b>Section 1</b>				
<ul style="list-style-type: none"> <li>• Does the Staff Member consider that they are disabled as per Equality Act 2010 definition?(See Disability Policy)</li> </ul>				
<ul style="list-style-type: none"> <li>• Have you discussed matters with the Staff Member concerned and provided them with a copy of the Force Disability Policy?</li> </ul>				
<ul style="list-style-type: none"> <li>• Have you arranged for Origin to be updated by HR Shared Services?</li> </ul>				
<ul style="list-style-type: none"> <li>• Have you arranged for a Health &amp; Safety Risk Assessment and discussed the results with the:               <ul style="list-style-type: none"> <li>➤ Health &amp; Safety Officer/Local Safety Advisor?</li> <li>➤ Staff Member, to pursue any Health &amp; Safety recommendations that can be addressed and implemented locally?</li> </ul> </li> </ul>				
<ul style="list-style-type: none"> <li>• Have you addressed any <b>other</b> reasonable adjustments that could be arranged at a local level, e.g. revising job content, or exploring flexibility in working hours etc.?</li> </ul>				
	Yes	No	Further	Date Action Completed



			Action Required	
<b>Section 2</b>				
If the Risk Assessment recommends Access to Work (ATW) assistance with the Staff Member, have you explained the process? (See ATW Guidance Leaflet Appendix 6)				
Does the Staff Member wish to contact ATW to make an application for assistance? <b>ATW is 'Client led'</b> . Tel No: 0800 121 7479				
Has the Staff Member made an ATW application and received written approval and confirmation of the appointment details?  As Line Manager, have you also received a copy of the written arrangements/appointment?				
Have you provided the Staff Member with their JDQ and advised them to prepare their workstation for the assessment?				
Have you arranged to be available during the ATW visit to enable further discussion <b>after</b> private discussions between Staff Member and ATW representative?				
<b>Section 3</b>				
Has the Staff Member received the completed ATW report and recommendations?				
As Line Manager and named contact, have you received a copy of the report?				
If you or the individual have any concerns about the report have you contacted ATW or HR Advisor to address the concerns?				
Have you read the ATW report and put measures in place to address any recommendations that will need to be provided and funded locally?				
Have you arranged for any other relevant specialist expertise required to be addressed? e.g. I.T., Estates Management				

	Yes	No	Further Action Required	Date Action Completed
Have you liaised with the Staff Member to ensure that all <b>original invoices</b> received for adjustments funded by ATW and local Budgets are sent directly to the local Admin Unit to reclaim any ATW funding?				
<b>Section 4</b>				
Are all the recommendations in place?				
Have you addressed and resolved any outstanding concerns raised by the Staff Member or yourself?				
Have you arranged for <b>confidential</b> , follow up review with the Staff Member to monitor that the adjustments are working effectively, and to address any further needs or issues that may arise? (See monitoring and review form as per attachment to this checklist)				
All disability documentation, including ATW reports and completed EA checklists, must be kept in a secure sealed envelope on the individual's personal file. Access to the documents will be approved for legitimate reasons only, and by written request from the HR Shared Services Manager				

<b>Comments/matters for further action.</b>	
<b>Referred to Manager/Supervisor for further action.</b>	
<b>Name of Manager</b>	<b>Date</b>
<b>Strand/Dept.</b>	<b>Review Date</b>

**MONITORING AND REVIEW OF REASONABLE ADJUSTMENTS**

Activities which require reasonable adjustment	Description of reasonable adjustment	How will the adjustment be implemented	What effect will this have on existing colleagues	Describe, if applicable, control measures to protect staff and/or public	Agree frequency of review and confirm dates

**Reasonable Adjustments  
agreed with Post Holder**

**Line Manager Name:** \_\_\_\_\_

**Name** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Area/Department** \_\_\_\_\_

**Post/Role** \_\_\_\_\_

**DISABILITY RELATED LEAVE AGREEMENT**

This form is to be completed by the Line Manager for each request for Disability Related Leave. Reasons for refusing Disability Related Leave must be fully justified in writing.

Staff Name \_\_\_\_\_

Employee No \_\_\_\_\_

Strand/Dept. \_\_\_\_\_

Rank/Grade/Role \_\_\_\_\_

Reason for Disability Leave \_\_\_\_\_

Approved

Yes No 

Disability Leave Start Date \_\_\_\_\_

Disability Leave End Date \_\_\_\_\_

Details of agreed Period/Periods of Disability Related Leave (Please attach copies of supportive documentation e.g. G.P. Correspondence, Medical Appointments Card)

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Total number of day/sessions \_\_\_\_\_

Please provide a brief outline of the nature of the member of staff's disability

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Have any further reasonable adjustments required been discussed? Yes  No 

**If Disability Related Leave directly follows a period of Disability Related Sickness, it is essential to ensure that the relevant sickness record is closed on the computerised Personnel System before commencement of the Disability Related Leave**

Review Date (if necessary) \_\_\_\_\_

Managers Name \_\_\_\_\_

Signature of Manager \_\_\_\_\_

Signature of Member of Staff \_\_\_\_\_

An electronic copy of this form must be forwarded to the HR Shared Services Manager **marked 'Restricted - Disability Related Leave'** for recording and corporate monitoring purposes only. The paper copy of this form must be kept in confidence in a sealed envelope and placed on the individual's personal file.

**Form DL 1**

**ACCESS TO WORK- Department for Work and Pensions****GUIDANCE FOR STAFF****Why do I need to consider applying for Access to Work?**

Thank you for telling your local Management that you have a disability. Merseyside Police is positive about employing disabled people and strives to make every effort when staff are disabled to make sure that they remain in our employment. You have been advised to consider Access to Work (ATW) as you will have received a recent Health and Safety Risk Assessment that recommended that you might benefit from, and be eligible for Access to Work.

**What is Access to Work (ATW)?**

Access to Work can help you make the most of your opportunities in work by helping you to tackle some of the practical obstacles you may meet at work if you have a disability. It offers practical advice and help in a flexible way so that it can be tailored to suit your needs. It applies to any job, part-time or full-time, permanent or temporary.

**Am I eligible to apply for Access to Work assistance?**

If your disability or health condition has an adverse effect on your day to day living, the kind of work you do, and has lasted or is likely to last 12 months or longer you can ask about ATW. (Full definition of Disability as per Equality Act 2010 is contained within the Force Disability Policy Definitions)

**How can Access to Work help me?**

Access to Work can assist in a number of ways; for example it can pay for:

- A communicator if you are deaf or have a hearing impairment and need a communicator with you at an interview
- Special equipment (or alterations to existing equipment) to suit your particular work needs if you need it because of disability
- Alterations to premises or working environment, if you need it because of disability
- Help towards cost of getting to work if your disability prevents you from using public transport

These are just a few examples of how Access to Work may help you.

**Is funding available under Access to Work?**

Through Access to Work the Department of Work and Pensions can make a grant towards the approved extra costs that arise because of your disability.

**How do I apply for Access to Work?**

Access to Work is 'client led' therefore you will need to contact Access to Work in person. You can enquire about and apply for ATW by contacting the Regional Disability Service. This can be done through the Disability Employment Advisor based in your local Jobcentre Plus, or by directly contacting Access to Work on:

0800 121 7479  
Monday to Friday, 8am to 6pm

Application details will normally be completed over the telephone or by post. It is essential at this point that the section in the ATW application regarding 'Named Employer Contact' contains the details of your local Area/Dept Line Manager.

### **What happens next?**

Once you have registered an application for Access to Work, the ATW Business Centre will arrange for an appointment for an ATW Advisor to carry out an initial 'Assessment of Needs' in the workplace. You will then be sent an Action Plan detailing exactly what will happen next. It is essential that you inform your Line Manager of the assessment in order for them to make appropriate arrangements to accommodate the visit. You should be provided with a confidential accessible environment to meet with the Access to Work Advisor. The ATW Advisor will discuss Access to Work with you and explain how it works and discuss any 'reasonable adjustments' that may be required. At the conclusion of your meeting with the Advisor, your Line Manager will have the opportunity to join the discussions. The Advisor will together with you and your Line Manager arrive at the most cost-effective solution.

### **What if things go wrong?**

Once Access to Work help is in place, your ATW Advisor will keep in touch with you to make sure everything is going smoothly. However, if you are not happy with the outcome, or something goes wrong you must talk to your Line Manager in the first instance. Every attempt will be made to resolve the matter locally, however if either you or your Manager remain dissatisfied, Access to Work will look into it. Contact numbers will be provided in ATW documentation sent to you and the 'Named Employer Contact'. Your Line Manager will also arrange for regular confidential review regarding your disability issues, this will provide an opportunity for you to raise any concerns, or for you to suggest any further adjustments you think may assist you.

### **What if I get a new job?**

Once specialist equipment is supplied for your use, the equipment remains your property for as long as you are employed by Merseyside Police and will move internally from job to job with you. If you leave the organisation then arrangements must be made in liaison with yourself, local management and Access to Work to agree what to do with the equipment.

### **Responsibility**

As Access to Work is 'Client Led' it is essential that you keep your local Line Manager informed of any developments. Keeping communication channels open is vital to avoid any misunderstandings or delay in providing your reasonable adjustments.

### **Further Advice and Guidance**

Further advice can be obtained via Ask HR or by contacting a HR Advisor Additional guidance is provided in the Force Disability Policy that can be accessed via the Force Intranet.