

**APPENDIX ONE**

**SCRUTINY CHALLENGE SESSION REPORT**

**Tower Hamlets Council's Approach to Support Staff with Specific  
Learning Difficulties  
Scrutiny Challenge Session Report**



**London Borough of Tower Hamlets  
March 2014**

## **Chair's Foreword**

The spectrum of specific learning disabilities such as dyslexia and dyspraxia are among the most common and subtle barriers to a person achieving their full potential. It is remarkable and regrettable how many people make it through to adulthood before a diagnosis. Fortunately there is much that can be done through technology to assist people with a specific learning disability. Sometimes all that is required is patience – allowing a colleague a bit more time to get to grips with a document.

Tower Hamlets Council is determined to support all disabled staff, working with the disabled staff forum, unions, the Human Resources team as much as we can. For staff with specific learning disabilities this may involve more than just making 'reasonable adjustments'. The council may be called upon to support a member of staff who is unaware that they have a disability through the process of diagnosis and acceptance of the condition. The challenge of supporting people with a diagnosis of a specific learning disability is made harder by a general stigma within society about the existence of learning disabilities such as dyslexia, and the unwarranted assumptions about the abilities of a person who has received a diagnosis. The experiences of people with a learning disability and the evidence provided by our experts show that as a society we have a long way to go before prejudice and stereotyping of learning disabled people is eliminated.

It would be wrong and complacent to assume that within Tower Hamlets Council all managers are informed, sympathetic, listening and keen to help their staff with learning disabilities. When I proposed this scrutiny review, I was pleased that council officers were keen to engage with it, but also concerned that so little was known about specific learning disabilities, and the technological support available for people with a specific learning disability.

I believe that the detailed and specific recommendations of this report, if implemented, will help to ensure that Tower Hamlets Council supports its staff with specific learning disabilities. This is only a first step. The situation will need to be monitored and reviewed, and those staff who are affected will need to continue to be consulted and heard. I hope this review will be sent to all managers – so that they are alert to the possibility that their staff may have a diagnosed or undiagnosed disability, and they have the tools to respond sympathetically and appropriately.

Specific learning disabilities are common. They do not imply that a staff member lacks talent, creativity, intelligence or ability. If we can reduce the stigma and increase support for our staff, the council, its residents and business and our staff will all benefit.

This report could not have happened without the hard work of Shamima Khatun from the Corporate Strategy and Equality team. The expert evidence from the British Dyslexia Association, experts from the Dyspraxia Association, the Disabled Staff Forum informed and enriched the report. Colleagues from Agilisys advised on technological solutions and made a valuable contribution. My thanks to them all.

Cllr Dr Stephanie Eaton

## 1. INTRODUCTION

- 1.1 Physical, policy and attitudinal barriers can be faced by disabled people in their daily lives which can impact on the opportunities open to them in many areas of life including employment. For people with hidden disabilities, it may be less obvious what these barriers are. This concern has been at the forefront of issues raised by members of the Disabled Staff Forum in recent years, and has become exacerbated for some as a result of the council's transition to a virtual working environment. Suitable working conditions are critical in enabling employees to work and perform to the council's expectations.
- 1.2 This Challenge Session took place to explore how the council identifies staff with specific learning difficulties (SpLD), and what it can do as an employer, in terms of making reasonable adjustments to support disabled staff in the workplace. The Challenge Session participants were keen to understand the extent to which perceived flaws in the assessment process by employees that have undergone this assessment impacted on the performance and career progression for staff with SpLDs and the subsequent effect of this on disclosure of disabilities among staff. The Session provided an opportunity to undertake an internal health-check on the council's performance on supporting staff with learning difficulties.
- 1.3 The objectives of the challenge session were to investigate the issues that staff with dyslexia, dyspraxia and working levels of autism face in relation to the workplace and career progression. The session also sought to explore whether the current support in place for staff with learning difficulties is equal to that given to staff with physical disabilities. In the process it was hoped that potential solutions would be identified to raise awareness of learning difficulties, increase declaration rates and testing amongst staff and find aids/resources that can support staff members in the workplace.
- 1.4 Core questions for the challenge session were the following:
- What processes are in place to identify staff with learning difficulties?
  - Which service(s) are involved in the assessment process?
  - What support is currently available for staff with dyslexia, dyspraxia and autism? Is there enough support?
  - Could any improvements be made to the assessment process to make it easier for staff with learning difficulties to access support?
  - Does the process take into account the impact of insufficient provision on the retention/promotion of disabled staff in the council's workforce?
  - What guidelines/resources are available for managers to follow in providing support for their staff members?

- How are assessing staff trained to ensure that they are fully aware of the support required for staff with (hidden) learning difficulties?
- 1.5 The Challenge Session was facilitated by ShamimaKhatun from the Corporate Strategy and Equality service and was chaired by Cllr Stephanie Eaton, Scrutiny Lead for Resources. It took place on Wednesday 15<sup>th</sup> January 2014.
  - 1.6 Presentations were delivered by experts in the field of specific learning difficulties during the challenge session. In addition, information was received from Human Resources in relation to workforce profile and on past and present work streams to promote equality for disabled staff. Representatives from Agilisys and the Client Support services (who are responsible for the delivery and maintenance of the council's ICT platform) were also present at the session.
  - 1.7 The Group heard anecdotal evidence from key witnesses which included employees with learning difficulties and the chair of the Disabled Staff Forum on their experience(s) with the assessment process, and subsequent adjustments provided in the workplace.
  - 1.8 The session was attended by:
 

Cllr Stephanie Eaton (Chair)	Scrutiny Lead, Resources
Tina Dempsey	HR Talent Strategy Manager, Resources
Ben Kelly	Service Director for LBTH Account, Agilisys
Shirley Hamilton	Service Head, ICT Client Team
Professor Amanda Kirby	GP, Patron of the Dyspraxia Association in New Zealand, Advisor to the Dyspraxia Association in Ireland, Medical Advisor to the Dyspraxia Foundation in the UK, Founder of Movement Matters UK and Chief Executive of Do-IT Solutions Ltd
Margaret Malpas	Co-Chair of the British Dyslexia Association (BDA) and Founder of Malpas Flexible Learning Ltd
Paul Gresty	Senior Strategy, Policy and Performance Officer, Corporate Strategy and Equality
Robert Driver	Senior Strategy, Policy and Performance Officer; Education, Social Care and Wellbeing and Co-chair of the Disabled Staff Forum
John Williams	Clean and Green Programme Manager; Communities, Localities and Culture

Sophia Stewart	Highways Information Officer; Communities, Localities and Culture
Kerrith Stewart	Technical Support Officer; Communities, Localities and Culture
Frances Jones	Service Manager – One Tower Hamlets, Corporate Strategy and Equality
ShamimaKhatun	Strategy, Policy and Performance Officer, Corporate Strategy and Equality

## 2. BACKGROUND

### *The Equality Act*

- 2.1 Disability (including learning difficulties) is a protected characteristic under the Equality Act and Public Sector Equality Duty. As a public sector body, the council is legally required to demonstrate 'due regard' in all its functions, including its responsibility as an employer.

### *Definition of disability*

- 2.2 Disability is defined under the Equality Act 2010 as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on someone's ability to do normal daily activities.

### *The Disability Discrimination Act 1995*

- 2.3 The Act prohibits discrimination against disabled people in a range of circumstances, covering employment and occupation, education, transport, and the provision of goods, facilities, services, premises and the exercise of public functions. Only those people, who are defined as disabled in accordance with section 1 of the Act, and the associated schedules and Regulations made thereunder, will be entitled to the protection that the Act provides.

### *Specific Learning Difficulty (SpLD)*

- 2.4 The term 'Specific Learning Difficulty' (SpLD) refers to a difference/difficulty people have with particular aspects of learning. The most common SpLDs are dyslexia, dyspraxia, attention deficit disorder (ADD), attention deficit hyperactivity disorder, dyscalculia and dysgraphia.

All specific learning difficulties (SpLDs) exist on a continuum from mild to moderate through to severe. Common patterns of behaviour and experience do exist but there is a range of different patterns of effects for each individual. SpLDs are independent of intellectual ability, socio-economic or language background. Having a SpLD does not predict academic potential. However, the path to achievement is usually more challenging and may require far greater (usually unseen) effort and a distinct set of skills.

### *National Demographics*

- 2.5 In the UK overall, 6.6 million people have a disability of which a sixth do not currently work but would like to do so. This represents a significant potential resource. Research commissioned by the Department of Health estimates that the prevalence rate of learning disabilities amongst the general population in England is at 2%, approximately 985,000 people.<sup>1</sup> Dyslexia affects about 8-10% of the UK's population and is the most common and widely understood of the SpLDs; this is mostly due to its direct impact upon academic success, job prospects and career progression. Developmental Co-ordinator Disorder (DCD), also commonly known as dyspraxia, is a motor co-ordination disorder affecting about 2-3% of the UK's adult population and impacting on everyday life skills. DCD/Dyspraxia is distinct from other motor disorders like stroke and cerebral palsy.

Autism Spectrum Disorder (ASD) – is a spectrum of difficulties that affects communication, social relationships and behaviour. It includes Autism, Asperger's Syndrome and Pervasive Developmental Disorder Not Otherwise Specified. The 'spectrum' element of the disorder means that whilst all individuals with ASDs share similar traits and difficulties, their condition will affect them in different ways and to varying degrees. Approximately, 1% of the UK population is affected by Autism Spectrum Disorder.<sup>2</sup>

### *Profile of Learning Difficulties in Tower Hamlets*

- 2.6 Tower Hamlets has a registered population of 267,293 of which there are an estimated 4,870 people in Tower Hamlets with a learning disability.<sup>3</sup> Within London, Tower Hamlets has the second highest number of adults (2,000) in the borough with autism; Southwark is the highest at 2,200.

### *Staff User Profile in Relation to Disability*

- 2.7 In 2011/12, 4.05% of the council's workforce declared a disability and this rose to 4.18% (217) by 4 people, which is less than 1% in 2012/13. The council workforce, therefore, closely reflects the wider borough in terms of disability.<sup>4</sup>

The council's target in relation to disability relates to the percentage of staff who declare that they meet the Disability Discrimination Act (now Equalities Act) definition of disability and the percentage is calculated based on the total number of staff who declare that they have or do not have a disability. Not-knowns are excluded. The percentage of

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<sup>1</sup> Centre for Disability Research, *People with Learning Disabilities in England*. Centre for Disability Research (Report 2008:1).

<sup>2</sup> Professor Amanda Kirby and Dr Ian Smythe, *The Hidden Impairments: A specific learning difficulty guide for employers*. Do-IT Solutions (2013).

<sup>3</sup> Tower Hamlets Joint Strategic Needs Assessment 2010-2011, *Learning Disabilities in Tower Hamlets*.

<sup>4</sup> Please note that the council does not disaggregate the data collected on disability amongst staff.

people with disabilities within the council remains stable over the period 2011 to 2013 at approximately 4 per cent, though below the target level, and with significant numbers of staff – approximately 20 per cent of the workforce not providing information as to whether or not they are disabled.

- 2.8 A proxy for the number of staff members with learning difficulties within the council's workforce can be determined by the number of current license users of assistive software such as Dragon and Read & Write.

Total Count:

- Read & Write Software – 5 machines
- Dragon Software (Version 11) – 5 machines
- Dragon Software (11.5) – 4 machines

Please note that these figures may be higher since it is difficult to determine in the current virtual environment.

### **3. KEY FINDINGS AND RECOMMENDATIONS**

#### **3.1 Initial diagnosis**

- 3.1.1 As part of the Challenge Session, the Review Group heard from the Talent Strategy Manager who outlined the processes through which staff can identify that they have a learning difficulty and access necessary support. The first stage of this process begins once a member of staff discloses to their line manager that they have a learning difficulty. This may not necessarily lead to an 'Access to Work'<sup>5</sup> referral and assessment as there are a large number of reasonable adjustments that can be put in place by the council such as organisation and time management support. However, if the Access to Work route is pursued then it is the employee's responsibility (rather than the manager or HR's) to initiate the Access to Work assessment process by notifying their line manager, who puts in a request for an Access to Work referral and assessment. The overall process can take up to several months.

#### *Access to Work assessment process*

Access to Work (AtW) is a scheme run by Jobcentre Plus. The purpose of the scheme is to provide support to employees with disabilities and/or long term health conditions to overcome obstacles at work which may arise because of their disability. AtW can provide advice and financial help to employees who are disabled or have a long term illness. AtW solutions are individually tailored to meet the needs of a disabled employee in the workplace and offer practical advice and information to the employee and their manager. AtW can offer a grant towards the costs that arise from implementing a

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reasonable adjustment. Typically, these grants cover most of the costs associated with implementing an adjustment recommended by the assessor in addition to ongoing costs. AtW assessments can only be instigated by the disabled employee, however, managers can contact them to request advice on the service and provide it to the employee. There is no cost for the workplace assessment and no threshold for disability. Information and contact details for AtW can be found on the Access to Work guidance page on the council's intranet.

Recommendations made by AtW should be undertaken as rapidly as possible by the manager, with Human Resources & Workforce Development Business Partners notifying and consulting with the relevant parties involved. It is the manager's responsibility to monitor the changes with the member of staff and see if there are positive effects from the adjustments; if the adjustments appear ineffective alternative methods of working should be considered.

#### *Improving awareness of learning difficulties*

3.1.2 The Review Group heard about the work that the Workforce Development team are doing to increase awareness of learning difficulties among staff and managers.

- An Autism Awareness training programme is available to all front line staff (including health). This has been developed using a tiered approach according to the level of knowledge required for roles. The council is also considering the establishment of 'Autism Champions' within mainstream services, which will seek to embed autism awareness via service Champions with specialist knowledge. These Champions would receive a level of training and support that would enable them to advise their services on making them fully accessible to people with Autism. This continues to be a development area, which will be continually reviewed once the new service becomes operational.
- Within Human Resources, strong links have been established with Access to Work who have worked with HR Business Partners (officers responsible for giving expert HR advice and support to Directorate managers) to provide foundation knowledge/support.
- Work is also in progress to develop the Disabled Staff Forum further; with promotion exercises conducted which include case studies in the council's internal newsletter. The staff focus group action plan has in place measures to increase knowledge and awareness on disability equality through equality and diversity training.
- In addition, a member of the corporate management team has been appointed to act as a Forum champion to advance equality for disabled staff within the organisation.

To further support the development of work in this area the council is a member of the Disabilities Business Forum – a not-for-profit member organisation that offers information, support and advice on



disability as a proactive or reactive business issue. A proactive approach is taken to ensuring the recruitment programmes run by the council are accessible to people with learning difficulties. For example, in the latest intake of trainees to the council's apprenticeship scheme, two of the individuals recruited in this cohort have learning difficulties. Both of the apprentices have successfully completed their initial six month placement and have now had this extended for a further three months.

### 3.1.3 *Reasonable adjustments beyond Access to Work*

There are numerous non-ICT based reasonable adjustments which can be provided in the workplace that can enormously benefit staff with learning difficulties, and do not involve Access to Work. Many solutions are not costly and are about awareness and attitude. The Group were reminded by both of the experts on SpLDs in their presentations that foremost "knowing how to understand and manage the differences associated with SpLDs can help maximise the potential of the council's workforce, and work towards compliance under the Equality Act 2010". Possible solutions include teaching coping strategies, undertaking a baseline survey of current knowledge of staff and improving communication materials on support policies. As well as using web based accessible screening tools with support and first aid materials open to all with the aim of providing consistent and credible support to staff bespoke to the needs of the service.

### 3.1.4 *Implications of late presentations on hidden disabilities by line managers*

The implications of not following up disclosures made by staff with learning difficulties can vary greatly on an individual basis. Common issues are delays in Access to Work referrals especially when workers have disclosed this information at the recruitment stage. If a new employee applies to Access to Work for a workplace assessment in the first six weeks of starting a new job, there is no cost to the employer for either the workplace assessment or the implementation of reasonable adjustments (although funding for equipment is now very restricted). However, if this timeline is not adhered to the opportunity to maximise on external funding that is provided by national schemes such as Access to Work is lost and it becomes increasingly likely that costs associated with implementing adaptations may need to be absorbed by the manager's budget at their discretion. As a result, the relationship between line manager and staff member may become strained and the council could be vulnerable to legal challenge by employees due to non-compliance with the Equality Act 2010.

Furthermore, the Group heard from Amanda Kirby, a GP and Medical Advisor to the Dyspraxia Foundation in the UK in her presentation (see Appendix Three) that "the challenges that may result if there becomes a mismatch with demand and coping skills in the individual is poor performance, which may be indicated through signs and

symptoms of absenteeism or presenteeism. Both forms of under-performance can result in a loss of workforce and productivity” which emphasises the need to ensure that information on a staff member’s workplace requirements by line managers is communicated in a timely manner.

## **3.2 Communication challenges**

- 3.2.1 The challenge session had a strong focus on the process by which staff members with learning difficulties access reasonable adjustments. Whilst it was made very clear that reasonable adjustments can take many forms, a starting point for these discussions was the process for identifying and responding to the needs of staff for specialist software. The feedback that the One Tower Hamlets team and HR had from council employees during recent focus groups suggested that under current arrangements, the delivery of reasonable adjustments has been considerably slowed down due to a breakdown in communication between the various parties involved. Where such a breakdown happens it can result in a delay in managers providing information on a member of staff’s IT equipment requirements/needs to Agilisys (the council’s ICT provider) which then causes further delays while appropriate software is sourced. The Group were concerned that there is a lack of transparency on what resources are available and the subsequent impact this has on an employee’s performance within the organisation, especially, in light of the council’s move to a new ICT platform. Poor communication can lead both to delays in sourcing appropriate software and/or not getting the most appropriate software for that individual.
- 3.2.2 The Group felt that greater clarity about roles and reasonable timeframes would assist staff and managers to navigate this process and Agilisys to meet staff needs in a timely and effective way. One approach to this would be to create a process map of communication which clearly sets out at what stage of the assessment procedure the relevant services involved need to inform and be informed, in order to increase communication between internal services. Information available on the intranet also needs to be regularly updated.
- 3.2.3 Production of a defined and structured flowchart is a must, which outlines the roles of involvement of HR, Agilisys and Access to Work/Occupational Health. One point of contact in HR is also an imperative to streamline the process. This point of contact should be publicised alongside readily available information on the range of hidden impairments that exist. Standardisation on Agilisys’s behalf in their approach to delivering support can be achieved through a catalogue listing options on software/hardware available for individuals to tailor their package. HR Learning & Development should also be relied upon to assist with this exercise. It would also be useful if workplace assessors were assigned to service areas.

**Recommendation 1: That an internal communications action plan be developed to increase the proportion of staff who declare whether or not they have a disability.**

### **3.3 Streamlining processes**

- 3.3.1 Lack of consistency in providing staff with credible support bespoke to help them carry out their work and insufficient understanding of what the impact is on an employee's productivity significantly impedes on the effectiveness of the current assessment process in place. A self-diagnosis by ICT has identified that having a dedicated specialist within its own service – is the single point of failure, since only a few staff know how to provide support on installing assistive technology which can impact upon the length of time it takes for requests for specialist software and hardware to be actioned for the worker.

**Recommendation 2: That the current assessment process for accessing support for staff with learning difficulties be streamlined through the development of a defined/structured flowchart which clearly outlines the process and roles of HR, Agilisys and Occupational Health and that this information be available on the intranet for staff and managers.**

### **3.4 Barriers to disclosure and the role of managers**

- 3.4.1 The key role of line managers in supporting personal and professional development of staff with learning difficulties was a recurring theme. The significance of a manager's role was reinforced in the research undertaken in advance of the session and in feedback received from staff and articulated during the challenge session itself. The Group were concerned by reports of a lack of understanding by some managers of the process for supporting staff with learning difficulties. Managers need to possess the core skills and capacity to deal with disabled employees in order to face the challenges that may arise if there becomes a mismatch with demand and coping skills, which can manifest itself in absenteeism (loss of workforce) or presenteeism (loss of productivity).
- 3.4.2 Overall, staff with learning difficulties emphasised the need for proactive managers in order to ensure that adjustments are put in place to support employees to work. Furthermore, the Group heard how fear of workplace discrimination is a barrier to disclosing disability and the detrimental spill-over effect this has in precluding them from advancement/promotion. Amanda Kirby reminded the Group in the

roundtable discussion that “reasonable adjustments around attitude is equally important – particularly amongst line managers”.

- 3.4.3 Several measures to tackle this can be adopted such as ensuring all managers have a knowledge of conditions and are familiar with indicators to be conscious of. In addition, providing training to managers about how to encourage disclosure of learning difficulties by staff through asking proactive questions and promoting open communication can be very effective. Furthermore, recruiting a number of HR Business Partners to become specialists in Access to Work or identifying managers that are well versed in the process to champion and up-skill the wider management team could be an effective way of promoting awareness. HR should ensure that this policy and process of training/communication is implemented and promoted at management level and thereby filtered throughout the council.

**Recommendation 3: That managers are up-skilled through training to raise awareness of hidden disabilities and that progress in this area is monitored at performance reviews.**

### **3.5 Solutions/Aids**

- 3.5.1 The success of smarter working since its phased introduction two years ago remains in question. A small but significant number of staff with learning difficulties have expressed their frustration over the Virtual Desktop Interface in use at the organisation because of difficulties with installing specialist software. Capacity issues have been encountered around specialist software due to a shortage of licences. Hot-desking for staff who require access to fixed desks where there are computers with necessary software on them is also proving to be problematic for some, as it can cause negative attitude amongst colleagues who have not been assigned a fixed workstation. Furthermore, some of the software which is proscribed by AtW workplace assessors is suited to the new hot-desking work environment. For example, ‘Dragon’ is software which enables speech to text functionality but is awkward to utilise in an open plan office as it requires the user to speak loudly. This situation is worsened by increased pressure on meeting rooms because of higher numbers of staff being based in Mulberry Place.
- 3.5.2 An area of improvement is to look into specialist software that is suitable for the council’s new working environment.

**Recommendation 4: That an accessible catalogue of software available for staff with learning difficulties which is compatible with the council’s new ICT system/platform and adaptable for different working environments be developed.**

### **3.6 Budget for reasonable adjustments**

- 3.6.1 In a context of growing pressures on team budgets, the absorption of fees incurred from implementing reasonable adjustments into service budgets managed by line managers can be an area of tension amongst the wider team. Although, it is important to note that cost-effective methods are readily in existence; certain types of assistive software is already built into the ICT equipment used by the council or available for free. However, these capabilities need to be communicated to staff in order to boost utilisation.
- 3.6.2 It is suggested that a central budget be agreed to pay for reasonable adjustments for staff with learning difficulties within the council to mitigate against these tensions.

**Recommendation 5: That a centralised budget be agreed to pay towards reasonable adjustments for staff with learning difficulties.**

### **3.7 Reduce stigma associated with learning difficulties**

- 3.7.1 The neurodiversity of individuals with specific learning difficulties needs to be recognised as these tend to be on a continuum and are merely descriptors and not a cut-off. The Review Group felt that in some situations a diagnosis can provide some protection to individuals, however the latter is not effective where stigma or cultural resistance is present. A factor which can contribute to stigmatisation is the language used for disclosure which appears to be modelled on medical terminology instead of social. This does not encourage staff to disclose learning difficulties and may potentially result in the opposite effect by alienating individuals.
- 3.7.2 Furthermore, representatives of the Disabled Staff Forums cited a number of instances in which staff members experienced discrimination in the workplace. Due to 'hidden' nature of learning difficulties this does not get the same profile as physical disabilities. Overall, it was clear that there is a significant risk that people with learning difficulties go unheard in the workplace.
- 3.7.3 It is recommended that the current terminology adopted in application forms and surveys be revised to encourage disclosure. Other methods to reduce the stigma associated with learning difficulties include rolling out certain software council-wide, such as Dragon which is used by all types of people. Learning difficulties could also be included in the mental health Time to Change pledge because

according to Mind UK – a national mental health charity, one in six workers experience depression, anxiety or stress at any one time and are the most common type of mental illnesses. People with specific learning difficulties who are not appropriately supported are more likely to experience workplace triggers which increase the risk of mental health conditions. Disability champions within the organisation should also be advocated through utilising and encouraging members of the Disabled Staff Forum who have specialist knowledge to take the lead in this area, and liaise with services and champion throughout the council.

**Recommendation 6: That the stigma associated with learning difficulties be tackled through training and appointment of Disability Champions within service areas in order to build awareness of hidden disabilities across the organisation.**

### **3.8 Culture change as the first step towards reasonable adjustments around attitudes**

- 3.7.1 National research and anecdotal evidence indicates that a large proportion of reasonable adjustments are based on changing attitudes particularly amongst line managers. There is a cost associated with this in regards to training, but prevailing opinion suggests that this methodology generates huge cultural and organisational change.
- 3.7.2 At present, there is very little benchmarking or performance monitoring undertaken around disability equality. Consequently, this makes it more difficult for the council to deliver on their duty to address inequalities that arise as a result of disability. This reinforces the importance of HR monitoring disability by category and encouraging managers to record this with the individual's consent, in order to enable directorates within the council to set local targets to increase representation of disabled employees within all groups.
- 3.7.3 A number of activities can be deployed to dispel the myths associated with learning difficulties such as organising lunch time seminars, and strengthening/up-skilling HR Business Partners to ensure that constructive change is brought about from a top down level. Managers must also be encouraged to view reasonable adjustments as an opportunity to enable staff to work differently aside from providing assistive technology. Instead, managers should be open to exploring creative approaches to improve working conditions for staff with specific learning difficulties.

**Recommendation 7: That the current training package on disability for managers is reviewed by HR, eliminating unconscious bias towards physical disabilities and enabling staff with learning difficulties to articulate their experiences through a range of methods such as theatre workshops and Q&A sessions.**

## **4. CONCLUSIONS**

- 4.1 This challenge session involved an in-depth internal health check on the assessment process in place and the support provided to staff members with learning difficulties, particularly whether this support is sufficient for retention and progression purposes. Overall, the Group felt that there were a number of areas where modifications to current procedures would significantly improve support available to staff with specific learning difficulties and have wider benefits for other disabled staff.

## **APPENDIX TWO**

### **Research on Specific Learning Difficulties (SpLDs)**

Dyslexia – is a difficulty in acquiring good literacy skills, including reading, writing and spelling. It affects about 8-10% of the population and is the most common and widely understood of the SpLDs; this is mostly due to its direct

impact upon academic success, job prospects and career progression. Dyslexic individuals are often fearful of highlighting their difficulties in public.

Common workplace difficulties described by adults include the following:

- Takes longer to read documents than colleagues
- Difficulty with structuring a document and spelling
- Lack of self-esteem to ask questions or for help, and may appear anxious
- Problems remembering; for example appointments, bringing the correct paperwork to meetings
- Filling in forms especially if handwritten
- Poor organisational skills
- Problems disclosing to others that they have dyslexia for fear of the consequences

Dyspraxia – Developmental Co-ordinator Disorder (DCD), also commonly known as dyspraxia, is a motor co-ordination disorder affecting about 2-3% of the UK's adult population and impacting on everyday life skills. DCD/Dyspraxia is distinct from other motor disorders like stroke and cerebral palsy.

Workplace difficulties may include problems with writing at speed and legibly, organisation, time management and planning skills and taking information down at speed.

Autism Spectrum Disorder (ASD)– is a spectrum of difficulties that affects communication, social relationships and behaviour. It includes Autism, Asperger's Syndrome and Pervasive Developmental Disorder Not Otherwise Specified. The 'spectrum' element of the disorder means that whilst all individuals with ASDs share similar traits and difficulties, their condition will affect them in different ways and to varying degrees. Approximately, 1% of the UK population is affected by Autism Spectrum Disorder.

Difficulties in the workplace include a reluctance to communicate their difficulties and the impact they have. Lack of confidence asking questions or asking for help; difficulties with social understanding which may result in the individual's behaviours sometimes being misinterpreted by others.

Source: The Hidden Impairments: A specific learning difficulty guide for employers  
Professor Amanda Kirby and Dr Ian Smythe  
Do-IT Solutions (2013)

## **APPENDIX THREE**

### Presentations from Field Experts

#### *Dyslexia in the Workplace*

Margaret Malpas – Co-Chair of the British Dyslexia Association (BDA) and Founder of Malpas Flexible Learning Ltd



## Background

- Dyslexia affects the working memory; being organised
- England is 22<sup>nd</sup> for literacy and 21<sup>st</sup> for numeracy out of 24 OECD countries (OECD, Oct 2013)
- The study shows that there are 8.5 million adults in England with the reading literacy of a 10-year old.
- Equality Act (2010) states that reasonable adjustments must be made to provide fair access to services

## Reasonable Adjustments

- In work, for employees with dyslexia and other SpLD which generally include:
  - Assistive technology
  - 1:1 coping strategy training
  - Awareness training for colleagues and managers (Access to Work will fully pay for awareness training in the workplace)
  - Potentially a support worker (this could also be a colleague/manager)

## What is Reasonable?

- An adjustment may not be considered reasonable if it involves:
  - Unreasonable costs
  - Timeframes
  - Affects the security or integrity of the assessment

## Access to Work

- UK Government scheme providing funding for adjustments beyond which the employer should make
  - Communication support for interviews etc.
  - Assistive technology; awareness training; coping strategy coaching; support workers
- The faster you access this scheme, the better it is
- BDA provides:
  - Workplace Assessor's Accredited Training which includes online training for your organisation, dyslexia assessors and champions, solutions covered by 'Access to Work' funding
  - Employer's Guide
  - Coping strategies will be fully funded

## BDA Workshop: Workplace Assessor Programme

- British Dyslexia Association's Workplace Assessor Programme:
  - Group cost £4,000 to £6,000; individual £1,400 (9 month programme)
- Dyslexia – common challenges

- Difficulty in prioritising and sequences
- Workplace Challenges:
  - Report writing
  - No support from colleagues, isolated
  - No correct tools
- Future Workplace Challenges:
  - Lots of changes in new role(s)
  - Lack of coping strategies
  - Alien environment
  - Partnership working
- Full diagnostics assessment can be quite costly, especially in London
- Workplace Needs Assessment can be done through 'Access to Work' or organisational workplace assessment

#### Reasonable Adjustments

- Multi-sensory approach; checklist; pneumonics; get someone else to proofread/check work; proofreading technique (read backwards); voice activated software (for those who are keen on IT equipment)
- 1:1 coaching
- Colour coded notebooks
- Over-lays
- Organisational training
- Different trays to distinguish priority; audio device
- Teach processes

#### Outcome

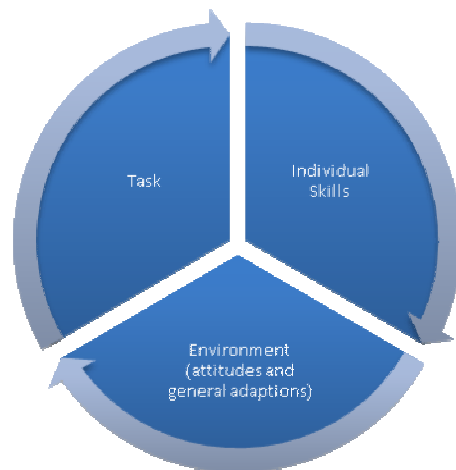
- Helping employer understand and implement reasonable adjustments/support framework

#### *Developmental Coordination Disorder*

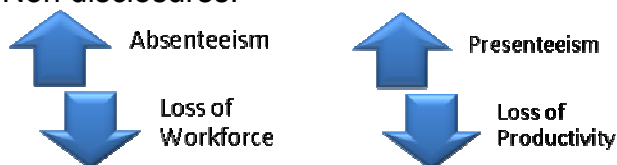
Professor Amanda Kirby – GP, Patron of the Dyspraxia Association in New Zealand, Advisor to the Dyspraxia Association in Ireland, Medical Advisor to the Dyspraxia Foundation in the UK, Founder of Movement Matters UK and Chief Executive of Do-IT Solutions Ltd

## Background

- Around 10-15% of the population have Specific Learning Disabilities (SpLD)
- Reasonable adjustments around attitudes – particularly line managers
- Developmental Coordination Disorder – international term as DCD
- National organisations – Dyspraxia in the UK; Dyspraxia Foundation
- Individuals may vary in how their difficulties present
- Key areas of difficulties: fine motor skills, balance, organisation and time management, anxiety and depression (much more common with hidden impairments)
- Challenges faced: learning new tasks
- Someone with dyspraxia may present:
  - Working much longer
  - Avoiding advancement/promotion
  - Increased anxiety and sickness
  - Interaction with disability and mental health
- Challenges may result if there becomes a mismatch with demand and coping skills



- Non disclosures:



## Suggested Adjustments

- Explain the task and the component parts
- Break down tasks and demonstrate it
- Giving adequate time and practice for learning new tasks
- Encourage accuracy first and speed up
- Avoid handwritten tasks (use templates, IT equipment, software)

- Organisational assistance
- Use mobile phone/diary/electronic system
- Do-IT Profiling Suite of Tools – screening tools and suggested reasonable adjustments
- Encourage people to go out and get fitter which will help with coordination

#### Workshop: Reasonable Adjustments for the Whole Person

- Need to be proactive under Equality Act

Dyslexia

DCD

Reading  
Writing  
Confusing  
Spelling  
Processing

Writing  
Coordination

this is what causes  
people to lose  
jobs/impacts  
performance

Executive functioning  
Organisational  
Remember things in order  
Prioritisation  
Time/Slow  
Working memory

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ADHD

Concentration  
Prioritisation  
Time-blind' - poor  
concept of time passing

ASD

Poor social  
interaction  
Theory of mind'  
Lack of concept  
about social distance  
Poor eye contact  
Social engagement

Dyscalculia

Numbers

What stages can support be given?

- Application/registration processes
- Include SpLD on application process, and request assessments from previous workplace (Thames Valley Police)
- Website should be both text and voice enabled
- Timed out applications online are difficult
- Do you have a spell checker built in? Since you are checking if they can do the job, not just spelling

Reasonable Adjustments

- Organisation and time management
- Understanding and communicating
- Reading, spelling
- Writing
- Maths
- Physical fitness/driving

- Ginger – proofreading software (available for free) on [www.boxofideas.org](http://www.boxofideas.org)
- Response to intervention – more cost effective than just sending for documents

#### Getting Started

- Provide readily available information on the range of hidden impairments (not just physical)
- Have a named point of contact and publicise
- Reduce stigma

#### Possible Recruitment Adaptations:

- Avoiding handwritten forms to complete
- Stopping ‘time-out’ on website application forms
- Minimising text boxes, have ‘text to speech’ enabled, spell checker where possible
- Having accurate job descriptions to fit the job
- Follow up if disclosure made; give additional time
- Pre-interview protocol

#### Generic Principles

- Acronym dictionary helps the whole organisation
- Job description – write rules for people with ADHD
- Think about timed activities – is it realistic?

#### Induction/Training

- What’s the ‘real job’ – be explicit of the tasks expected and time taken
- Neurodiversity
- “None of us are simple individuals”

### Best Practice

Hampshire Constabulary – Specific Learning Disabilities Project  
Dyslexia Action Group

- Overlap of learning difficulties such as dyslexia, dyspraxia
- Increasing concerns that external ‘Access to Work’ assessments were not ‘fit for purpose’ – assessors look at the individual in their environment and not that of the candidate
- Lack of communication between internal departments
- “Postcode lottery”
- Hampshire Constabulary were vulnerable to challenge (employment tribunals)
- Screening tools: Quick Scan and Study Scan: carry out pre-employment
- Reasonable adjustments fitted into three categories (as laid out in the guidance provided by the British Dyslexia Association):

- Personal Strategies (coping strategies), bespoke, carried out over a length of time, external person)
  - Assistive Technology (screen adjustments, stress aids)
  - Literacy and Numeracy (links with local educational establishments/organisations for courses); this can be done through self-referrals, management referrals, an assessor can be assigned to the individual
- Awareness training
  - Process maps created
  - Terms of reference
  - Pilot

#### Aims & Objectives of Hampshire

- Provide consistent and credible support to staff bespoke to the needs of profession
- Joined up approach

#### Challenges

- “Corporacy”; processes and procedures (determining boundaries, advertising; what would the reasonable adjustments be; terms of reference
- Demand and resilience
- Assessor skill-base
- Communication (lack of ownership amongst departments i.e. IT)

#### How it progressed

- Pilot evaluation report
- Embedded as ‘business as normal’
- New assessors selected and trained (workplace assessors across all departments as volunteers)
- Department ‘buy-in’
- Staff awareness (get buy-in from line managers)
- Use of external providers and support (training days, e-learning, tutors, leadership courses)

#### Disability Assessment Group (DAG) Assessment

- What are the needs of individual
- Strengths of individual
- What would be needed (reasonable adjustments)
- Assessment then shared with line manager after getting individual’s consent

#### Outcomes

- Improved employee performance
- Significant increase in staff referrals
- Reasonable adjustments timely
- People Strategy and Equality Act compliance
- Strengthened relationships (internal and external)

- Cost savings (not just sending staff on training days)
- External funding opportunities maximised – ‘Access to Work’ as this can be reclaimed back
- Collaborative approach with external providers
- Significant support to other public sector organisations
- National acclaim

#### Best Practice at Transport for London (TfL)

- Dedicated staff member with a specialism in SpLD
- Specialist software for any staff member
- Weekly ‘English for dyslexic learners’ class
- An assessment service
- Regular awareness raising for any member of staff
- Advice on reasonable adjustments easily available to staff
- Recruitment team with embedded policies
- Dyslexia champions