


Non-Executive Report of the: Overview & Scrutiny Committee 7th July 2015	 TOWER HAMLETS
Report of: Louise Russell, Service Head – Corporate Strategy and Equality	Classification: Unrestricted
Tower Hamlets Council's Approach to Support Staff with Specific Learning Difficulties – Progress Report	

Originating Officer(s)	Shamima Khatun, Strategy, Policy and Performance Officer; Corporate Strategy and Equality
Wards affected	N/A

Summary

This report follows up from the scrutiny review on the council's approach to supporting staff with specific learning difficulties which went to Overview and Scrutiny Committee in April 2014. This report reviews progress against the original recommendations.

Seven recommendations were made in a number of areas including modifications to current procedures, improving internal communications, upskilling managers through training and raising awareness of hidden disabilities across the organisation.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the progress against recommendations.

3. DETAILS OF REPORT

- 3.1 The scrutiny report on 'Tower Hamlets Council's Approach to Support Staff with Specific Learning Difficulties' went to Overview and Scrutiny Committee in April 2014. The objective of the review was to investigate the issues that staff with dyslexia, dyspraxia and working levels of autism face in relation to the workplace and career progression, and identify solutions that raise awareness of learning difficulties, increase declaration rates and testing amongst staff and find resources that can support staff in the organisation. The review identified the importance of fostering a culture change as the first step towards reasonable adjustments around attitudes.
- 3.2 The review provided an opportunity for the council to undertake an internal health-check on its performance on supporting staff with learning difficulties. The review therefore considered 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?
- 3.3 The scrutiny review found 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.
- 3.4 The group made seven recommendations for improvement, which were agreed by OSC. The body of this report outlines the progress against these recommendations. The Service Comment column alongside each recommendation shows the initial actions that were identified by the relevant services to help achieve the recommendation. Some of the actions evolved as work was carried out and therefore, in some cases, the recommendations may have been achieved through slightly different means than first identified.

3.5

Recommendation 1	Service comment at action planning stage
That an internal communications action plan be developed to increase the proportion of staff who declare whether or not they have a disability.	An internal communications advisor and HR to collaborate with the Education Social Care and Wellbeing (ESCW) directorate's Learning and Disability team to help develop communications on raising awareness

	<p>of disabilities and provide information on subject matter. Internal Communications to raise general awareness of all actions below by using positive case studies of staff who have previously disclosed disabilities. The council will raise general awareness of disabilities, particularly 'hidden' disabilities and any training available for staff with disabilities. HR will organise awareness and health and wellbeing days to promote training, support and benefits that may be available for staff. Internal Communications to create a communications plan incorporating actions from June 2014 onwards.</p>
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- 3.6 Update from service: As part of the work undertaken by Human Resources & Workforce Development (HR&WD) to improve engagement with staff across the council, an intranet site called 'Your Workplace, Your Voice' has been created. On this, there is a page dedicated to Your Health, which provides information and links to further support for physical and mental health issues, including disabilities.

Your Workplace, Your Voice also hosts surveys where staff are asked to give their views on a number of subjects. One of the first surveys run was titled Declaring Disabilities and was aimed at raising awareness of disability. Analysis of the survey results is now being undertaken.

- 3.7 In addition, all staff at LPO7 and above were written to and asked, if they had not already done so, to declare whether or not they considered themselves disabled. Information was provided on the social model of disability. This exercise improved declaration rates and was subsequently rolled out to all staff across the council, which has resulted in a rise across the board in relation to declaration of disability from 247 staff (5.61%) stating they are disabled in Q3 of 2014-15, to 265 (6.04%) in Q4 of 2014/15. For staff at LPO7 and above, there has been an increase from 19 (7.88%) in Q3 of 2014-15 to 22 (8.87%) in Q4 2014-15.
- 3.8 Work is being undertaken, in conjunction with One Tower Hamlets, to profile staff who have multiple identities (e.g. are disabled and LGBT or are BME and disabled) and to showcase them as Role Models. This is also part of the Stonewall Action Plan for 2015.

Training on disability is currently being run, which aims to raise awareness of disabilities, including those that are 'hidden'. Members of the Disabled Staff Forum were involved in setting the aims and outcomes of the training.

As part of the Council's regular training offer, courses are run that will aid staff with disabilities in the workplace. Examples of this include stress management and training on mental health issues. These courses are regularly promoted to staff and raising awareness of them will continue to be part of the ongoing communication plan.

- 3.9 Communications around raising awareness of disabilities to date includes news stories/reminders in the council's internal newsletter TH Net promoting the organisation's disability audit to staff. Further work will be undertaken to promote awareness throughout the year. TH Now continues to feature staff stories about a wide range of employees, some of which have focused on staff members with disclosed disabilities. The most recent piece was in the January 2015 issue of TH Now. Even though the story was not specifically on the subject of disability, the staff member in question did discuss her disability in relation to the council's flexible working arrangements.

Furthermore, an internal communications advisor will collaborate with HR and the ESCW Learning and Disability team to further develop communications on disabilities including hidden disabilities.

- 3.10 As part of Occupational Health's ongoing work programme, they run health and wellbeing sessions for staff. These sessions provide training, support and signposting to other available services around a whole range of health issues, as well as sometimes involving hands on support such as massage sessions. These are promoted on the intranet as well as through other usual communication channels.

3.11

Recommendation 2	Service comment at action planning stage
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.	HR will update the current flowchart linked to providing guidance on disability, highlighting ICT's role within this process. This would also include ICT at point of recruitment. HR will also explore the use of 'Do-IT Profiler' – a unique computerised modular assessment system that allows the individual to be understood as a whole, bringing the parts together to form a complete and accurate picture in order to help the organisation and employees in delivering screening and support of hidden impairments.

- 3.12 Update from service: A flow chart has been developed that shows clearly the process for staff to seek support if they have a disability. This sits alongside the council's Guidance on Access to Work and Managing Disabilities.

The Access to Work guidance has been updated to ensure it accurately reflects the services offered to staff and information has been provided to those who support staff with health problems with regards to the Mental Health Support Service offered by Access to Work. This has also been publicized through the Your Health page on the intranet, which has a section specifically focused on mental health and wellbeing.

- 3.13 Work has been undertaken to explore whether the Do-It Profiler could be utilised by the Council.

The Profiler makes reference to a limited number of learning difficulties; however the majority requires specific assessment tools, which have to be administered by a qualified professional. Introducing the Profiler would not, therefore, lead to a clinical diagnosis for staff. At present, if a staff member requests an assessment they will be sent to an appropriate external qualified professional. Introducing the Profiler would carry a cost and would add another step to the process.

There are a number of free self-assessment tools available online and links to these are included on the Your Health page of Your Workplace, Your Voice for staff to access.

- 3.14

Recommendation 3	Service comment at action planning stage
That managers are up-skilled through training to raise awareness of hidden disabilities and that progress in this area is monitored at performance reviews.	The council's Equalities and Diversity training is currently under review. The One Tower Hamlets Team and HR & WD are working with the internal staff forums to develop this programme. HR will update the current training packages to include learning disabilities/difficulties and ensure this is promoted and monitored in PDR and HR processes.

- 3.15 Update from service: Training on disability is currently being run for managers and staff, which aims to raise awareness of disabilities, including those that are 'hidden'. It specifically includes awareness around learning disabilities/difficulties. Members of the Disabled Staff Forum were involved in setting the aims and outcomes of the training.

As set out under recommendation 1 above, there are a number of ways that awareness is being raised around issues related to disability. The PDR process has now been automated and as part of the guidance, managers are reminded of the need to consider equality and diversity issues as part of the review process.

- 3.16

Recommendation 4	Service comment at action planning stage
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.	The ICT service catalogue can include any defined specialist hardware or software. Currently, individual requests are made by managers for any member of staff following an assessment of needs.

- 3.17 Update from service: Historically ICT has had few standard item requests for staff with learning (or physical) disability. Each request tends to follow from an individual assessment, for which the recommended equipment is procured. Special needs vary widely between users as does equipment in use, and the proposed solution depends on mixture of need and equipment. A statement on ordering adaptive and assisted hardware/software requesting users to log a call with service desk to have a professional assessment of equipment before ordering these items has been added in the catalogue on page 11. http://towernet/document_library/ict/systems_support/ICTCatalogue.pdf

3.18

Recommendation 5	Service comment at action planning stage
That a centralised budget be agreed to pay towards reasonable adjustments for staff with learning difficulties.	The head of HR, in conjunction with corporate finance, will explore options for addressing this.

- 3.19 Update from service: Funding for reasonable adjustments currently comes from the relevant service's budget. There is also funding available from Access to Work to help with making reasonable adjustments and this can be accessed by managers. The Guidance on Access to Work makes clear that there is financial help available and how to access it.

- 3.20 There is funding within HR that is for dedicated work linked to the Workforce to Reflect the Community Action Plan and work on raising awareness around disabilities forms part of this plan.

Given the above, it was not felt appropriate to set up a centralised budget as reasonable adjustments are managed in service budgets and the corporate work done on raising awareness through training and other measures is funded as part of the ongoing work of HR&WD.

3.21

Recommendation 6	Service comment at action planning stage
That the stigma associated with learning difficulties be tackled through training and appointment of Disability Champions within	HR will pilot staff champion model through identification of 'Time to Change' champions who will promote awareness of mental health in the

<p>service areas in order to build awareness of hidden disabilities across the organisation.</p>	<p>workplace. Following an evaluation, a decision will be made about the most effective model for promoting awareness of disability in the organisation. If disability champions are recruited this will be carried out through the Disabled Staff Forum. HR will also utilise its membership with the Disability Business Forum and Employers Network for Equality & Inclusion (ENEI) to support identified champions in this work.</p>
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- 3.22 Update from service: As previously stated, training on disability is currently being run, which aims to raise awareness of disabilities, including those that are 'hidden'.

The introduction of specific Learning Disability Champions was explored but there are other areas which also require champions and it was felt that having individual champions for each specific protected characteristic was not the most efficient model. For example, there is also the need to develop a Straight Allies network as part of the Stonewall Action Plan and champions for mental health issues have been considered.

- 3.23 It was therefore decided that the model to be adopted would be to create Your Voice Ambassadors (linked to the Your Workplace, Your Voice initiative), who will focus on championing all equalities and diversity issues within the workplace. The programme of training for Your Voice Ambassadors will be agreed in June 2015 and will take place in July 2015. The training will include focusing on learning difficulties/disabilities.
- 3.24 The council's membership of the Business Disability Forum and ENEI is being utilised to gather information about best practice elsewhere and to identify areas where they have specialists who can provide expertise to the council.

3.25

Recommendation 7	Service comment at action planning stage
<p>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.</p>	<p>The council's Equalities and Diversity training is currently under review. The One Tower Hamlets Team and HR & WD are working with the internal staff forums to develop this programme. HR will update the current training packages to include learning disabilities/difficulties and ensure this is promoted and monitored in PDR and HR processes.</p>

- 3.26 Update from service: The training package on disability for managers and staff has been reviewed and updated training implemented. In addition, under the Workforce to Reflect the Community Action Plan 2015-16, there will be a Management Development Programme introduced, which will include equalities and diversity training and the understanding of relevant policies. The inclusion of unconscious bias will be considered as part of this programme.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report provides the Overview and Scrutiny Committee with an update on progress made to date in implementing the seven recommendation made by the Committee back in April 2014, aimed at improving Tower Hamlets Council's approach to supporting staff with specific learning difficulties.
- 4.2 There are no specific financial implications as a result of the contents of this report.
- 4.3 The cost of making reasonable adjustments for staff with learning disabilities are paid for through directorate budgets, existing HR and training budgets and access to work grants and these budget provisions are deemed sufficient to meet the current need. Therefore, it has not been necessary to set aside additional corporate resources.

5. LEGAL COMMENTS

- 5.1 The Council is required by Section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements which ensure the committee has specified powers. Consistent with that obligation Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive, as appropriate, in connection with the discharge of any functions.
- 5.2 Section 39 of the Equality Act 2010 places an obligation on the Council not to discriminate, either directly or indirectly, in the following: offering employment; the terms of employment; opportunities for promotion, transfer or training or for receiving any other benefit, facility or service; dismissal; or by subjecting a person to any other detriment. Under the same section, the Council has an obligation to make reasonable adjustments. The above duties apply to the protected characteristic of disability, which may apply to staff with learning difficulties.
- 5.3 Under section 149 of the Equality Act 2010, the Council must when carrying out its functions have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not.

- 5.4 The Council needs to recognise that discrimination can be indirect as well as direct and that policies and procedures which are applied equally to all staff may have a disproportionate impact on certain staff with protected characteristics such as staff with disabilities. An example of this would be requiring all staff to submit written application forms or undergo written interview tests which may disproportionately disadvantage staff with problems such as dyslexia. As well as carrying out the exercise of identifying obvious “direct” issues which may adversely impact staff with the described disabilities and putting into place programmes and sourcing equipment to assist such staff, the Council should also look at employment processes and procedures which may have a disproportionate effect on these staff and consider ways in which these can be adjusted to ameliorate this effect. The Council will also need to have regard to any changes in legislation which might alter the duties and obligations that exist in regard to staff with disabilities.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The recommendations contained in the report will advance equality of opportunity for council employees with specific learning difficulties (hidden disabilities). In line with the Equality Act 2010 and the Public Sector Equality Duty, embedding recommendations will also ensure that staff members are shown due regard and their needs are considered in professional/personal development plans and workforce strategy planning.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The report supports the Best Value duty by monitoring progress against a number of recommendations which aim to secure improvement, informed by consideration of economy, efficiency and effectiveness.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 – Tower Hamlets Council’s Approach to Support Staff with Specific Learning Difficulties Scrutiny Challenge Session Report
- Appendix 2 – Research on Specific Learning Difficulties (SpLDs)
- Appendix 3 – Presentations from experts in the field of learning difficulties
- Appendix 4 – Scrutiny Review Action Plan

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

- NONE.

Officer contact details for documents:

- N/A