

Chartered Insurance Institute

Standards. Professionalism. Trust.

In association with

SCOPE

Equality for disabled people



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Foreword

Today, diversity and inclusion are issues discussed in many businesses at all levels, from the staff room to the boardroom, as is the need to make a step change improvement to boot.

Having said this, this discussion is often in the context of binary gender issues, with trade bodies and firms measuring gender pay gaps and targeting the number of women progressing into leadership positions. Whilst this is greatly welcomed with circa 18% of our working age adult population having a disability be it seen and/or unseen, it's time I suggest for a reality check.

Let's be very clear, if disability is not also on our agenda, then neither frankly is diversity, inclusion, innovation, productivity, brand experience, talent, risk, reputation, consumer trust. For that matter, if it is not on your agenda, neither is your customer and their needs being at the heart of your business and what it does.

We are privileged to work in one of the oldest and most mature insurance markets

in the world. This success in very large part built upon insurance firms being close to and serving the needs of their local communities and businesses, pooling risk and in doing so, making insurance cover, benefits and outcomes available and affordable for the many, not the few.

With currently 7.6 million working age people in the UK today with a disability and taken as a group commanding a spend of circa £212bn. It begs the question, what better way to understand the needs of disabled consumers and ALL customers at moments of vulnerability, than by employing colleagues with a disability, be it seen or unseen?

This said, as a mature industry and profession, we should be aiming higher - and as the pension, group risk benefits and wellness providers to UK businesses large and small - set a standard and become an example to other sectors of our economy. We must walk the talk on inclusion and diversity.

This is a very real need, as Inclusive Boards recently commissioned a poll of over 1000 UK based business leaders to capture their views about senior leaders with a disability.



Foreword - continued

and the headlines from this survey make for sad reading:

- Two thirds of the business leaders surveyed did not know any disabled business leaders.
- Only one in ten business leaders were confident about recruiting disabled people into senior positions...The main reason given being the potential high costs of adjustments, this illustrating a significant lack of awareness given the average cost of reasonable adjustments is just £75.

Serving the needs of consumers has been and remains critical to the continued development and success of the insurance industry and profession in the UK, this why on my appointment as DWP Disability Champion for the insurance industry, I made a commitment to the then Minister of State for Disabled People, Health and Work, Sarah Newton MP, to improve consumer access to insurance, particularly for those with long-term health conditions and disabilities.

This issue has also been the subject of a Financial Conduct Authority call for evidence, response and consultation. Whilst this specifically relates to the travel industry, there is read across to the protection industry. It is also relevant to the Financial Services Consumer Panel's recent focus and discussion paper on Understanding the Protection Gap.

Together with colleagues from across our industry I formed and chair The Access to Insurance Working Group in September 2018 with four workstreams/aims agreed:

- To develop a signposting system for consumers, supporting consumer groups and charities so they can easily access guidance and advice about insurance from protection specialists (Signposting Workstream)
- To improve the transparency of underwriting processes and practices around chronic health conditions and disabilities for consumers, supporting consumer groups and charities (Underwriting Workstream)

- To improve standards across all who distribute protection products, so we create a framework for improving access to expert underwriting advice across financial, health and charitable sectors (Professionalism Workstream)
- To develop a proposal for greater accessibility to insurance through the workplace (Workplace Workstream).

Each workstream is supported by the Charities and Consumer Body Reference Group with membership drawn from a broad spread of health and disability charities, consumer group and key influencers. Given asks now being made of UK business to in addition to improving employee pension provision to also take responsibility for improving employee physical and mental health plus financial capability.

Which is why as DWP Disability Champion for the Insurance Industry and Profession, I warmly welcome, fully support and look forward to working with the Chartered Insurance Institute and Scope Charity on this collaborative initiative to make the insurance

industry and profession a career destination of choice for people with disabilities, seen and/or unseen.

Johnny Timpson, DWP Disability Champion

Foreword - continued

As the Chief Executive Officer of the Chartered Insurance Institute (CII), it has been my mission to focus on three far reaching principles for the sector: Standards. Professionalism, Trust.

We are living in an ever changing, diverse society and visibility of the rights and needs of everyone has reached heights not seen previously. However, to truly commit to ensuring our sector has high standards, professionalism and public trust, we must not lose sight of the constant need to do better than yesterday. We must face up to the need to do more to ensure everyone has the same access to employment and then to do the best to retain the best talent in our profession.

With this in mind, the CII has partnered with Scope - the disability equality charity - to develop guidance on reporting and developing a diverse, inclusive working environment for people with disabilities.

At the CII, we have worked across sector to campaign to break down the stigma surrounding mental health and wellbeing, and to remove barriers for women, both in the workplace and out. We take equality seriously, and so we would have failed our own principles for diversity and inclusion if we did not also call for the barriers encountered on people with disabilities and look at ways to remove these.

We want everyone to be able to enter, develop and advance within an organisation, and do so in a safe, comfortable, productive environment. So, hurdles which prevent people with disabilities from securing work, succeeding in work or even having access to things often taken for granted such as affordable insurance premiums for travel, need to be found and replaced with the right culture of support.

There is no shame in facing up to any current shortfall in meeting the needs of employees, particularly those with disabilities, as long as this is followed up by action to do better. I am proud of how open we have been, as part of the wider financial services sector, in recognising the need to take steps to encourage greater diversity and inclusion, and this must include equality for people with disabilities.

If there is one thing we wish to achieve with this piece of work, it is to amplify the need to do more to accommodate a more diverse pool of talent in our workplaces. We also want to reassure you that not all change needs to be drastic or expensive, as long as the needs and situation of employees or customers, are taken into account at all levels of an organisation.

Ultimately, businesses become more successful, more productive and overall healthier places to work when there are positive cultural norms in place. But I do not make this point lightly: there is no alternative, as businesses cannot survive if they ignore sections of society, whether it's in their employment practices or within their potential customer pool.

We want our profession, a mature and innovative market of ideas, to be held up as a standard for others to follow. With your help we can achieve this and all we ask is to take on board what this guide sets out to do. Together we can create a workplace for all and one which will be seen to do right by its colleagues and customers.

Sian Fisher, Chief Executive Officer, Chartered Insurance Institute



Foreword - Scope

At Scope we know that more and more businesses are recognising the value of diverse talent - to the workplace and to the bottom line.

However if you are disabled, getting into and staying in work is still so much harder than it needs to be.

There are currently one million disabled people who are ready and wanting to work but are shut out of the jobs market. On top of this just 50 per cent of disabled people are in work, compared to 80 per cent of non-disabled people.

This needs to change.

Disabled people consistently tell us that the barriers they face to getting into work and grow in their roles can be solved. The answer to this lies in providing employers with the tools they need.

Which is why we're delighted to partner with the Chartered Insurance Institute on this practical guide for employers in the sector on the collection and use of data. Together we believe we can shift workplace cultures so that all disabled colleagues – current and future – can thrive and deliver transformational change.

But why is collecting and reporting important? At Scope we believe that what gets measured gets done, and that by collecting and then acting on disability and diversity data you can build confidence and trust amongst staff as well as build a world-class, inclusive workplace.

And disabled people have told us that they would like to see employers being more transparent about their working practices and progress in employing and retaining disabled staff.

We've set out the steps we believe employers should take to capture this information and as a result we know you will be better placed to understand where disabled people face barriers in the workplace and will reinforce your plans to be an inclusive organisation. Ultimately becoming a better business as a result.

We hope this resource gives your business the insight and support needed to make progress on disability employment and make a difference for your disabled employees and your business. We, along with the CII, believe the industry is one that wants to be held up as the standard for others to follow. We hope this guide helps you get there.



Introduction

What is a disability?

The Equality Act 2010 defines a disabled person as "an individual has 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". Long-term is defined as lasting for or likely to last for at least 12 months and substantial is defined as more than a minor effect.

Some conditions are classified as disabilities from when they are diagnosed, these are: cancer, HIV and multiple sclerosis.

Progressive conditions are covered by the Act from the point when the condition causes an impairment which has some effect on ability to carry out normal day-to-day activities, even though it may not be considered a substantial effect, if impairment is likely to have a substantial adverse effect in the future.

Some conditions are not always readily visible - these are often termed 'invisible illnesses' or 'hidden disabilities' and can include mental health conditions, fatigue, chronic pain, diabetes, brain injuries, cognitive function and conditions effecting

sight. The CII is putting together further information on invisible illnesses and will be launching an information video at the end of 2019.

The definition of disability is often more complicated than the legal definition allows. Many disabled people do not identify they are disabled because of their impairment or condition, as the definition in the Equality Act states. Instead, they identify they are disabled because of the barriers they encounter in their everyday lives, including at work.

As they do not consider themselves as having an impairment or condition based on a limited legal definition, more and more organisations, such as Scope, do not define disability using the Equality Act. Therefore, for the purpose of this report and subsequent work, we base our definition of disability on an approach known as the social model of disability. This approach argues people are disabled by barriers in society and focuses on removing those barriers.

What duties do organisations have to disabled employees?

The Equality Act requires organisations to ensure there is no discrimination, victimisation or harassment. Equality of opportunity for disabled employees is encouraged and positive relationships are promoted between employees with a disability and those without.

Organisations need to ensure they consider each stage of the employee lifecycle and take steps to ensure disabled employees can enter, develop and advance within an organisation. There is also a duty on organisations not to act less favourably to an individual with a disability because of a challenge resulting from their disability.

With all of this in mind, one of the main duties organisations have is to ensure they make "reasonable adjustments" within the workplace or to workplace practices. This is in order to ensure employees with a disability can access work and work safely and productively during employment and are not disadvantaged compared to individuals without a disability.

Making reasonable adjustments for employees with disabilities is a legal requirement. To fail to do so could be considered discrimination, resulting in legal action against an employer. Therefore, it is always best to check with your employee, to see what support they feel they need.

What is considered 'reasonable' will depend on a variety of factors such as the size of the employer, the type of organisation and the resources available to the organisation. Employers should investigate any adjustments thoroughly before deciding on whether they are deemed reasonable, as many adjustments can be introduced relatively easily and cheaply, for example, changing working hours, offering a parking space or providing a new chair.

However, for many disabled people, reasonable adjustments are essential to doing their job effectively. Scope research has found 21 per cent of people with disabilities, and 25 per cent people with disabilities with high support needs, said flexible working or modified hours have helped them at work.

Introduction - continued

Some disabled people, who have employment experience, shared their insights and stated: knowing an employer would be proactive in asking candidates and staff about the support they need and quickly making reasonable adjustments, is a real priority for them.

This means there is a need for organisations to demonstrate they understand their role as an employer in providing reasonable adjustments and support to employees and have experience in delivering reasonable adjustments effectively.

What reasonable adjustments can be made and how?

A reasonable adjustment can involve tackling any circumstances where a condition or provision, system or procedure by the organisation results in a disabled employee or an individual applying for a role at the organisation being at a considerable disadvantage in contrast to an individual who is not disabled.

It could also involve eliminating or changing a physical element of the working environment which, if not altered or removed, would result in an disabled employee or an individual applying for a role at the organisation being at a considerable disadvantage in contrast to an individual who is without disability.

Providing support and help to disabled people can take a variety of forms. For example, specialist software, an adapted workstation, or improved access to the workplace, to ensure an employee, or an individual applying for a role at the organisation, would then not be at a considerable disadvantage in contrast to an individual who is not disabled.

Examples of reasonable adjustments include:

- Amending working hours
- Changing work location
- Additional training
- Time off work for treatment
- Specialist equipment
- Personal support
- Adjusting physical environment
- Allocating some duties to others.



Reporting - Who, what, when, where, why and how?

Why should you gather disability data?

Collecting and reporting on your disability data will enable you to identify how many staff identify as disabled and how their experiences compare with other staff.

Currently in the UK there are 3.3 million disabled people who are not in work and are looking for work. Besides those who are unable to work, the higher proportion of unemployment and economic inactivity compounds the issue for disabled people and contributes to the disability employment gap. This is the rate of employment amongst disabled people compared to the rate amongst those without a disability, for example in October 2019 this figure stood at 28.9%.

Collecting data on your staff, particularly those who identify as disabled, can help you close this gap within your organisation.

Reporting can help identify:

- Levels of satisfaction
- The number of disabled staff who have progressed through your business, and if there are any barriers to them doing so

- The effectiveness of adjustments
- What areas, if any, of the business are under represented.

This insight will then provide you with the evidence required to make the case internally to modify your office and/or working practices, in order to become a more inclusive organisation.

Many employers already collect this data internally. But not everyone leverages on this valuable insight to improve workplace practices. While even fewer still review such data at executive or board level, or even publish it.

As a result, businesses are wasting an opportunity to both change internal practices will benefit their disabled employees and tell prospective recruits (and customers) about how well it treats and supports its disabled employees. Scope has estimated the collective spending power of disabled people and their families, known as the purple pound, is £265 billion.

Realising new benefits for your business

By gathering and reporting on disability data, you will be able to understand where your disabled employees face barriers at work and use this evidence to inform your plans to become more inclusive organisations. This will benefit your disabled employees by creating a working environment which makes them feel more confident to be open about their disability at work.

Furthermore, by working to remove any barriers faced by people with disabilities in finding work or in the workplace itself, then you increase your chances of attracting more disabled candidates as well as retaining your disabled workers. A diverse workforce which better reflects the general population will help you better understand a potential customer base.

What are the benefits of publishing data for your organisation?

Publicly reporting on your disability data will provide several benefits for you:

- Reporting will enable you to show disabled people you are committed to making your workplace an inclusive environment for disabled people to work in and that you take a proactive approach to supporting them to do their job. Disabled people who took part in a series of focus groups on this subject told us they would believe an employer is more inclusive if they reported on their disability data.
- Through reporting and using the data to become a more inclusive employer for disabled people to work in, you will make your business more attractive to disabled jobseekers. Increasing the number of disabled candidates for vacancies at your company will enable you to choose the very best candidate for the job from a wider pool of applicants, whose talent will allow you to enhance the work that you do.

- Having more disabled workers will also give your organisation the opportunity to create products or services that can be accessed by disabled people. Scope has estimated that the collective spending power of disabled people and their families, known as the purple pound, is £265 billion.
- Reporting can also provide you with the opportunity to compare your performance with results from other organisations, both within their sector or against similar sized companies.
- Releasing your disability data will provide you with the opportunity to demonstrate to your partners how you are using staff data to become a more inclusive organisation and how this piece of work is having a positive impact in the workplace. One employer we spoke to told us releasing their disability data has enabled them to demonstrate to their supply chain partners the positive value they are bringing to the local communities they are operating in.

 If you use reporting as a catalyst to make changes internally to benefit disabled workers, then it can also help you retain your disabled staff. As a result, this will help reduce the amount of time and money you spend on recruitment.
 Spending less time on recruitment and onboarding a new staff member will help to improve productivity. You will also have more staff with an institutional memory and knowledge of your business and the environment you work in.

How do you gather the information?

To identify how many of your staff are disabled, you will need to formally ask staff if they consider themselves to have an impairment or condition.

Employers often ask about how they should word their question asking their staff if they are disabled but asking about disability doesn't need to be complicated. If you are anxious about how to broach the subject, you can find an example of a perfectly reasonable way to start collating the necessary data from employees.

Key advice on what a question on disability based on the social model of disability should look like:



- Do you consider yourself to have a disability, impairment or condition?
- Do you identify as having a disability, impairment or condition?

Basing any question you use to ask if your employees are disabled on the social model of disability, will help draw out how to remove the barriers people with disabilities face.

By removing these barriers, we offer people with disabilities more independence, choice and control.

Key advice on what to consider when asking this question:



- Include examples about the types of impairment and condition which may meet the definition in your question
- Give individuals who have more than one impairment or condition the option to say so
- Communicate the reasons why you are collecting this data, and what you are going to be doing with it.

Reporting works both ways and at times it can be an employee who decides to tell their employer about their disability for a variety of reasons.

There is no legal requirement for job applicants or employees to disclose their disability to their employer. However, if they decide to do so, employers need to take care this information does not negatively affect any decisions made regarding recruitment, promotion, training or any other stages of the employee lifecycle.

The Equality Act makes it illegal for employers to ask for health information during the recruitment process and before an applicant has been offered a job. Employers should ask candidates applying for roles if they require any reasonable adjustments to be made to the recruitment process but should not specifically ask about any disabilities.

If an employee wishes to ask their employer for reasonable adjustments to be made at work, then they may need to disclose the details of their disability for the employer to be able to consider the request. If an employer does not know about a disability, then they cannot normally be held

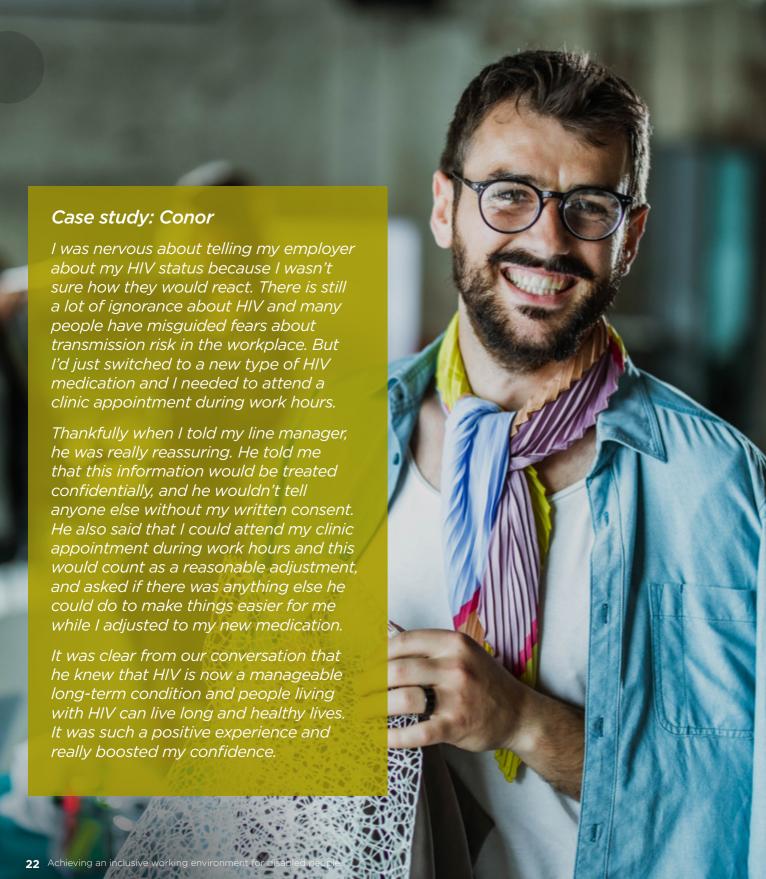
accountable for not making reasonable adjustments, but the employer should make reasonable efforts to ascertain if an employee is disabled or not.

Once an employee has disclosed a disability the employer has a duty to ensure they keep this information confidential and not share it without the employee's written consent, in accordance with the Data Protection Act 2018 and General Data Protection Regulation (GDPR) legislation. Employers should have a confidentiality policy and procedures in place to ensure that personal information about employees is properly handled.

Disclosing a disability will be a personal choice although employers should ensure staff feel in a safe environment to be able to disclose if they wish. A positive attitude to disability and making reasonable adjustments will help encourage employees to disclose. Employers should be conscious that some disabilities, such as HIV and some mental health conditions, are stigmatised and should reassure employees that any information they share will be kept strictly confidential.

Employees can disclose a disability in a variety of ways such as:

- During the recruitment and selection process
- In appraisal meetings or one-to-ones with a line manager
- During a promotion process
- When offered a training and development opportunity
- When asked to travel for work
- When a health and safety issue arises
- As a result of sickness absence/ during a back to work meeting
- During an independent occupational health assessment
- During a disciplinary, capability or grievance procedure.



What data should you collect?

Whether an employee self-reports or you have gathered information yourself, when reporting (or collecting using examples) you should provide informative data, such as the number of approved reasonable adjustment requests and satisfaction rates.

This will allow you to demonstrate to disabled people you take supporting them in the workplace seriously. It will also provide you with the necessary data to review if your reasonable adjustments policy is supporting disabled people do their job.

We would recommend large employers monitor and analyse management information about:

- Adjustments requests, including the proportion of requests which are agreed to
- The time required in end-to-end case management
- Whether a follow-up meeting was completed with the employee
- Satisfaction rates among staff who have used the process, as well as for adjustments and support provided at recruitment. This will ensure you are demonstrating to disabled jobseekers you are open and proactive about adjustments during the application process.

Aside from collating data on the office environment, employers should be aware people with disabilities are keen to progress in work like everybody else. But many are concerned their impairment or condition may be held against them when applying for more senior roles or opportunities with an organisation.

Looking at the relative likelihood of disabled workers being promoted can be particularly interesting. It can also act as a catalyst to helping disabled people in the workplace by identifying any barriers to disabled people progressing in your company.

Having this evidence will enable you to make any necessary changes to make it easier for disabled people to progress within your organisation. Better opportunities to progress will then make it easier for you to retain your disabled employees and to continue to benefit from their talents.

Although some businesses would like to gather data on progression, this information can be hard to collect using their HR software systems. If this is the case in your business, we would recommend you collect and publish data detailing the breakdown of disabled people at each pay quartile.

Key advice for reporting on progression and pay:

 Large employers should monitor and publish data about representation of disabled employees as a proportion of the workforce at each pay quartile. Some disabled people are interested to learn about a potential employer's disability pay gap, however there can be issues businesses encounter when collecting this information.

Instead we suggest you collect information on the average earnings of your disabled and non-disabled employees.

By collecting data on the average salary of your disabled staff and comparing it with the average amount your non-disabled employees earn, you will be able to identify if your disabled workers are earning less than your non-disabled workers. If the data then shows there is a disability pay gap, then you have the evidence to start to identify how to close it.

Key advice on salary data:

 Large employers should collect and publish the mean and median average earnings of their disabled and non-disabled staff.

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Creating the right conditions for gathering disability data (and for employees)

Scope research has shown nearly half of disabled people have worried about sharing information about disability at work.
Employers have told us one of their biggest challenges in understanding the experiences of disabled employees, is that staff are not filling in the forms or surveys which would provide that information.

To overcome this problem, employers need to create a culture in your company where disabled people feel comfortable talking about their disability. So how can you start creating this environment? Being honest about why you are collecting this information is a good place to start.

A key reason given by disabled people as to why they do not declare their disability to their employer is that they do not know what their employer will do with this information, who it will be shared with, and what support or advice may be available to them. *Scope's Let's Talk research* project found for many disabled people, this means identifying as disabled at work can feel like a high-stakes gamble.

Being open about the purpose of collecting this information and developing an offer of support for any employee who declares their disability is therefore a must. Other things employers could do to build trust amongst your employees are listed below.

Key advice on how to build trust and confidence in data collection amongst disabled staff:



- Clearly explain to employees the purpose of collecting this data
- Use anonymous methods, such as staff surveys, alongside formalised data capture through HR software
- Develop an offer of support for disabled staff which is visible and clearly communicated. This could include a mentoring scheme or a staff network
- Deliver an internal communications campaign, using events, blogs and films as a platform for disabled employees to share their experiences
- Use disability equality training to drive a shift in workplace culture which will make it more acceptable for staff to talk about disability.

Scope's Let's Talk report and Work With Me business guides are good places to start for further advice and guidance, and have some great ideas and more information on how you can proactively change your workplace culture.

When an employee does disclose a disability to their employer, the line manager/ HR should listen to the employee non-judgmentally and not make any assumptions about how the disability may or may not affect the employee at work. It is all too easy to apply knowledge, or lack thereof, to this information but it is most important the manager/HR takes the lead from the employee as they know how the disability affects them and every individual case is different.

During discussions, the employer should ask the employee about how the organisation may be able to help and what reasonable adjustments could be made. Once this information has been gathered then the manager/HR should take time to consider this information and make enquiries about whether adjustments are considered reasonable and if there is any support available, for example, via the Access to Work scheme.

The employer should keep the employee informed regularly about the progress of deliberations and decisions are being made and involve the employee as much as possible in making any adjustments. A positive experience when an employee discloses a disability at work will help that individual, encourage others to do so too, and will aid the recruitment and retention of employees with disabilities.

SCOPE

Equality for disabled people

Creating the right conditions for gathering disability data (and for employees) - continued

Getting data collection right

Scope has found some people are more comfortable in identifying as disabled in an anonymous way, such as through a staff survey. But monitoring progression and pay gaps can be automated if this information is shared through more formal routes, such as HR records.

For these reasons, we recommend you use formal identifiable approaches along with anonymous surveys to capturing disability data.

By using both methods together, employers can ensure you are still capturing data about your disabled employees even if data capture is poor through one method. This will also allow disabled staff to choose their preferred route to providing information to their employer.

Key advice about data collection:

- Employers should monitor and analyse data about disability shared through formal methods, such as HR systems
- Alongside this, employers should include questions about disability within anonymous staff surveys.

Businesses need to have a strong idea of who they are attracting, and whether there are barriers disabled people would face through the recruitment process.

Scope research has found disabled candidates are significantly less likely to talk to an employer about their impairment or condition before they have been employed. It also found the likelihood of sharing information about disability at work increases significantly once employees have passed an initial probationary period. So, you should bear in mind data collected at the application stage is unlikely to fully reflect the proportion of applicants or new staff.

Key advice:

- Monitor and analyse data about the proportion of candidates who are disabled and use this to shape recruitment strategies
- Ensure further opportunities to share information about disability are available to staff following recruitment and probationary periods.

Creating the right conditions for gathering disability data (and for employees) - continued

Opportunities to monitor progression of disabled staff with HR software providers

Employers often struggle to collect some of the data this guide recommends gathering, due to their HR software not providing them with the option to record this information.

We recognise this is a serious barrier to you collecting the data you want to report on. To overcome this problem, we would suggest you identify what data you can and can't collect using your current HR software provider. If you can't record any of the data, we suggest in this guide that you collect, then you should either:

- Raise with your HR software provider the limitations of their software for gathering disability data. If enough employers do this, HR companies will start to realise the importance of making these changes and begin to plan for these upgrades.
- Include disability reporting in your business requirements when you put out a tender for your procurement process for a new HR software package.

Approach to publishing information

Any reporting framework needs to be a useful tool for disabled people. And you will want to use your data to tell disabled people about the great work you are doing to make your organisation an inclusive place for them to work. But if these two aims are to be realised, then it is important you publish your disability data on your website.

A good place to do this would be in your annual report. By following this approach, your data becomes more easily accessible to your target audience. It also demonstrates both a commitment to transparency and a willingness to achieve real progress. It also will make it clear to disabled candidates and employees, your organisation will take a proactive approach to delivering adjustments and support. This will help make your organisation more attractive to jobseekers with disabilities.

You can also use your annual report to publish further information on how you recruit and retain disabled people. This may include organisational policies, support available, network groups, progression, workplace adjustments and employee engagement scores. The Government's voluntary reporting framework recommends you publish this alongside your disability data.

Key advice for publishing your data:

 Large employers should publish their disability data in the careers section of their website.



Supporting disabled employees through the employee lifecycle

What is the employee lifecycle?

Data collection, retention and reporting are all important factors, but creating a truly diverse and welcoming workplace goes beyond data and must be a part of the full employee lifecycle.

The employee lifecycle consists of the different stages an employee travels through during their time at an organisation. The lifecycle starts with the recruitment and selection of employees into the organisation, continues through induction and onboarding, managing their performance and any absences, talent retention, developing employees and ultimately managing their exit from the organisation.

Recruitment and selection

Organisations need to take time to consider providing all applicants with an equal opportunity to apply for any vacancies they have. Consideration needs to be made to each stage of the recruitment and selection process, to guarantee any arrangements or criteria encourages applicants with disabilities and ensures they are not

disadvantaged in any way, in comparison to applicants without a disability. This includes conscious and unconscious biases that may occur during this process.

 Job design: organisations need to take care when they prepare job descriptions and person specifications to ensure they are not discriminatory against a person with a disability. This includes making sure that they focus on the actual requirements of the specific role being recruited rather than by making assumptions and subjective statements.

For example, a requirement of the role might be to be able to lift objects weighing up to 10kg rather than stating applicants must be 'physically fit'. The applicant can then ascertain whether they are able to fulfil this requirement and whether they may need an adjustment to be able to do this. For instance, using a trolley.

Consideration should also be made as to whether the role could be conducted flexibly, agile working or part-time rather than just stating all roles are fixed, full-time hours.

- Advertising the vacancy: when advertising a vacancy, organisations need to ensure the job advert is accessible to all applicants, including those with a disability. This may include:
- Stating the organisation promotes equality and diversity and encourages applications from all applicants.
- Ensuring the advert is clear to read and written in plain English.
- Considering advertising in a variety of media channels to encourage applications from diverse communities.
- Only state criteria which are required in the role, for example, do not state that the person requires a driving licence if driving is only on rare occasions and other modes of transport could be used.
- Reassure applicants who may require reasonable adjustments that they can contact the organisation to discuss and explore this.
- Offer the option of completing an online or paper application form.

- Employers should consider signing up to the Disability Confident scheme where they can place a logo on adverts to show they encourage applications from candidates with a disability.
- Shortlisting candidates: organisations should ensure they use a pre-selection matrix (where candidates are scored against the requirements of the role) when shortlisting candidates and this is applied equally to all applicants.

This will ensure all candidates are assessed and scored against the requirements of the role and not on any subjective, possibly discriminatory factors.

Applications should be pre-selected by at least two people to reduce the possibility of conscious or unconscious bias in the process.

• Interview/selection arrangements:
organisations should ask those invited
for interview whether they require any
reasonable adjustments to be made
during the interview/selection process.
Reasonable adjustments may mean
ensuring the room is accessible to
wheelchairs, certain software can be
made available to the candidate or extra
time is allowed for recruitment tests.

Supporting disabled employees through the employee lifecycle - continued

It is essential organisations do not make assumptions about what a disabled applicant can and cannot do and this should be discussed with the applicant in the first instance to understand better what their disability is and how reasonable adjustments can help. When interviewing candidates, organisations need to ensure the same interview questions are asked of all candidates, whether they are disabled or not in order to provide all candidates with the same opportunity to talk about their skills and experience.

Recruitment monitoring: as discussed in previous chapters, organisations should have a diversity monitoring process in place during their recruitment process.
 This enables employers to compare equal opportunities data for applicants with and without a disability to ensure those with a disability are not disadvantaged by any recruitment practices. Diversity monitoring forms must be kept separate from the application form, so as not to influence the selection of applicants for interview and employment.

Induction/on-boarding

Once an offer has been made and accepted by an applicant with a disability then employers should look at the government-funded Access to Work Scheme to see if any financial help can be provided to support the organisation with making reasonable adjustments. This may include support with travelling to and from the workplace and funding towards software and equipment.

Organisations should also consider whether the normal induction/on-boarding process needs to be adapted in any way to better meet the needs of a disabled starter and that any reasonable adjustments are in place by the time they start work.

Managing performance

Employers need to ensure employees with a disability are not disadvantaged during the performance management process. This includes during probation, appraisals, promotion, salary reviews and bonus decisions. Organisations need to consider, for example, if any of their competencies put a disabled individual at a disadvantage and

if so, how adjustments or allowances can be made to ensure this is not the case.

Decisions on salary increases and bonuses also need to be made without any discrimination towards disabled employees. For example, any sickness absence related to a disability should not be taken into consideration when making remuneration decisions.

The performance management process can be a useful tool to keep the lines of communication open with any disabled employees about any issues they have related to their disability and how the organisation may be able to help alleviate these problems or concerns.

If an employer makes reasonable adjustments, and the employee's performance remains below the required standard, the organisation can commence their capability procedure (which allows employers to manage any performance issues related to capability rather than conduct). However, if the poor performance is as a result of anything connected to the disability, then the employer will need to be able to show any action taken is a proportionate means of achieving a legitimate aim.

Managing sickness absence

Most organisations monitor sickness absence through a variety of methods, for example the Bradford Factor or sickness absence triggers and targets. An organisation is entitled to require good attendance at work from its employees and one fair reason for dismissal is due to lack of capability.

However, the Equality Act 2010 provides some protection to disabled workers when their sickness absence is caused by their disability. Organisations can include disability-related sickness absence in their absence management processes however some choose not to in order to meet good practice and therefore may have separate policies for sickness absences relating to a disability.

Recent case law has shown it is not a reasonable adjustment for an organisation to amend the sickness absence trigger thresholds for disabled employees to make them more favourable to the disabled employee. This is because it was found no substantial disadvantage to the disabled employee was established.

Supporting disabled employees through the employee lifecycle - continued

However, an employer still needs to commence absence management and capability procedures with care with disabled employees. Employers therefore need to consider a variety of factors when making absence management decisions for disabled employees, such as:

- When and if the employee is likely to return to work
- Why the employee is absent from work
- Whether or not reasonable adjustments could be made to support a return to work or satisfactory attendance.

If the organisation takes the decision to dismiss a disabled employee due to capability, the employee could make a tribunal claim for disability discrimination and the employer would then need to justify why this decision was made. This is a contentious area of employment law and appropriate legal advice should be sought where required.

Retention

Retention concerns may arise for an employer when an employee becomes disabled during employment, or if a disability gets worse during employment. Issues may also arise when an employee's disability does not change but the type of work or terms and conditions of employment change. In these situations, the organisation should consider any other reasonable adjustments would help alleviate any issues.

Training and development

Employees with a disability are entitled to access training and development opportunities as would apply to employees without a disability. Organisations also need to consider making reasonable adjustments to the delivery or location of training provision in order to ensure disabled employees are not at a disadvantage or unable to attend the training.

Organisations should not make assumptions about disabled employees, for example, assuming someone is unable to attend a training session as they have learning difficulties (they may just require extra time).

Leaving employment

Organisations need to take particular care when considering dismissing an employee with a disability. Although an employee requires at least two years' service to claim unfair dismissal, disability discrimination has no qualifying period. Employers need to ensure they have taken all necessary actions before making a dismissal decision for a disabled employee.

This includes ensuring the capability procedure has been followed in a fair and consistent manner and all decisions can be supported and justified with evidence. Appropriate legal advice should be sought before dismissing an employee with a disability.

Case study - Aviva:

I have worked at Aviva for almost two years. Prior to joining Aviva, I was off work for nearly four years due to ill health. I have a long-term health condition which required several operations, in addition to being in chronic pain which has led to anxiety/depression.

I applied for a role with Aviva, as their reputation was that they were an employer who 'looks after their staff'. I applied for a customer support role at an entry level grade, as I did not have any relevant financial services experience and had considerable trouble securing a role with any other company due to my employment gap.

Aviva has given me the flexibility to work in three different business areas, thus increasing my knowledge/experience of the financial services industry.

In addition, Aviva accommodate my needs by giving me access to flexible working, so I can adapt my working hours to how I am feeling on the day. From experience, I work best between

8:30-16:00, I am less productive in the late afternoon due to tiredness. I can also work from home on the days I am in pain and unable to travel.

I believe that education on workplace adaptations or employment support would be beneficial to those with disabilities. Many managers seem to be either unaware, or unsure on how to accommodate and support those living with disabilities.

Due to the confidence I have gained from working at Aviva, I joined AvivAbility, a D&I community focusing on visible and invisible disabilities. Although Aviva is renowned for supporting individuals, there are still areas that it can improve. This is where the AvivAbility community are trying to bridge the gap. Other financial services firms may benefit from having a disability focused steer group or community.





Supporting employees who acquire an impairment

If an employee acquires a condition or an impairment during employment (rather than before employment), organisations have some additional areas to consider over and above those already discussed in the previous section.

If this happens whilst an employee is off work on sick leave, then the employer should consider obtaining an independent occupational health assessment on the employee in addition to a GP report in order to ascertain how the employer can support the employee with returning to work and conducting their work on their return.

An occupational health assessment can provide the organisation with an independent medical opinion on the condition and how it may affect the employee's capability at work. It will also provide advice on possible reasonable adjustments and specialist equipment or help that may support the employee at work.

In addition, line managers and/or HR should meet with any employee who is off sick to discuss their possible return to work and any reasonable adjustments which would help support them back at work. This may involve agreeing a phased return to work, amended working hours or moving some duties to another employee.

Top tips for employers and line managers:

- Be confident about employing and supporting disabled employees. You will then have a more diverse and loyal workforce which better meets the needs of your clients/customers.
- Always ask candidates if they need any reasonable adjustments made during the recruitment process, but do not probe for details of their disability.
- Carefully consider any requests for reasonable adjustments. Do not discount any requests without investigating them thoroughly.
- Involve employees in conversations about reasonable adjustments. They know what would support them the best.
- Do not make assumptions about what a disabled person can or cannot do.

- Do not immediately assume reasonable adjustments will be costly. Many are not expensive and there is financial support available to employers.
- Promote a positive attitude to disability at work in order to encourage disabled people to apply for roles or disclose a disability.
- Take care when managing sickness absence for employees with disabilities to ensure you are acting within the law.
- Take legal advice before dismissing a disabled employee.
- Ensure that a disabled person is not disadvantaged during any stage of the employee lifecycle.

Being a Disability Confident Employer

The Disability Confident scheme was launched in November 2016 and supports the government's commitment to having 1 million more disabled people in work by 2027. It was developed by employers and disabled people's representatives to make it rigorous but easily accessible, particularly for smaller businesses.

Disability Confident is about creating a movement of change, encouraging employers to think differently about disability and take action to improve how they recruit, retain and develop disabled people. It also helps customers and other businesses identify those employers who are committed to equality in the workplace plus aids improve employee morale and commitment by demonstrating that you treat all employees fairly.

In my role as Disability Champion for the Insurance Industry and Profession I presented to the Disability Confident Business Leaders Group and I was struck by the fact that not only was out industry and profession not represented within the leadership group, neither were we significantly represented within the 14000 and growing firms who are members of the campaign and this is an issue we need to address.

The aims for Disability Confident are to:

- give employers the skills, techniques and confidence they need to recruit, retain and develop disabled people
- increase the understanding amongst employers of disability and the benefits disabled people can bring to their businesses
- increase the number of employers, across all sizes, sectors and locations, signing up to be Disability Confident and taking action that will make a difference to disabled people and as a consequence, your disabled actual and potential customers
- make a substantial contribution towards getting 1 million more disabled people in work by 2027.

No employer is too small or new to start the journey and at time of writing, over 14,000 organisations have joined the campaign - Even the most experienced employer will still find new techniques and best practice that can help them.

The scheme was designed as a journey. All employers start at Level 1 and can progress through the scheme at their own pace.

Accreditation for each level lasts for 3 years.

Why you should become Disability Confident

Being Disability Confident could help you discover someone your business just can't do without.

Whether an employee has become disabled during their working life, or you're looking for new recruits, being Disability Confident can help your people fulfil their potential and contribute fully to your team's success.

By being Disability Confident, you'll also be seen as leading the way in your business sector and beyond, helping to positively change attitudes, behaviours and cultures. Many of your clients current and future are seeking to improve inclusion and diversity within their own business and may be aware of and/or have joined the Disability Confident Campaign.

How to become Disability Confident

The scheme has 3 levels designed to support you at every step on your Disability Confident journey. You must complete each level before moving on to the next.

Being a Disability Confident Employer - continued

Level 1: Disability Confident Committed

To be recognised as Disability Confident Committed just agree to the Disability Confident commitments and identify at least one action that you'll carry out to make a difference for disabled people.

The commitments are:

- inclusive and accessible recruitment
- communicating vacancies
- offering an interview to disabled people
- providing reasonable adjustments
- supporting existing employees.

The activities include (you must identify at least one):

- work experience
- work trials
- paid employment
- apprenticeships
- job shadowing

- traineeships
- internships
- student placements
- sector-based work academy placements.

Your business may be doing these things already. If so, the scheme is a great way of letting everyone know that you're serious about equal opportunities for people with disabilities.

Once you've signed up as Disability Confident Committed, you'll receive:

- a certificate in recognition of your achievement
- a badge for your website and other materials for 3 years
- a self-assessment pack to help you continue your journey to becoming a Disability Confident Employer.

Level 2: Disability Confident Employer

Once you've signed up for level 1 you can progress to level 2, a Disability Confident Employer, by self-assessing your organisation around 2 themes:

- getting the right people for your business
- keeping and developing your people.

Disability Confident Employers are recognised as going the extra mile to make sure disabled people get a fair chance.

Having confirmed you've completed your online self-assessment; you'll be registered as a Disability Confident Employer for 3 years. You'll receive:

- a certificate in recognition of your achievement
- a badge for your website and other materials for 3 years
- information on how to become a Disability Confident Leader.

Level 3: Disability Confident Leader

By stepping up to become a Disability Confident Leader, you'll be acting as a champion within your local and business communities.

To reach this level you'll need to:

- have your self-assessment validated by someone outside of your business (not including DWP employees in jobcentres)
- show what you have done as a Disability Confident Leader.

Once you're recognised as a Disability Confident Leader, you'll be sent:

- a certificate in recognition of your achievement
- a badge for your website and other materials for 3 years.

Join At

Find out more and apply at disabilityconfident.campaign.gov.uk

Access to insurance: the benefits of insurance and employment in the sector - continued

What are group risk benefits?

Beyond reasonable adjustments and reporting on the number of disabled people inside an organisation, there are several products and services available, which can be extremely important in providing the protection and reassurance needed for disabled people entering into employment, as well as any concerns held by the employer around financial liabilities related to risk.

Employers will also often promise certain benefits (e.g. death benefit and/ or occupational sick pay) to employees as part of the contract of employment. Rather than bear all this risk themselves, many employers choose to take out group risk insurance policies to cover some, or all their liability to provide death benefits, occupational sick pay and critical illness benefits.

It's important to recognise employers are not obliged to provide any of these benefits. Those that do therefore play a vital role in providing financial stability and protecting savings at a time of ill health, injury or death and saving the state considerable burden.

Group income protection insurance, for example, provides an ongoing income and the financial resilience required to protect against income shocks at a time of illness or injury.

Group life assurance provides financial security for dependants of an employee at a time of great emotional loss which, if unplanned for, could result in a family being unable to pay a mortgage or falling into rental arrears. For many low-to middle-earners, group life cover through their employer may be the only life assurance provision they have.

Inclusivity

Employer sponsored group life assurance, group income protection and group critical illness give employees access to protection at no or low cost. Generally speaking, a generous basic level of cover is given to all members of a group policy, without the need to provide medical evidence and irrespective of their state of health.

Typically, group risk providers seek to capture medical details for only the top few earners within a business and, even then, they will still generally get a generous level of benefit which is free from medical underwriting. Where high earners are medically assessed for a higher level of benefit, this is generally only required once.

This is extremely advantageous – not only for those who might otherwise not be able to afford to make their own provision, but also for those who have a disability and/or health condition which might otherwise mean they are either declined or charged extra premiums for cover under an individual policy.

It also gives people easy access to financial protection insurance. The employer takes

advice on the benefit design and cover levels, either aligned to their goals and contractual obligations or merely based on good practice. The employer will also take advice on the suitability of providers by way of a market review. This process is undertaken regularly and thus keeps design appropriate and costs down.

This way, nearly 13 million employees have access to material levels of financial protection without personally having to take financial advice or worry about it being affordable, good value or the cost of advice.

Access to insurance: the benefits of insurance and employment in the sector - continued

Additional help and support

The group risk market plays a significant role in supporting employers to provide protection products through the workplace and to help their people through difficult or distracting times. In addition to the core benefits, many providers include associated benefits/services within their contracts to help support and assist the employer and employees.

With the help of their adviser, astute employers will make full use of these additional services to support their business and employees. They can be extremely effective in keeping people in the workplace, giving them the help they need to make life changes, and supporting their transition back to work. They can also save employers money elsewhere and can be used by HR, line managers and staff every day - even if a claim is never made under the policy.

It's not practical to list everything, but for employers, support can include HR and employment-law advice, legal documentwriting systems, absence management, telephone support for difficult situations and mediation. For employees, help can include access to an Employee Assistance Programme, second medical opinion, fast-track access to counselling, physiotherapy or treatment, helping people make changes towards better health behaviours, liaison and mediation, bereavement support and help with probate. (Practical support on a partner's death is especially pertinent, for those who were in cohabiting relationships, since they currently have fewer rights to inherit under the rules of intestacy or to state Bereavement Support Payment than married couples or civil partners.)

Group Life Assurance

A policy taken out by an employer to provide a lump sum benefit and/or a spouse's/dependants' pension payable on the death of an employee whilst in service.

While some group life benefits are provided as part of an occupational pension scheme others will be provided under 'stand-alone' schemes without any link to a pension scheme.

Lump sum death benefits are payable under a discretionary trust which means they are tax free and can be paid quickly – often within just a few days, with this being particularly valuable to those who were in cohabiting relationships for the reason outlined above.

Access to insurance: the benefits of insurance and employment in the sector - continued

Group Income Protection

A policy taken out by an employer to cover their promise to provide sick pay to employees if illness or injury prevents them from working for a prolonged period.

It can also replace lost income where an employee takes a part-time or lower-paid position because of illness or injury.

If the employee cannot work due to illness or injury the policy will pay a benefit of a proportion of their salary. The benefit is paid to the employer and then passed on to the employee through the PAYE system. The benefit level is designed to ensure the employee will be able to maintain a reasonable standard of living but still has a financial incentive to return to work. Tax, national insurance and pension contributions continue to be paid in the normal way.

Insurers will also work with the employee and their employer to get them back to work as soon as it is appropriate, often by providing access to help or even treatment – e.g. by providing access to physiotherapy or talking therapies – which may not otherwise be available to the employer or employee.

Group Critical Illness

A policy taken out by an employer to provide a tax-free lump sum to an employee on the diagnosis of one of a defined list of serious conditions or on undergoing one of a defined list of surgical procedures.

There is usually a choice of base or core cover (which insures against some of the most serious critical illnesses) or base/core plus additional cover (which insures against several additional serious conditions too). The benefit is paid once the employee has survived for a specified period (14, 28 or 30 days).

Where cover is paid for by the employer, corporation tax relief is given on the premiums, the employer is liable for Class 1A National Insurance contributions on the premiums and premiums are treated as a P11D benefit for employees.

A group critical illness pay-out can supplement sick pay or may be used to cover the cost of cancer drugs, palliative care or home adaptations.

Improving access to insurance

Group risk insurance provision via the workplace, together with the support and rehabilitation services it provides is key to improving access to appropriate insurance provision and improved financial capability and resilience for ALL but especially for those consumers with a disability and/or living with a health condition.

In addition, group risk insurance provision offers employers a simple and cost-effective way of managing the asks being made of them by Government to play a greater role in improving the physical, mental and financial health of their employees.

It is essential we collaborate to improve access to insurance and access to careers in insurance plus embrace signposting to specialists when appropriate, be that specialist a financial adviser, insurance broker, support service and/or rehabilitation provider plus, and most importantly, charities.



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Further information and support Scope

Further information and support Chartered Insurance Institute

About Scope

We're Scope, the disability equality charity. We won't stop until we achieve a society where all disabled people enjoy equality and fairness. We provide practical advice and emotional support to disabled people and their families whenever they need it most. We use our collective power to change attitudes and end injustice. And we campaign relentlessly to create a fairer society.

At Scope, we are keen to support you to report on your disability data, as well as to provide advice on how to become more disability friendly organisations. Our **Inclusive Workplace Network team** will provide you with a range of tools, advice and 1:1 support to help you become a more inclusive organisation.

Our Work With Me guide provides employers with advice on attracting and retaining disabled people in your organisation.

Our Work With Me website, run jointly with Virgin Media, also contains helpful resources for employers who want to become more inclusive employers. And, while you are there, why not sign our **pledge** to commit to thinking and acting differently about disability in the workplace.

Our **Let's Talk report** summarises the research Scope undertook with disabled people on their experiences of discussing their disability at work. It also features recommendations on how employers can encourage their disabled staff to talk about their impairment or condition at work.

Keep in touch...

Scope's policy team would love to hear from you if you have any questions about anything mentioned in this guide or if you want to update us on how you are getting on with reporting on your disability data.

About the CII

The Chartered Insurance Institute is the world's leading professional body for insurance and financial planning with over 125,000 members in 150 countries. Our Royal Charter remit is to secure and justify the confidence of the public in the insurance profession.

Keep in touch...

Across the CII we are constantly working on all matters concerned with Equality, diversity and inclusion. If you have a strong interest in this and further work we have conducted, please do get in touch.

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