

## **REPORT OF SERVICE DIRECTOR - CUSTOMERS AND HUMAN RESOURCES**

### **DISABILITY CONFIDENT SCHEME**

#### **Purpose of the report**

1. To seek approval for Nottinghamshire County Council's engagement with the national Department of Work and Pensions (DWP), "Disability Confident" employer standard to work towards formal accreditation.

#### **Information**

##### **Background:**

2. Nottinghamshire County Council recognises that its most valuable assets are its people and actively seeks to realise the benefits of being an inclusive employer as part of its wider duty to promote positive life choices and opportunities to all of the citizens of the County. As an integral part of this the Council acknowledges and celebrates the positive contribution that people with physical and/or mental disabilities make to its overall talent pool, welcomes them into its workforce and aims to be an exemplar employer by modelling good practice and promoting these benefits to other local employers.
3. The Council's existing and ongoing approach centered on an existing commitment to being an employer which meets and exceeds the minimum requirements of the Equality Act 2010, including in respect of attracting, developing and retaining people with disabilities. The Council's current approach includes:
  - Designing recruitment materials to be accessible to all and pro-actively attract and actively encourage job applications from people with disabilities
  - Providing targeted development opportunities including Traineeships, Apprenticeships, and coaching for disabled employees to enable them to realise their full potential
  - Ensuring that its recruitment policy and practice is underpinned by the principles of fairness and equality of opportunity and that recruiting managers are appropriately trained, advised and supported to put these principles into practice
  - Guaranteeing that any applicant with the protected characteristic of disability (as defined under the Equality Act 2010), will be shortlisted for interview where they satisfactorily meet all the essential shortlisting criteria, taking into account any reasonable adjustments which can be made
  - Promoting flexible working, including a proposed engagement with the national Timewise initiative, to support disabled people to enter the Council's workforce and to remain in employment whilst managing their disability

- Supporting disabled employees to be retained in the Council's employment wherever possible, including through retraining and redeployment. This extends to those employees who become seriously ill or disabled during the course of their employment.
4. The Council also works in partnership with trades union colleagues to develop and keep under review a range of policies, procedures, and management guidance and associated learning resources which support this commitment, including:
    - Recruitment and selection procedures which reflect the Council's commitment to equal opportunities and compliance with the Equality Act 2010
    - Disability Leave provisions for employees who may need to be absent from work for rehabilitation, assessment or treatment
    - A package of equality learning materials "Treating People Fairly" which includes a focus on personal attitudes and behaviors complemented by specific topics such as learning disability awareness, autism awareness and communicating with deaf people
    - Supporting managers to make Reasonable Adjustments to prevent a disabled person from facing a substantial disadvantage compared to people who do not have their disability
    - Support for employees with diagnosed terminal illness (reflected in the Council's commitment to the national "Dying to Work" charter) and associated manager guidance
    - Support for employees assessed as having Dyslexia and associated manager guidance
    - Support for those experiencing mental ill health and underpinning manager guidance and learning materials.
  5. Feedback and input from the Council's established Disabled Employees Support Network helps to inform the ongoing development of this work.
  6. The Council actively incorporates support for disabled people into its strategic workforce planning. For example through engagement with the Leonard Cheshire Change 100 internship initiative which provides work experience opportunities for disabled job seekers and was the subject of a separate report to the January meeting of this Committee. The Council also targets outreach work to encourage disabled people to take up Apprenticeships and graduate traineeships with the Council.

**Proposal:**

7. It is proposed that the Council consolidates and enhances its commitment to being an exemplar employer of people with disabilities by becoming an accredited "Disability Confident" employer.
8. Disability Confident is a voluntary DWP scheme which replaces the former "Two Ticks" Positive About Disabled People government employer scheme. The new Disability Confidence Scheme aims to assist employers in realising the business benefits of successfully employing, promoting and retaining disabled people and those with health conditions and provides a framework to lead the way amongst other local employers in that respect.
9. There are three progressive Disability Confident levels, achievement of each level qualifies the employer to use a new nationally recognised symbol of commitment in its recruitment advertising and other external publicity. The levels are:

- I. **Disability Committed** – this is the start of Disability Confident and requires a registration of existing commitment to being a good employer of people with disabilities
  - II. **Disability Confident** – requires a demonstration of progression through self-assessment against a set of statements over 12 months. Accreditation lasts for 2 years thereafter
  - III. **Disability Confident Leader** – builds on a successful self-assessment by providing the opportunity for employers to be recognised by other employers, the local community and disabled people as an exemplar and to support others to become Disability Confident employers. Accreditation at this level lasts for 3 years thereafter.
10. The Council was able to register as Disability Committed in principle from November 2017 on the basis of its current employment practices relating to how it currently:
- Ensures that its recruitment process is inclusive and accessible
  - Communicates and promote vacancies
  - Supports disabled people to be interviewed on merit
  - Anticipates and provides reasonable adjustments
  - Supports any existing employee who acquires a disability or long term health condition to stay in work.
11. The Council is thereby eligible to remain on the national Disability Confident scheme register and is able to use the recognised symbol for 12 months from that date as part of its recruitment and attraction strategies.
12. Working toward level two, Disability Confident status, would build on existing good practice by providing an opportunity to further develop the Council's existing provisions in order to demonstrate its commitment against a recognised national standard, supporting its strategic workforce priority to be an Employer of Choice and widen the pool and range of skills it would be able to attract and retain within its workforce. This will enable the Council to meet some of the commitments and deliver the strategic priorities set out in the Council Plan "Your Nottinghamshire – Your Future".
13. In order to become an accredited Disability Confident Employer the Council will need to undertake a self-assessment to identify areas for improvement and take the necessary actions to add to our current good practice to satisfy the requirements of the scheme. The Disability Confident self-assessment involves evidencing current practice and developing new practices to satisfy the criteria of at least one of each of a set of actions under each core activity grouped around two key themes:

### **Theme 1 "Getting the right people for your business"**

#### **Core Activities:**

- Actively attracting and recruiting disabled people
- Providing a fully inclusive and accessible recruitment process
- Offering an interview to disabled people who meet the minimum criteria for the job
- Inviting disabled people who meet the minimum criteria for the job when sifting job applicants

- Demonstrating flexibility when assessing people so disabled job applicants have the best opportunity to demonstrate that they can do the job
- Proactively offering and making reasonable adjustments as required
- Encouraging suppliers and partners to be Disability Confident
- Ensuring employees have appropriate disability equality awareness.

## **Theme 2 “Keeping and developing your people”:**

### **Core Activities:**

- Promoting a culture of being Disability Confident
- Supporting employees to manage their disabilities or health conditions
- Ensuring there are no barriers to the development and progression of disabled staff
- Ensuring managers are aware of how they can support staff who are sick or absent from work
- Valuing and listening to feedback from disabled staff
- Reviewing the Disability Confident Employer self-assessment regularly.

14. Once this self-assessment has been completed a further report detailing where existing practice satisfies the requirements and identifying any additional developments necessary will be brought to a future meeting of this Committee for members to consider. Once Disability Confident formal accreditation has been achieved Members would be in a position to consider whether the Council would eventually seek to be recognised as a stage three Disability Confident Leader.

### **Other Options Considered**

15. The Council has an existing commitment to continuously improve its practice with regard to the employment of disabled people and to widen the range and pool of talent from which it draws its workforce in order to have a workforce which has the knowledge, skills and experience it requires now and for the future. Achievement of the Disability Confident standard would require work to build on the existing range of provisions already available but as such is an extension of the Council’s agreed direction of travel.

### **Reasons for Recommendations**

16. Formal Disability Confident accreditation and visible promotion of this through the use of the associated recognised symbol in recruitment advertising will further support and facilitate the Council in achieving its ambition of being an employer of choice and in attracting and retaining talented individuals from all areas of the community. It would also further demonstrate the Council’s community leadership role and commitment to being an exemplar employer in relation to employment of people with disabilities and encourage other employers to do likewise.

### **Statutory and Policy Implications**

17. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Data Protection and Information Governance**

18. The revised requirements of the General Data Protection Regulations will inform and underpin the work required to work toward accreditation against the Disability Confident standard.

### **Financial Implications**

19. Participation in the Disability Confident scheme is free of charge and there are no direct financial implications arising from this report. Drawing from a wider recruitment pool and retaining talented employees with disabilities longer may enhance recruitment and retention in areas of key skills shortages which in the longer term could impact positively on turnover and associated recruitment and induction costs of new employees.

### **Human Resources Implications**

20. Active commitment to becoming a recognised Disability Confident employer would provide a focus for the further development of the existing range of procedures, provisions and guidance available to support the Council's managers to recruit, develop and retain people with disabilities and ensure that the Council's commitment is recognised and understood by prospective employees and enhance its reputation as a good employer in the wider community.

### **Public Sector Equality Duty Implications**

21. The proposals in this report would enhance the Council's existing commitment to meeting, and where possible exceeding, the statutory requirements of the Equality Act 2010.

## **RECOMMENDATIONS**

It is recommended that Members;

- 1) Approve the undertaking of the self-assessment process with the aim of becoming a recognised and accredited Disability Confident employer by November 2018.
- 2) Receive a further report on the outcome of the self-assessment and action plan on the steps required to achieve the next level of accreditation for further consideration by Members.

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**Constitutional Comments (KK 12/02/18)**

22. The proposals in this report are within the remit of the Personnel Committee.

**Financial Comments (SES 13/02/18)**

23. There are no specific financial implications arising directly from this report.

**Human Resources Comments (CG 16/01/18)**

24. The Human Resources implications are set out in the body of report.

**Background Papers and Published Documents**

None

**Electoral Division(s) and Member(s) Affected**

All