Diversity Matters – Disability and mental health

Graduates with disabilities appear to find it harder to obtain paid employment than non-disabled graduates. According to the latest figures, 64.6% of graduates with disabilities were in paid employment (full-time, part-time or a combination of work and further study) six months after graduation compared to 68.3% of their non-disabled peers. This difference in gaining paid employment has remained largely unchanged over the last decade. For those disabled graduates that do obtain employment the news is better, as they are gaining graduate-level employment at the same rate as non-disabled graduates. However, employment outcomes vary quite widely according to the nature of the disability. For more detailed information, see What Happens Next? A Report on the First Destinations of 2010 Graduates with Disabilities (AGCAS, 2012).

Finding positive employers

Increasing numbers of organisations are employing applicants with disabilities and health conditions, and striving for greater diversity in the workplace. Many employers recognise that there are advantages to recruiting a diverse workforce. Not only is it usually more productive, but it also:

- reflects the nature of their clients and consumers more accurately;
- offers more choice in recruitment;
- brings different life experiences, expertise and skills to the organisation;
- enables employers to identify positive changes, which will benefit other staff as well as employees with disabilities and health conditions.

It is not always possible to identify when an employer is disability friendly but you may want to consider the following points:

- What does the employer say (or not say) in recruitment information? Does the website or company literature include a policy statement on equal opportunities and profiles of employees with a disability?
- Do job adverts and application forms carry the Jobcentre Plus Disability Symbol, made up of two ticks and the words 'positive about disabled people'? This national initiative shows that an employer has signed up to five key commitments on disability, including guaranteeing an interview to all applicants with disabilities who fulfil the minimum criteria of the job.
- Is the company a member of the Employers' Forum on Disability (EFD)? This is a leading employer membership organisation focusing on disability as it affects business. It has members from sectors including IT and telecoms, media, manufacturing, education, financial services and local government. See their website for a full list of member organisations.
- Is the company involved in the Mindful Employer network, led and supported by UK employers, which aims to increase the awareness of mental health at work and provides support for businesses in recruiting and retaining staff? Visit the website for a list of employers that have signed the voluntary Charter for Employers who...
are Positive About Mental Health. Employers include private businesses, public and voluntary sector organisations.

- Do application materials outline the employer’s commitment to equal opportunities and encourage applicants to declare a disability by asking what adjustments can be made to aid candidates during the recruitment process? Application forms that avoid using small print and are available in alternative formats are good indications of an employer’s commitment.
- Try to speak to someone who works in the organisation to get a sense of how the organisation operates.
- Visit your university careers service to find out which employers are positive about employing graduates with disabilities.

It is reassuring to know about prospective employers’ attitudes, but do not limit yourself to applying only to organisations that publicise their commitments. A lack of publicity does not necessarily mean they will not be inclusive employers. Applications should be made on the basis of opportunities available and how those opportunities match your own skills and interests.

Various organisations and resources can provide support, information and advice in sourcing positive employers. These include:

- **EmployAbility** - an organisation dedicated to assisting people with all kinds of disabilities into employment. It specialises in supporting disabled undergraduates and graduates, helping to ease the transition from education to employment. EmployAbility provides support throughout the whole recruitment process, as well as recommending positive employers and promoting internship and placement scheme opportunities.
- **Shaw Trust** - a charity that provides help and support to people with a disability or health condition through the recruitment process and sourcing employment. It also offers a graduate programme designed to provide specific help and advice to disabled students and graduates from all disciplines.
- The [Mind](https://www.mind.org.uk) website - includes a directory of specialist agencies that all have expertise in mental health and employment. Most of them support people with mental health conditions in their job search and in the workplace.
- **Disability Rights UK** - provides advice to disabled students with general information on the Equality Act, welfare benefits and access to higher education.
- Some organisations offer specific schemes aimed at recruiting disabled graduates. The [Chartered Institute of Housing (CIH)](https://www.cih.org.uk), for example, aims to provide a Positive Action for Disability Programme, a two-year traineeship for disabled people interested in a career in housing.

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### Marketing yourself and disclosure

Deciding to disclose the nature of your disability to an employer is a matter of personal choice. You are under no legal obligation to disclose a disability unless you wish to do so, and it is for you to choose the stage at which you wish to disclose.

There are a number of factors you should take into consideration when deciding whether to disclose. One of these is whether your disability raises a health and safety issue for yourself and/or your future colleagues, e.g. if you have epilepsy and may experience a seizure in the workplace. Another factor is whether you would need any adjustments to
help accommodate your disability either at the application stage or in the course of day-to-day work.

Once you have disclosed your disability, you are protected by the Equality Act 2010, which means that your employer must take all reasonable steps to provide the necessary adjustments and must not discriminate against you because of your disability. However, if you choose not to disclose and subsequently underperform, you will not be covered by the Equality Act. It does not cover you in retrospect and an employer who was unaware of your condition cannot be judged to have discriminated against you.

If you choose to disclose your disability, always give it a positive perspective. You may be able to use it to provide evidence of many of the competencies employers look for, such as flexibility, determination, ability to perform under pressure and creative problem-solving.

**Disclosure on the application form**

There may be a section on the application form that asks about any serious health conditions or disabilities. You can also use the personal statement section of the application form to disclose your disability. Although you do not have to disclose a disability, you must not lie and say you do not have a disability if you do. If you do not wish to disclose, simply do not answer the question. If false information is given and your employer finds out at a later date, you will not be protected by the Equality Act and the employer may take issue with the fact that you have been untruthful on the application form.

If you choose not to disclose your disability on the application form, you can still do so at a later stage. For example, you may not need adjustments during the early stages of your recruitment, but may find that you do in your day-to-day work.

If you disclose, make sure you discuss your disability only in terms of its relevance to your performance in the job. You do not need to go into personal detail as the employer should only be concerned about how it will affect your performance in your job. Emphasise positive achievements and give examples. You may have gained skills as a result of your disability and you should not be afraid to use these as selling points. Making a positive statement about your disability may help to remove any doubts an employer may have. Do not assume that they will be negative - your experiences may give you the edge over non-disabled applicants because they may have equipped you with skills that are highly valued by employers.

While it is important to present your disability positively, avoid focusing the whole application on the issue. Your main focus should be on showing the employer your suitability, so only mention your disability where it is appropriate and relevant.

**Disclosure in a CV/covering letter**

When applying for jobs using a CV, always include a supporting covering letter. You could mention your disability in the covering letter, emphasising how your disability may have further developed the skills and experience mentioned in your CV. However, you should only raise this when it is relevant to your application.

On your CV, there may be a gap in your educational history due to a period of prolonged illness. You can use your covering letter to explain this, but always present it in a way that will show you in a positive light. For example, point to how well you have achieved your goals despite any difficulties your disability may have caused. Alternatively, you can refer
to your disability in your CV, if, for example, you attended a specialist school or college for disabled people.

**Disclosure at pre-interview stage**

The Equality Act requires employers to ensure arrangements for interviews do not put disabled applicants at a disadvantage. You may not have disclosed that you have a disability up to this point, but this is a time when you may want to identify practical needs to ensure that you can compete on a level playing field with other applicants. If you have not been invited to discuss your needs, take the initiative and contact the employer in advance - they may need time to make appropriate arrangements. This may also provide a good opportunity to instigate a brief discussion around your disability.

**Disclosure at interview**

If you have not disclosed your disability up to this point, the interview presents an opportunity to do so. You may feel more comfortable disclosing when you can discuss the implications face-to-face and more clearly demonstrate your competencies. If you have previously mentioned your disability, the interview can be an opportunity to expand on the positive effects it has had on your life and how it has enhanced your employability. As with application forms, do not allow your disability to become the main focus. The purpose of the interview should be to focus on your ability not your disability, so ensure that appropriate time is devoted to discussing your skills and qualifications.

Some interviewers have little experience of disability and may feel anxious or unsure of workplace implications. This is an opportunity to deal with any concerns or misconceptions that an employer may have. Be prepared to make suggestions about what adjustments you would need to have made in order to do the job effectively. You could also take with you to the interview relevant information about funding or sources of information so that the employer can follow these up.

If you have not done so already, you may choose to disclose your disability once you have been offered the job or when you start work. You can decide who to tell - it may be your manager or HR - and you can also request that colleagues are not told. If your condition affects the way you work, it may be helpful to be open with colleagues so they understand and can help you with anything you may need.

**Further information**

Individual requirements differ, even between people with the same disability. The [Telling People about your Disability](#) publication explores the arguments for and against disclosure in greater detail. Alternatively, you may wish to discuss whether, when and how to disclose your disability with a careers adviser.

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**Your rights**

According to the government’s [Office for Disability Issues](#), there are almost 10 million disabled people in Great Britain, which equates to about one in five adults ([Family Resources Survey, 2009-10](#)).

**Equality Act 2010**
The Equality Act (2010) has replaced most previous related legislation (including most of the Disability Discrimination Act) and provides protection from unfair discrimination for disabled people. Combining previous anti-discrimination laws within a single act is designed to make the law simpler and remove inconsistencies. The act has also strengthened protection in some situations.

Under the Equality Act, a disability is defined as being ‘a physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities’. ‘Substantial’ is defined as anything more than trivial, for example a cut finger would not be covered, but repetitive strain injury would. ‘Long-term’ means anything that has lasted, or is likely to last, 12 months or more. This covers people with physical, mobility and sensory impairments, such as wheelchair users, people with cerebral palsy, arthritis, visually impaired and hearing impaired people. It also covers people with dyslexia, mental health conditions, asthma and diabetes. People with multiple sclerosis, cancer, including those in remission, and HIV are covered by the act from the point of diagnosis.

For more information, see New Equality Act Guidance.

**Employment and the law**

In terms of employment, the Equality Act makes it unlawful for an employer to discriminate against a disabled person applying for a job or in employment. This covers:

- full and part-time work;
- apprenticeships;
- work placements;
- contract positions.

Under the Equality Act, an employer must not treat a disabled person less favourably than a non-disabled person for any reason relating to their disability.

The act applies to employing organisations of all sizes, as well as professional bodies that regulate entry into work. The only exception is the armed forces.

If you believe that discrimination has occurred, you may need to consider further action. The first step will probably be an informal discussion with your employer about your needs and the Equality Act. In many cases, once employers realise what the issues are, they are willing to resolve any problems and take positive steps to support you at work. Your employer can only put things right if you explain your concerns.

If this approach is not successful, or if you would like advice before taking any action, contact the Equality and Human Rights Commission (EHRC), an independent body for Great Britain to protect human rights, including disabled peoples’ employment rights. If you are based in Northern Ireland, contact the Equality Commission for Northern Ireland.

**Mental health legislation**

There is also specific legislation on mental health. The legislation governing the compulsory treatment of certain people who have a mental disorder is the Mental Health Act 1983. The Mental Health Act 2007 was brought in to amend the 1983 Act. For example, it provides a single definition of mental disorder (‘any disorder or disability of the mind’).
Information on current mental health issues and recent parliamentary briefings are available from Mind and the Mental Health Alliance.

**Reasonable adjustments**

Employers have a duty to make ‘reasonable adjustments’ in the workplace. In the context of the Equality Act, this includes physical changes, or changes in procedure, to reduce or remove any substantial disadvantage caused to a disabled applicant or employee. If adjustments are made for you, it does not imply that you are less able or are receiving preferential treatment; it simply allows you to alleviate difficulties that other people do not have to contend with.

Examples of reasonable adjustments include:

- providing more time in the application process or for day-to-day work;
- allowing flexible working hours;
- using modified equipment, such as a screen reader for a visually impaired employee or a textphone for a hearing impaired employee;
- making physical adjustments to premises;
- providing instructions and manuals in accessible formats, such as large print, disk or Braille;
- providing a clear job description and task assignments to someone who finds uncertainty hard to cope with;
- a gradual induction process;
- transferring a disabled employee to another place of work or post of equal standing.

Employers may ask for information about your disability or health condition to help them make reasonable adjustments, but they must not use that information to discriminate. The onus is upon the employer, not the employee, to provide adjustments. In some cases, a new graduate may not know what support is available to them and it is the employer’s responsibility to seek expert advice.

As the Equality Act does not define what is ‘reasonable’, the size of the employing organisation, their resources and the nature of the work, amongst other factors, are all taken into account, but small as well as large employers can and should make adjustments. Employers must demonstrate that all possible avenues have been explored before claiming they are unable to make adjustments.

Certain disabilities may exclude individuals from some areas of employment. For example, it is unlikely that a visually impaired person would be able to become an airline pilot, but all reasonable alternatives should be explored.

**Access to Work**

The Access to Work scheme offers advice and information to employers on employing disabled people and a grant is available to cover the cost of reasonable adjustments. However, you may be the most knowledgeable person when it comes to your particular disability so, combined with your employer’s knowledge of the role and possibly some expert advice, a very simple solution can often be found, with little or no disruption or expense. If you are starting a new job, it is worth contacting Access to Work early, as it may take some time to implement the necessary adjustments.
Top tips

• Look for disability-positive employers, but consider all opportunities on their merits.
• Make use of specialist organisations, websites and other resources in your search for employment and advice.
• Don’t assume employers will have a negative attitude towards your disability.
• Disclosure when applying for jobs is a personal choice (unless there are health and safety issues either for yourself or colleagues as a result of your condition). Consider both the advantages and disadvantages.
• Always be positive when disclosing your disability. Employers will want employees who are enthusiastic and positive, so concentrate on achievement and skill.
• Marketing your skills and experience to an employer is vital. Think about your skills and abilities, in particular those developed through managing your disability.
• Seek advice from your university careers service about how to handle CVs, applications and interviews, as well as work experience and graduate work opportunities.
• The employment rights of the disabled person are protected by the Equality Act 2010. This Act makes it unlawful for employers to discriminate against a person because of their disability. It requires employers to make reasonable adjustments in the workplace and to employment arrangements.
• Help employers to help you by suggesting adjustments or advising them of your coping strategies, and make them aware that financial support is available for adjustments.

Case studies

Barclays Graduate Trainee: Paolo

Paolo has a BA Criminology from London Metropolitan University and an MA Criminology from Kings College, London. He is currently working as an HR graduate with Barclays.

I was diagnosed with Asperger’s at London Metropolitan University. Academically, I had always done badly because although my verbal understanding was good, my writing was weaker. I had difficulty processing information which meant my academic grades were pulled down. Following my diagnosis I was allocated a tutor who really helped me with techniques to address my difficulties.

In some of my first positions (employment before Barclays), colleagues didn’t know how to approach me and there was a lack of awareness and understanding of Asperger’s. However, this has not been the case at all at Barclays, or Goldman Sachs where I did a placement. In more professional cultures I have found that the employers want the workforce to be happy and so are very accommodating.

My sense is that the banks are keen to recruit very able candidates from places like Oxford and Cambridge where there are quite a lot of students with Asperger’s, so they are keen to be disability friendly. At Barclays they have made sure that there have been workshops for the teams I was moving into to raise awareness. Some colleagues knew a lot about Asperger’s whilst others didn’t, but the workshops allowed them to ask questions. My current manager has dyslexia, which is very different from Asperger’s, and
it’s been interesting for both of us to learn how to work well together. I’m currently based in HR where the team is very small and understanding, and I feel that really no adjustments have been needed.

In terms of disclosure, I obtained my employment through EmployAbility, so it was clear from the start that I had a disability. I initially did a placement with Goldman Sachs through The National Autistic Society’s Prospects employment service and then applied to Barclays through Employability, who advised Barclays on the adjustments that would be needed. Barclays agreed that I could be exempt from the verbal and numerical reasoning tests but I completed all the other aspects of the recruitment process successfully.

My sense is that employers are becoming much more aware of Asperger’s because of media coverage, and as a result many of them are keen to learn more. Barclays were advised that in terms of adjustments I would need instructions to be given to me very clearly in bullet points and sometimes in diagrams, as visual instructions work well for me. I needed to be given advance notice of everything so my line manager was asked to give me a plan for the week ahead so that I could picture it. In fact though, over time, I’ve needed fewer adjustments, as with experience I’ve become much more confident. I’m now more flexible and able to go outside my comfort zone. I’ve learned that whilst this is hard at first you get used to it and gradually adapt. My analogy is that it’s like being thrown into the sea - initially you feel really cold but then your body gets used to it.

I think I’ve rewired some of my neurons to the work culture and started to learn the hidden social language of the workplace. Each work environment has its own culture, values and ethos which you have to work out. For example, at school if you are late you are put in detention. However, at work this isn’t the case because it’s a professional environment where the employer can allow some latitude in order to get the best out of its employees. At first I didn’t realise this, but colleagues explained things to me and I observed others closely to become more politically savvy. I’m now much more confident about what to say and when, and I have learned some of the hidden social norms. This might be hard for some individuals with Asperger’s but I’ve gradually grown out of my difference.

My advice to other students and graduates with Asperger’s is to be proactive in accessing the support available. If possible, disclose to your colleagues after they’ve got to know you so that they don’t approach you with preconceived ideas. Talk to HR if you need adjustments as they are there to help you. You need to get used to being outside your comfort zone and this will often lead to a sense of empowerment.

Risk Analyst: Scott

Scott studied risk management at Glasgow Caledonian University and graduated with a first class BA (Hons) degree. He now works as a project and bid engineer/risk analyst.

I suffer from visual impairment caused by a childhood accident and my vision will also deteriorate later in life. Around the time I started university I had various intensive operations, which created problems for me in that my eyes became quite easily strained, I suffered from headaches in bright light and if staring for too long at a computer my eyes would also stream. This meant that I sometimes had trouble keeping up with the lecturer if they changed slides quite quickly.

Initially, some lecturers and exam modulators did not understand my condition, but things got better after I went to the Disability Service. They assessed my needs, kept in regular contact with me and offered me support and additional equipment, some of which I had to
refuse! This support included a laptop, printer and additional paper budget while on campus, as well as providing me with a computer, additional time and the option of a scribe for my exams. What most aided me when I was struggling with keeping up with lectures was a digital voice recorder.

With employers I have found that it is best to disclose as early as possible so that everyone is aware, they have time to make any adjustments, and as one of my friends said, ‘if they react any differently would you want to work for them anyway?’.

Despite this, I have never found anyone to be anything other than very welcoming. Statistically, you are also unlikely to be the only disabled person within that company and definitely not the first or last person with this condition that they will encounter.

Failure to disclose my condition caused me problems when in the final assessment for the NHS Graduate Scheme and their in-tray exercise I failed to notify them that I was visually impaired. This proved unhelpful to everyone concerned because not only did I fail to finish the exercise in time, but also, like almost all of my employers, they were perfectly happy to accommodate my needs and disappointingly said at the end ‘why didn’t you just tell us’. As it turned out, there was a girl sat at the front of the room who was visually impaired, was given extra time and went through to the next round.

When starting a new job, I inform HR before I start work, or within the first few days of starting, and I am afforded a break from the screen, can enlarge documents on my computer or simply ask someone to magnify or to increase the size of a document on their screen, or to tell me what something says if it is particularly far away. In places that I have worked, managers have been supportive and have asked what, if anything, can be done to improve the situation. It was this open, ‘carte blanche’ approach that I found very welcoming in that it allows people to gauge your disability from the source, as they are likely to have only been told in passing or that ‘(name) is visually impaired’, which covers a huge spectrum of issues.

Disclosure also allows the person, especially if they suffer from a disability or are visually different, to gain control of the situation, eases any nervousness from other people as well as giving you a handle on what people will hear or be informed of later, a lesson hard learned at school.

Sometimes, often through lack of previous exposure, colleagues do make mistakes. This has included people asking if I needed assistance to the toilet, or asking if I could deliver something by car, then looking embarrassed. However, overall within the workplace, experience has shown me that people are often kind and sympathetic and wish to help.

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**Contacts and resources**

**Jobs and work**

- [Access to Work](#)
- [Association of Disabled Professionals](#)
- [Blind in Business](#) - charity helping blind and partially sighted students into work
- [Centre for Mental Health](#)
- [Depression Alliance](#)
- [Disability Action](#) - Northern Ireland disability organisation
- [Disability Rights UK](#)
• Disabled Entrepreneurs Network
• EmployAbility
• Employers' Forum on Disability (EFD)
• Jobcentre Plus
• Jobcentre Plus Disability Symbol
• Mental Health Alliance
• Mental Health Foundation
• Mental Health Wales
• Mind
• Mindful Employer
• Northern Ireland Association for Mental Health (NIAMH)
• Rethink Mental Illness
• Richmond Fellowship
• Scottish Association for Mental Health
• Shaw Trust
• Telling People about your Disability - Disability Rights UK publication
• UseMyAbility (UMA) - practical advice to help students develop their employability skills

News

• Disability Now

Reference

• Directgov - Employment Support
• Equality Act 2010
• Equality and Human Rights Commission
• Equality Commission for Northern Ireland
• Mental Health Act 2007
• Office for Disability Issues
• Trade Union Disability Alliance (TUDA)
• Working with Disabled Students and Graduates, Association of Graduate Careers Advisory Services (AGCAS), 2012 - resource pack, produced by the AGCAS Disability Task Group, aimed at practitioners working with disabled students and graduates. Available to members of AGCAS.

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