

**Employers’
Disability Charter**
Guidance for
Employers



Employers' Disability Charter

We will encourage job applications from disabled people

We will guarantee a job interview for disabled applicants who meet the minimum criteria for our job vacancies

We will implement good practice in all aspects of the recruitment and retention of disabled people

We will consider 'reasonable adjustments' in the recruitment process and in the workplace

We will provide work experience placements and job tasters for disabled people where practicable

Staff may be available to conduct mock or practice interviews for job seekers with a disability

We will encourage managers and supervisors to undertake on-line Disability Awareness training

We will act as a disability Ambassador and encourage staff to motivate other employers

We will develop our own commitment to enhance the employment opportunities for disabled islanders.

An introduction

The States of Deliberation approved the Disability and Inclusion Strategy in November 2013. The Disability and Inclusion Strategy aims to improve the quality of life of disabled islanders and their carers through changing attitudes so that they can be active and engaged socially, economically and culturally. It intends to do this by:

- Improving opportunities for disabled people and carers to participate across society
- Promoting more positive and inclusive attitudes towards disability in the community
- Challenging instances of disadvantage facing disabled islanders

Within the Strategy there is a commitment to introduce legislation to protect disabled islanders from discrimination which will include discrimination in employment.

Also contained in the Strategy was the aim to create the Guernsey Employment Trust to help disabled people to prepare for, find and maintain employment, and provide information for businesses in preparation for the forthcoming legislation. For the purposes of this Charter, disability means all forms of disability including physical disabilities, mental health issues, sensory impairments, autism, brain injuries and learning difficulties.

Guernsey Employment Trust was established as a charitable organisation in 2015 and is actively working with disabled job seekers and potential employers to secure and maintain jobs in the local labour market. Guernsey Employment Trust will also provide support to employers by producing a Good Practice Guide specifically to assist employers adopt good practice in a range of topics relating to employment and disability matters.

Employers' Disability Charter

The Charter will enable employers to provide tangible evidence that they are working towards taking positive action and developing initiatives that will enable more disabled people to access employment opportunities in Guernsey. By signing up to the commitments of the Charter you are demonstrating your commitment to being positive and pro-active towards recruiting and retaining disabled people and people with health conditions. The development of a Charter is also intended to help disabled job applicants identify employers that have made positive commitments regarding the treatment of disabled people within recruitment, training and retention processes, and have sought to raise disability awareness within their organisations.

The Charter is not a statutory obligation nor is it a legal requirement; signing up to the commitments of the Charter is voluntary. However, if we are to change attitudes in Guernsey and create a more inclusive society so that disabled people can be active and engaged socially and economically, then positive action is required. This Charter is about working towards the commitments of it and not the immediate fulfilment of them – signing up is a step along a journey – not the end of it.

Signing up to the Charter will not cost employers money, in fact there is a sound business case to do so. Adhering to the Charter could assist you to attract untapped labour resources, reduce staff turnover and improve staff morale and commitment by demonstrating that you treat all applicants/employees fairly. This in turn will save time and money.

By building a reputation as a disability friendly employer that actively seeks out and recruits skilled disabled people, you will be helping positively to change attitudes, behaviours and cultures, not just in your immediate business but in your networks, supply chains, and the communities throughout Guernsey.

We encourage Guernsey employers to come on board, to do your bit and be part of the transformation in our society.



Charter Guidance

To enable employers to adhere to the Charter commitments, we have provided guidance and advice on each specific commitment. The spirit of the Charter asks that you do your best and make some simple changes to your procedures. All of the commitments are achievable although we recognise that there may be an occasion when adhering to a particular commitment is not practicable.

Remember, signing up to the Charter is voluntary and assistance and continued support from Guernsey Employment Trust is free.

Commitment #1

We will encourage job applications from disabled people

In agreeing to encourage applications from disabled people you are expected to circulate job vacancies to organisations and services on the island that may have suitable disabled people who may be interested in applying for any work positions that you are recruiting for.

Employers should continue to use their usual recruitment channels and under this commitment, they should also add some disability organisations/services to their job advertising list. By doing so, employers are showing a willingness to engage with disabled people and are displaying evidence of positive action to give disabled people the opportunity to consider and apply for vacancies.

This commitment does not mean that disabled people must be selected or indeed interviewed (unless eligible under the guaranteed job interview commitment) but does ensure that disabled people are encouraged to apply for jobs with your organisation.

Organisations that would welcome notification of vacancies would include: Guernsey Mind, Autism Guernsey, Guernsey Employment Trust and Work Rehabilitation within the Committee for Employment and Social Security.

Advertisements must not make discriminatory statements in relation to disabled people and care needs to be taken not to use language that could imply that applicants with a disability are unwelcome. Try to avoid unnecessary wording regarding mobility or character such as; strong; agile; prepared to work long hours.

When advertising a post, it is important to make it clear that you can provide the information about the post in accessible formats.



The symbol for encouraging recruitment and employment of disabled people may be used on employers recruitment advertising upon agreeing to the aims and vision of the Charter.



Commitment #2

We will guarantee a job interview for applicants who meet the minimum criteria for our job vacancies

Disabled people face extra challenges in most if not all areas of life, including employment. Support from employers such as a guaranteed job interview can help to redress the imbalance, a little, so that a disabled person can compete on more equal terms with non-disabled applicants.

This commitment offers disabled job applicants the option of requesting that their application is considered under the terms of a guaranteed job interview. To be invited to interview/assessment, under the guaranteed job interview scheme, disabled job applicants must show in their job application and supporting statements that they meet the minimum essential criteria and the level of competence and skills required for the role.

A guaranteed job interview should apply to all job vacancies which arise within your organisation and should form an integral part of your recruitment and selection procedures.

The job description must clearly reflect the requirements of the job and ensure that no unnecessary requirements are included which would place a disabled applicant at a substantial disadvantage in comparison with an applicant who is not disabled.

A person specification must be prepared and used throughout the recruitment and selection process. It must clearly outline the essential skills, experience and other personal attributes necessary for any individual to carry out the duties of the job. In addition it should also detail any other skills, experience and personal attributes which may be regarded as desirable for any individual to carry out the duties of the job.

All applicants should be advised of the scheme should they wish to apply for a job under its terms. The application form should provide applicants with the opportunity to state whether they have a disability. Suggested wording on the application form could read:

(Name of your organisation) is taking a positive approach to employing disabled people.

We guarantee to interview anyone with a disability whose application meets the minimum criteria for the post. By 'minimum criteria' we mean that you must provide us with evidence in your application form which demonstrates that you generally meet the level of competence required to perform the functions of the job, as well as meeting each of the qualifications, skills and experience defined as essential.

I consider myself to have a disability as defined above and I would like to apply under the Guaranteed Job Interview Scheme.

Application forms must be matched against the job description and person specification to readily highlight whether any applicant applying under the scheme meets all of the essential criteria for the job. If so, that applicant must be invited to attend for interview.

Most adjustments required at interview are easily provided, so if you know in advance that a candidate needs some reasonable adjustments for an interview, you will need to arrange these. However, if you do not know in advance, you should try to accommodate any needs a disabled person might have when they arrive.

Using the following paragraph in your invitation for interview letters may be useful;

"If you require assistance to attend this interview, for example, use of a signer or interpreter, or car parking within close proximity to the interview venue - or if your disability affects your access to or mobility within buildings, please contact [named individual] at the above address, who will be happy to provide you with assistance".

It is always beneficial to encourage applicants to discuss any requirements early in the application process as this will avoid any last minute problems and make the interview process easier for both parties.

Selection interviews should be objective and non-biased and all applicants should be allowed an opportunity to evidence their abilities and skills in relation to the job.

When interviewing disabled people do not let any misconceptions or assumptions about disability influence your view on whether a person can do the job. Asking about a disability should only be done in a positive manner and in relation to the effect on someone's ability to do the job and focusing on what adjustments might remove any barriers. Employers should follow a code of good practice by inviting a disabled person to reveal his or her disability through questions such as:

- How would you perform the tasks of this position?
- What skills and abilities do you possess that make you suitable for the job?
- What, if any, type of aids, adaptations or equipment would you require to help you do this job?

It should be noted that a request under a guaranteed job interview does not guarantee a disabled person a job. At interview, the best candidate will be offered the post.

Commitment #3

We will implement good practice in all aspects of the recruitment and retention of disabled people

This commitment requires employers to adopt a spirit of good practice in dealing with matters relating to a wide range of issues concerning prospective and existing disabled employees.

It is important to ensure that the recruitment and selection process maximises all opportunities in attracting the best people when recruiting for staff. It is general good practice to retain all paperwork gathered throughout the recruitment and selection process and the reasoning for selecting one candidate over others. This includes original application forms, interview notes, documents and selection test results. These will be of great assistance if an applicant wishes feedback.

The job description should always reflect the requirements of the job accurately and should always be in clear language. It would be good practice to regularly review every job description and not only prior to recruitment. This will help to distinguish between the main activities of the job and marginal activities that may not be essential parts of the role. This will enable you to consider reasonable adjustments, as it will be easy to see if tasks could be transferred to another member of staff or if they are fundamental to the role.

It is important to scrutinise all essential criteria for the job carefully. Good practice means taking care to avoid including any unnecessary requirements that may lead to discrimination and to ensure that any personal, medical or health-related criteria are absolutely necessary for the performance of the job. The essential characteristics/minimum criteria should not include qualifications and experiences that are not necessary to the job. For example - an employer states that they want to recruit someone who is 'active and energetic' but in fact the job needs someone to work at a desk. This might stop some disabled people from applying if, for example, they have a mobility impairment (although, of course, many people with a mobility impairment are very active and energetic). This would be the wrong approach for an employer to take.

Where employers use their own job application form they should ensure that the form is easy to follow and in large print (without using jargon or complicated language), and have adequate space for replies - this will help all applicants, not just disabled people.

Ideally, and where practicable, the form should be available in different formats. This may include audio, large print and electronic, then allowing candidates to submit the form in an alternative format i.e. by tape or providing the information over the telephone.

Where it is not clear if a disability might have an effect on an individual's ability to complete the essential activities of the job, negative assumptions should not be made and the applicant should be given the opportunity to evidence their skills and explore what reasonable adjustments might be made to remove any barriers. A disabled person will know the effect of their disability/impairment and they should be given the chance to demonstrate whether they can do the job.

Reference requests for all candidates should only ask for information relevant to the job, based on the person specification (i.e. the extent of skills, aptitudes and experience). No isolated reference to a disability should be made.



All selection interviews should be objective and non-biased and all applicants should be allowed an opportunity to evidence their abilities and skills in relation to the job.

Practical working interviews/tests can be more appropriate for some people with learning or communication disabilities, especially when a person finds it difficult to articulate their skills in a job interview. Consider a job taster/work experience placement or even a short practical test as an alternative to a formal interview.

It is not usually appropriate for an employer to insist on a medical check for a disabled person and not for others, without justification - having a disability need not affect a person's general health. Occasionally it may be appropriate on health and safety grounds to complete a medical check with a view to implementing reasonable adjustments.

The cost of retaining an employee who develops a disability or health condition can cost less than having to recruit and train a new employee. Always try and keep the lines of communication open with your employees and encourage them to be open and discuss any support needs they require.

It is good practice to ensure that your employees know every reasonable effort will be taken to support them throughout difficult times and that ongoing support will be available to them. When faced with a retention situation it is good practice to consider if there are any other posts within your organisation that would be suitable.

It is good practice to have clear policies and guidance that support employees including managing sickness absence and retention and redeployment. This will help employers when handling performance management processes, managing disability related absence and work place adjustments and, where unavoidable, handling a termination fairly.

A disabled person should always be given the same opportunities as anyone else and their disability should never be a barrier to promotion or development. The employee should always be given the chance to undertake and attend any training, staff meetings and events that could benefit their progression.

Commitment #4

We will consider 'reasonable adjustments' in the recruitment process and in the workplace

This commitment is intended to re-shadow the forthcoming disability legislation and to make employers and their staff aware of what reasonable adjustments are and how they could be considered in a range of recruitment, retention and workplace activities.

Employers should consider making 'reasonable adjustments' to their workplace environments and employment processes to ensure they implement good practice, have equal employment opportunities and that a disabled person is not treated unfairly or disadvantaged.

Considerations within this commitment are voluntary with employers entitled to choose what they will and will not consider. However, the forthcoming disability legislation in Guernsey will place a duty upon employers to not only consider, but to make reasonable adjustments; therefore the spirit of this commitment is to assist employers prepare for the legislation as well as considering positive action to develop employment opportunities for disabled people and existing disabled employees.

A positive approach to disability suggests that employers must make reasonable adjustments to any "provision, criterion or practice" that the employer applies and to physical features of any premises in order to accommodate the needs of a worker or job applicant with a disability. It is not discriminatory against other employees to make these adjustments for a disabled employee. This commitment requires an employer to consider any adjustments that may be needed to enable a person with a disability to perform their job functions as soon as they become aware of the disability. The employer should not wait for an individual to ask for what they need. This reflects the forthcoming legislation.

Some examples of the kind of reasonable adjustments that an employer might make in relation to a disabled person are:

- Allocating some duties to another person
- Transferring the disabled person to an existing and more appropriate vacancy
- Providing a reader, signer or interpreter
- Altering the disabled person's working hours
- Facilitating a graded/phased return after a long period of sickness
- Acquiring new or modifying existing equipment
- Providing additional supervision, coaching or mentoring
- Modifying procedures for testing or assessment

This list is of course not exhaustive but shows some reasonable adjustments that could be made.

Good practice and forthcoming legislation would only expect an employer to make an adjustment if it is considered to be 'reasonable'. It could be considered discriminatory if an employer does not make an adjustment that is considered 'reasonable'. However, if there is not an adjustment possible that is considered reasonable after considering all options; not taking action would unlikely be viewed as discriminatory.

An employer is entitled to take into account all circumstances when deciding what steps it would be reasonable to take. This includes:

- Effectiveness – will the adjustment prevent the disadvantage or will it make any difference?
- Practicality – how practical is it to make an adjustment? Would it help or hinder other members of staff or have a neutral impact?
- Financial and other costs – how much will the adjustment cost and will it disrupt any of the organisations activities?

Many reasonable adjustments cost little or nothing to implement. What may be reasonable in a large company may not necessarily be so in a small company.



Commitment #5

We will provide work experience placements and job tasters for disabled people where practicable

Many disabled job seekers who are seeking work have not been in employment for long periods of time or have not had any employment opportunities since leaving school or further education and are unsure of their own job preferences, strengths and weaknesses. Services supporting disabled people find that a work experience placement/job taster is an excellent tool to identify job seekers' support needs as well as giving them a taste of real work. Moreover, they provide an opportunity for a job seeker to increase their choices by experiencing different environments and situations.

By providing a disabled person with the opportunity to undertake a job taster or work experience placement in your organisation, you will be helping that individual to develop new skills and build on existing ones. If an individual has been out of work for a long period or has never been in employment, then a short-term placement will help them to determine their job preferences and their own strengths and weaknesses.

A work experience placement may give the individual relevant information to add to their application form, CV and an area to discuss at a job interview, thus improving their employment prospects as well as boosting confidence and self-esteem. It could give them an insight into what real employment is like and help them assess their own skills and stamina; it could also provide an up to date employment reference.

This commitment is not saying that the employer must provide the opportunity of a work experience placement but rather should consider such a placement where practicable. It is not intended that employers need to seek disabled people to undertake placements/tasters but should instead respond to any requests from support organisations such as Guernsey Employment Trust who will also organise and coordinate the whole process.

A work experience placement is usually part-time and limited to around 1 – 8 weeks. It will be supported by a support organisation (such as Guernsey Employment Trust) and there are no wages, costs or fees to the employer. An agreement will be signed by the employer, the support organisation and the job seeker; this agreement will outline the start and cease date, tasks to be undertaken and the level of support to be provided. The support organisation will normally conduct a risk assessment.

A job taster is organised in much the same way as a work experience placement but will last for a shorter period of time; usually less than a week. A job taster is a way of providing a quick insight into a particular industry or type of work – again there are no costs and should be arranged through a support organisation.



Commitment #6

Staff may be available to conduct mock or practice interviews for job seekers with a disability

For any job applicant, employment interviews are a nerve-racking prospect at the best of times. In the case of disabled people who may not have much or any experience, the prospects of a formal job interview can be daunting.

A useful and beneficial activity that an employer can participate in is that of a mock interview – a practice interview for a job. This commitment asks that employers agree to consider any request from Guernsey Employment Trust to assist and participate in a mock interview which may take place at either the employer's premises or a suitable location including the offices of Guernsey Employment Trust. There does not have to be an existing vacancy or a future vacancy for an employer to dedicate some time to giving a disabled person a mock interview and the whole process will be organised and managed by Guernsey Employment Trust.

A mock interview undertaken by an employer/HR/personnel manager can provide a disabled person with much needed experience and useful feedback. For the mock interview to be of benefit to the job seeker, then feedback from the employer must be honest, constructive, diplomatic and helpful. It may be useful for any Employment Support Worker to be present at the mock interview but they should not participate in answering or asking any questions.

Additionally, through providing mock interviews, employers can also gain confidence and experience of interviewing a disabled person.

It is important for the mock interview to be as realistic as possible and the employer may interview a person for an actual post with the job seeker completing an application form or submitting a CV. As the mock interview is in essence a rehearsal, then it would be appropriate for the interviewee to dress accordingly and present themselves as formally as possible. All arrangements will be made by Guernsey Employment Trust.

It is not intended that this commitment will be onerous or time-consuming and that requests to employers to consider participation in such interviews will only be once or twice each year. Within the spirit of this Charter what is asked is that your staff genuinely make an effort to be involved if and when required.



Commitment #7

We will encourage managers and supervisors to undertake online Disability Awareness training

Recently the States of Guernsey, in partnership with DisabledGo, set up an online Disability Training course. The training was developed by a number of local charities and disabled islanders and therefore is bespoke to Guernsey.

DisabledGo works on behalf of Local Authorities, Universities, NHS Trusts and private sector organisations to publish detailed access information on well over 125,000 places of interest across the UK and the Republic of Ireland. Further information regarding the services of DisabledGo can be found at: www.disabledgo.com

This commitment requests that you encourage managers and supervisors to undertake this free online training opportunity. Additionally, you may encourage all staff to complete the training and may consider including the training as part of your induction process for new employees.

The training is free and made up of six short modules which take about 10 minutes to complete. They can be completed individually or all at once.

The training provides useful hints and tips which are practical and informative and will assist in ensuring your organisation is more disability aware and more inclusive.

Further information regarding the training is available from Guernsey Disability Alliance, States of Guernsey Disability Officer or Guernsey Employment Trust.

To register for this training go to: <http://training.disabledgo.com/auth/register/states-of-guernsey>



Commitment #8

We will act as a disability Ambassador and encourage staff to motivate other employers

It is generally acknowledged and agreed that Guernsey should become a more inclusive island that offers opportunities for disabled people and has a positive approach to disability. This commitment asks employers to agree to occasionally act as an Ambassador to promote disability in the workplace.

This would be an informal requirement and is not intended to be onerous or time consuming. Employers who sign up to the Charter can decide themselves if they have the availability or capacity for any of their staff to participate at a specific event or activity.

The role of the disability Ambassador would be to inspire and encourage other Guernsey employers to attract and recruit disabled job applicants perhaps by explaining their positive experiences regarding disabled employees. The Ambassador could inform employers of the issues that were faced and how these were overcome. It is intended that this peer approach will motivate other employers and help them overcome any fears or misconceptions they may have regarding the employment of disabled people. The Ambassador should be a positive role model for employers and they could play an integral part in promoting good practice.

The Ambassador could be any person from the employer's organisation; it could be an HR professional or a manager, team leader, supervisor or a work colleague/mentor of a disabled employee.

It is expected that an Ambassador may be asked to co-present a short training session or give a brief talk regarding their experience of working with a disabled employee; this could be at a seminar or at a small workshop involving employers. Any activities involving some Ambassador work will be supported and

Commitment #9

We will develop our own commitments to enhance the employment opportunities for disabled islanders

This commitment gives you the opportunity to say what you can and will do to improve the prospects and opportunities for unemployed disabled people or disabled employees. It will be your commitment to uphold making the Charter more personalised to your organisation.

The Charter aims to target a wide range of employers in Guernsey and therefore we accept that we may have missed an activity, a situation or an issue that you would wish to address.

The Charter does not wish to place targets or timescales within each commitment but this may be an area that individual employers can consider.

The Guernsey Employment Trust would be delighted to discuss the possibilities of this commitment with you to explore any thoughts or considerations you may have.



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This guide was produced as part of the States of Guernsey
Disability and Inclusion Strategy.