

<b>Report title</b>	<b>Disability Confident Status</b>
<b>Report author</b>	Kate Enver, Corporate Head of Human Resources and Organisational Development
<b>Department</b>	Human Resources and Organisational Development
<b>Exempt?</b>	No

**Purpose of report:**

- **For information**

**Synopsis of report:**

**This report provides the committee with an update on the Councils progress to achieve Disability Confident - Employer (Level 2) Status and future aspirations to reach Disability Confident - Leadership Status (Level 3).**

## 1. Context and background of report

- 1.1 Based on the census in 2021, 17.7% of the population in England considers themselves disabled under the Equality Act 2010: day to day activities are limited a lot due to their disability. This is one in five of the working population that considers themselves as disabled. Within Runnymede 5.6% of our local population consider themselves to be a person with a disability. 3% of our workforce has shared with us they recognise themselves to be a person with a disability under the Equality Act 2010 definition.
- 1.2 Over the past nine years, between July to September 2013 and the same quarter in 2022, the number of disabled people in employment has increased by 2.0m from 2.9m to 4.9m and this is likely to continue to increase as we have an ageing population.
- 1.3 Employing disabled people is not an act of charity, it's a reflection of a business that strives to be inclusive of everyone, wants to tap into skills and experience wherever they are found and supports everyone to give their best, ultimately benefitting the Council and wider community RBC serves. This is particularly important when considering 40% of RBC workforce are resident within the borough.
- 1.4 Statistically disabled people are more likely to seek employment than non-disabled people in the public sector. Therefore, it is in the best interest for our local community and the Council to ensure that RBC facilitates and enables people with a disability to gain employment by actively encouraging careers within local government.
- 1.5 The Disability Confident Scheme was introduced by the Department for Workforce and Pensions in 2013 by the then coalition government. Since its inception the Disability Confident scheme has been creating a movement of change, encouraging employers to think differently about disability and take action to improve how they recruit, retain and develop disabled people.

- 1.6 It was developed by employers and disabled people's representatives to make it rigorous but easily accessible for employers to implement with free resources to support self-assessment.
- 1.7 The 3 levels are designed to support organisations on their Disability Confident journey, meaning you must move through stages 1 and 2 to achieve level 3. The 3 levels are:
  - i. Disability Confident Committed employer (Level 1)
  - ii. Disability Confident Employer (Level 2)
  - iii. Disability Confident leader (Level 3)
- 1.8 Currently RBC is holds level 1 a Disability Confident Committed employer. The plan is to work towards achieving: -
  - i. Disability Confident Employer (Level 2) by September 2024
  - ii. Disability Confident Leader (Level 3) by June 2025
- 1.9 The success to any implementation of an equalities scheme is that the commitments are properly embedded within the organisation and the officers concerned are confident about delivering the initiatives to, in this case, support people with a disability to successfully gain employment, career development and feel psychologically safe to ensure they can be their whole self at work.
- 1.10 Therefore, it is important to thoroughly and honestly use the Disability Confident self-assessment tools to ensure the organisation is actively implementing the key activities to achieve the next level of assessment and this is recognised by employees throughout the organisation, especially those with lived experience.
- 1.11 To successfully reach Disability Confident – leader status would be an achievement for the Council and one that will take a considerable amount of work from colleagues throughout the organisation but one that would undoubtedly be a benefit to our workforce, local community and enhance our reputation as an employer of choice.

## **2. Progress on moving to Disability Confident – Employer Level 2 status**

- 2.1 To help organisations identify if they can move through the Disability Confident scheme levels the DWP have provided a suite of self-assessment tools. The HR Department have been completing the self-assessment tool quarterly to set targets to develop the Council actively working towards Level 2. The self-assessment is grouped into two themes:
  - Theme 1 – Getting the right people for your business
  - Theme 2 – Keeping and developing your people
- 2.2 Appendix 1 shows the most recent self-assessment completed in March 2024. This self-assessment provides confidence and reassurance that RBC is developing and actively becoming more disability confident through this work. We can now demonstrate meeting all the essential criteria to apply for Level 2.
- 2.3 The self-assessment tool also helpfully identifies areas for development across the Council to improve our support to disabled people accessing employment and growing a career in local government within RBC. These will be progressed over the course of the next year and where at all possible achieved prior to submitting our formal application through the scheme for Disability Confident – Employer Level 2 status.

2.4 Prior to submitting our application in September 2024, it is important that those colleagues with lived experience of disability within our Council recognise the initiatives that have been implemented. This will give assurance that not only do we meet the criteria, but our application is authentic, and an accurate reflection of how employees with a disability feel their employee experience is within RBC.

### **3. Policy framework implications**

3.1 The Disability Confident Scheme is a key initiative that supports the Council to meet the Equality Act 2010, it is a tool to enhance our reputation as an employer of choice within the disabled community, ensuring we are accessible to all citizens. Expanding our talent pool is also priority within the Talent Management Strategy as well as actively demonstrating how we are committed to the Equality, Diversity and Inclusion of disabled employees within the Council.

### **4 Resource implications/Value for Money**

4.1 Minor reasonable adjustments would be expected to be paid for by the employer within departmental budgets e.g. to meet workstation risk assessment requirements as they do for any employee on joining the organisation. However, an employee who requires bespoke, complex or several reasonable adjustments to fulfil their role successfully could apply to the Government's Access to Work Scheme for support. This scheme could give a grant to help pay for things like:

- specialist equipment and assistive software
- support workers, like a BSL interpreter, a job coach or a travel buddy
- costs of travelling to work, if you cannot use public transport
- adaptations to your vehicle so you can get to work
- physical changes to your workplace

4.2 It does not matter how much the employees earns. If they are eligible for an Access to Work grant, it will not affect any other benefits they get and they will not have to pay it back. The Council may need to purchase equipment from specified suppliers or pay some costs up front and claim them back later through the scheme within designated timescales, via the employees online Access to Work account. The HR Business Partners will help and advise managers and employees through this process following the comprehensive national guidance on the Government website.

### **5. Legal implications**

5.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

5.2 It replaced previous anti-discrimination laws with a single piece of legislation, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

5.3 The specific provisions relating to disability are: -

- extending protection against indirect discrimination to disability
- introducing the concept of "discrimination arising from disability" to replace protection under previous legislation lost as a result of a legal judgment
- applying the detriment model to victimisation protection (aligning with the approach in employment law)

- harmonising the thresholds for the duty to make reasonable adjustments for disabled people
- extending protection against harassment of employees by third parties to all protected characteristics
- making it more difficult for disabled people to be unfairly screened out when applying for jobs, by restricting the circumstances in which employers can ask job applicants questions about disability or health.

5.4 By becoming a Disability Confident - Employer level 2 demonstrates further commitment to supporting the legal rights of disabled people in employment and evidencing RBC's adherence to the Equality Act 2010 specifically with regard to people with a disability.

## **6. Equality implications**

6.1 The work to enhance our Disability Confidence level from 1 to 2 and become a Disability Confident – Employer has been discussed with the Equalities Group, who are supportive of the work. Some members of the Group confirmed they can see the improvements and have used some of the new resources and support across the organisation e.g. the publication of the Neurodiverse support to employees, the introduction of the Mental health first aiders and the support to retain employees who become disabled during their employment.

## **7. Environmental/Sustainability/Biodiversity implications**

7.1 N/A

## **8. Risk Implications**

8.1 The risks of not progressing with the Disability Confident Scheme is the RBC will not be able to assess if it is an inclusive employer of choice for disabled people, reduces the talent pool to recruit and retain people from and potentially may inadvertently discriminate against disabled people by not implementing inclusive recruitment, retention and development initiatives.

## **9. Other implications – Discussions with our recognised Trade Union UNISON**

9.1 UNISON are a member of the RBC Equalities Group and support the commitment and work that has gone into developing our practice to enhance our support to employees with a disability.

## **10. Timetable for Implementation**

10.1 The intention is to submit an application for Level 2 by September 2024 and if good progress is made to further apply for Disability Confident Leader Status – Level 3 in June 2025.

## **11. Conclusions**

11.1 RBC has made consistent progress over the last year to ensure that it can authentically apply to become a Disability Confident – Employer (Level 2) this year and has clear aspirations to become a Disability Confident – Leader in the future.

## **12. Background papers**

N/A

**13. Appendices**

Appendix 1 – Disability Confident – Self Assessment March 2024.