**NEU Disability equality toolkit**

The tools will upskill and educate members, leaders and work colleagues on disability equality and building more inclusive schools and colleges.

* Last updated: **19/08/2024**

**Workplace disability discrimination**

**Key issues for NEU reps**

* Disability access
* Workplace disability audits
* [**Reasonable adjustments**](https://neu.org.uk/latest/library/reasonable-adjustments-and-case-studies)
* [**Disability harassment**](https://neu.org.uk/latest/library/disability-discrimination)
* Disability leave and flexible working
* Mental health and stress at work
* Health and safety and disability equality

**Get to know the law**

* The Equality Act 2010 protects people from discrimination in all aspects of employment, including:
  + when applying for a job
  + in the terms on which employment is offered
  + in opportunities for training, promotion, or other benefits
  + in the way you are treated by your employer and colleagues
  + in being selected for redundancy or by being dismissed when you have left your job, but still have a relationship with your previous employer e.g., requiring a reference.
* Further to this, the Act places a proactive duty on employers to make reasonable adjustments to working arrangements or premises. This includes making reasonable adjustments to the application and interview process, and careful consideration about providing references.
* The rights of disabled people under the Equality Act 2010 mean employers need to treat disabled people more favourably than someone who is not disabled, in order to overcome the barriers faced, so ensure you explain this to employers who try to argue they need to treat everyone "equally".

**What can I do to proactively help my disabled members?**

* Encourage disabled members to declare their disability. This will place the onus directly on the employer to make the necessary reasonable adjustments.
* Help disabled members to negotiate their [**reasonable adjustments**](https://neu.org.uk/latest/library/reasonable-adjustments-and-case-studies). Always insist that a proper risk assessment is carried out and referral to OH if necessary.
* Request that the employer carry out a workplace disability audit. It must assess the impact of their policies and procedures on the people affected by them and take steps to remove any barriers that come to light where it is proportionate to do so. This includes carrying out reasonable adjustments.
* Does the employer have a disability leave policy? If not – can you get one agreed?
* Could the employer do more to improve staff mental health and reduce stress due to unrealistic workloads? Read the [**NEU's Mental Health Charter**](https://neu.org.uk/latest/library/mental-health-charter).
* Employ best practice in disability equality and supporting disabled members in your union group meetings.

**How do I help a member who is being discriminated against?**

* Incapability is a potentially fair reason to dismiss an employee, although a failure to make reasonable adjustments may make such dismissal unfair and/or discriminatory.
* Many employers use a trigger system to move through the stages of sickness absence management. Even if disability leave is not appropriate you could ask the employer to change the trigger as a reasonable adjustment.
* If your member is refused reasonable adjustments, they may need to raise this as a grievance.
* Always make sure reasonable adjustments are in place during any formal meetings.
* Attend [**workplace reps and equality officer training**](https://neu.org.uk/courses).

The Disability Equality Toolkit is designed to be used by NEU workplace reps to support Disabled members as well as providing information and advice for Disabled members themselves. There are also some tools that will be useful for Union branch secretaries and caseworkers.

All of the resources are based on the social model of disability and are aimed at promoting a collective response to supporting NEU Disabled members in the workplace.

For advice on negotiating reasonable adjustments collectively, there are tools for reps and members as well as useful FAQs.

The suggested reasonable adjustments, Language Do’s and Don’ts and the Social Model of Disability tools will be useful for upskilling everyone in the workplace on promoting a Disability Equality culture and ethos for staff, students and the wider community.

**Reps resources**

These tools can be used:

* when a member requires support to [**negotiate reasonable adjustments**](https://neu.org.uk/latest/library/reasonable-adjustments-and-case-studies),
* when a specific issue arises for one or more members in a workplace
* to take an anticipatory approach towards greater disability equality for all in your workplace.

https://neu.org.uk/advice/equality/disability-equality/disability-equality-toolkit