

Disabled employment rights

If you are disabled and worried that you may not be able to be employed, then this leaflet could help point you in the right direction of what rights you may have.

It is believed that exclusion from the world of employment is a big factor in disabled people becoming excluded from other aspects of society. Most disabled people desire to be employed but it is still believed that systems make it hard for disabled people to interact in society. Some focus has been put on making mainstream schools more accessible for disabled people instead of putting them in special schools which can make them socially excluded, and not receiving the education they need to gain qualifications (Swain, French and Cameron 2003)

There are many issues which disabled people face while trying to find employment and it is far more likely for disabled people to be employed in jobs which do not require any skill and are poorly paid. It is believed that occupations that offer security and high earnings are much less likely to be taken by disabled people. There are also less opportunities for disabled people to take on managerial positions (Roulston, 1998)

Physical barriers can have a huge impact on the opportunities that are offered to disabled people. There are still many buildings which are inaccessible which can prevent disabled people from being educated in certain places. Many work places are still too difficult for them to access which means they are unable to work in certain places. These factors mean that disabled people are affected negatively in a financial and social aspect of their life (Cameron, 2014)

It is not only physical barriers that are faced when seeking employment. There are personal barriers which is recognised as the human capital theory which suggests that a lot of disabled people have only received special education so are less likely to have gained valued qualifications, so therefore have less employment 'capital' to offer. Another factor that influences chances of

employment is the negative attitudes that many employers have towards employing a disabled person. Disabled people have double the chance of a negative response from a job application due to the attitude that employers doubt the abilities of the applicant due to their disability, and believe that they will not be independent in the work place (Swain, Barnes and Thomas, 2004, p. 197).

When certain barriers are removed and small adjustments are made, there is no reason why disabled people should not become valuable members of the community who can contribute and participate in their communities. (Swain, French and Cameron, 2003).

Being employed can have a positive impact on people's well-being. Even though it is important to have the ability to be able to afford materialistic things to engage in society, it also helps to provide people with their identity and define their social roles and status they have in society. It is suggested that being in work can help keep disabled people active and prevent them from long term incapacity. Disabled people who are in work have a better quality of life than those who do not as they have more financial stability and are much more involved in social participation (Waddell and Burton, 2006).

Many policies have been put in place to try and ensure that people are not being discriminated against due to their disability. The 2010 equality act protects disabled people in many different areas of employment ranging from application forms to dismissal. An employer is only permitted to ask questions about health and disability if it is directly linked to their ability to do a specific job. Employers have a duty to make adjustments to make sure disabled employees are not put at a disadvantage to others. Redundancy selection processes must be done fairly and someone cannot be chosen due to their disability. If an employee becomes disabled while employed, the employer cannot force the employee to retire

For more information on your rights please visit www.gov.uk/rights-disabled (Gov.UK, 2010).



(Image 1)

The Shaw trust is a charity that helps people find a job that they love. Their aim is to support people and help them to reach their potential by helping them to gain access to resources that will make them more employable. They provide them with guidance on how to improve their skills, find employment, and point them in the right direction for them to build a rewarding career. This trust has a work and health programme which aims to get positive employability outcomes for people who have got disabilities or health conditions. The charity works with employers so vacancies can be filled and potential employees to be given the right opportunities.

For more information visit the website on www.shaw-trust.org.uk

Contact details for the Shaw trust

Email support@shawtrust-trust.org.uk

Telephone 0300 30 33111

(Shaw trust, 2019).

Businesses have an opportunity to voluntarily become listed on the disability confident scheme. This scheme consists of three levels and the aim is to encourage businesses to become more confident about employing disabled people. They want to make employers aware how much being disability confident can help reduce the disability unemployment gaps and help disabled and people with health conditions to reach their full potential.

They also want employers to become aware of the benefits they could have by being disability confident, such as-

More high- quality applicants to choose from

Have a workforce that shows diversity.

They may have skills which could be beneficial to the business, such as sign language, which could be very useful while dealing with customers who communicate through sign language

Access to work can help with the financial cost towards providing extra support that is needed such as

Making adaptations

Assistance in travel arrangements

Special equipment

Support for communication in interview.

Any support workers they made require
(GOV.UK 2019).

Another organisation that provides specialist support for disabled people looking for work are Remploy. They work with disabled people and guide them through programmes, which can lead them into employment. They believe in helping build careers, instead of just filling vacancies. Remploy also work with the employers so they can recognize the benefits of becoming disability friendly

Remploy contact details

Phone 0300 456 8110

Email :employers@remploy.co.uk (remploy 2019)

Module Code: SJSS5002

Assessment Number: 2

Student Number: 1807501

Rationale

It could be argued that disabled people being under-educated and under employed has been consigned to history. There has been clear advances and a lot of legislations and work schemes put in place, but there is still a lot of negative attitudes towards employing disabled people that weakens these advances leading to disabled people still being discriminated against (Swain, Barnes and Thomas).

The main purpose of this leaflet is to help disabled people who are facing barriers preventing them to work to see that there are ways around these barriers and that they have certain rights to help them overcome these barriers.

Hopefully this leaflet give some information on the barriers that disabled people face whilst seeking employment. It will also show the benefits of being employed, and how being employed can help keep people financially independent and have an active social life. The majority of the time whether disabled people lead fulfilling lives depends on if they have got a strong social network. Being recognized in the community and being able to have valued roles can give them a sense of belonging and an opportunity to form close personal relationships. People who do not feel involved in their community and have valued relationships are at a very high risk of becoming lonely, isolated and powerless. Being employed is a great way to become socially active (O'Brien and O'Brien).

The 2010 equality act has got many policies which give disabled people rights in their work place, so this leaflet aims to make people aware of their rights and hopefully give them the confidence to make sure they are treated the same as any other individual in the work place (Cameron 2014).

Some disabled people may not be aware that employers have a duty to make small adjustments in the work place and could also receive some support from certain schemes to make these changes. This leaflet could make someone who thinks there are certain places they could not work due to their disability, realize that the workplace has to make these adjustments could change their mind on whether they are capable enough to apply for certain positions (GOV.UK).

The first step towards finding work could be finding support, therefore the leaflet contains a few contact details so they can get in touch with people and organisations who can help them.

Reference list

- Cameron, C. (2014) *Disability studies a student's guide*. London: Sage.
- GOV.UK (2019) *Disability rights*. [online] Available at: <https://www.gov.uk/rights-disabled-person/employment> [Accessed 12 Nov. 2019].
- GOV.UK. (2019). *Employing disabled people and people with health conditions*. [online] Available at: <https://www.gov.uk/government/publications/employing-disabled-people-and-people-with-health-conditions/employing-disabled-people-and-people-with-health-conditions> [Accessed 12 Nov. 2019].
- O'Brien and O'Brien. (2000) *Members of each other building community in company with people with developmental disabilities*. Toronto: Inclusion press.
- Remploy.co.uk. (2019). *Remploy - Putting ability first*. [online] Available at: <https://www.remploy.co.uk/> [Accessed 19 Nov. 2019].
- Roulstone, A (1998) *Enabling technology: Disabled people, work and new technology*. Buckingham: open university press.
- Shaw Trust. (2019). *Home - Shaw Trust*. [online] Available at: <https://www.shaw-trust.org.uk/en-GB/> [Accessed 12 Nov. 2019].
- Swain, J, French, S and Cameron, C. (2003) *Controversial issues in a disabling society*. Norfolk: Open university press.
- Swain, J, French, S, Barnes, C and Thomas, C (2004) *Disabling barriers, enabling environments*. 2nd ed. London :Sage
- Wadell, G and Burton, K.A. (2006) *'Is work good for your health and well-being?'* A review commissioned by DWP. London: TSO
- Image 1 <https://www.shaw-trust.org.uk/>