



Understanding and supporting staff with a hidden disability webinar

2 June 2021



Webinar co-chairs



Paul Deemer,
Head of Diversity
and Inclusion,
NHS Employers



Emma Mendes da Costa,
Inclusion Project Lead &
Disability Network Chair,
Sussex Community NHS
Foundation Trust

Webinar housekeeping

- This webinar will last one hour (2-3pm).
- Please turn your phone onto silent.
- Questions – type into the box.
- Approx. 10 minutes for questions and discussion at the end.



Webinar schedule

Title	Led by	Approx. Time
Introduction	Paul Deemer and Emma Mendes da Costa	2-2:05pm (5 mins)
Hidden disabilities and the workplace.	Martin O' Kane , strategic lead for employment, Royal National Institute of Blind People (RNIB).	2:05-2:15pm (10 mins)
An investigation into the characteristics of employees with Asperger's syndrome.	Dr Anne Cockayne , senior lecturer, Nottingham Business School.	2:15-2:25pm (10 mins)
How can HR, occupational health and line managers better support staff with a hidden disability?	Nicola Green , solicitor and legal director, Capsticks Solicitors LLP.	2:25-2:35pm (10 mins)
Living with a hidden disability and working in the NHS.	Debra Hall , co-chair of disability+ carers network and EDI lead, Camden and Islington NHS Foundation Trust. Michelle Healy , data integrity officer, staff wellbeing champion and carers' support network member, West Hertfordshire Hospitals NHS Trust.	2:35-2:50pm (15 mins)
Questions, discussion and close.	Paul Deemer and Emma Mendes da Costa.	2:50-3pm 10 mins



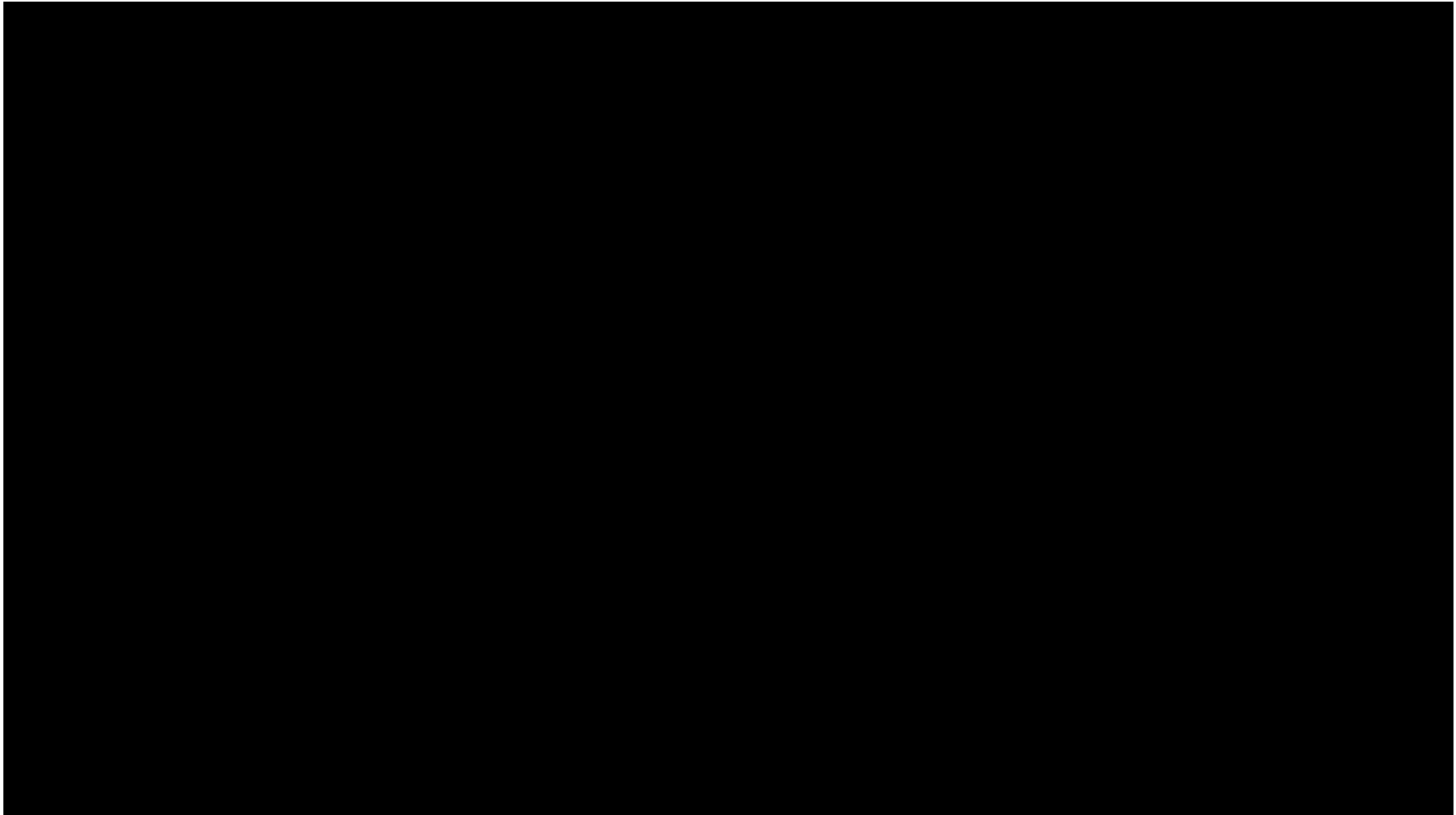
Webinar aims

- Not all disabilities are visible, some are not obvious and can make everyday life demanding for so many people. In the UK, 1 in 5 people have a disability, 80% of which have a hidden disability.

Hidden disabilities are a wide range of physical and mental conditions that are not visible or immediately obvious. They can range from a speech impediment, reduced sight, bipolar, chronic fatigue syndrome, colitis, autism, depression and there are many others.

- This session will be a thought-provoking discussion which will pose the question:

What further steps can be taken to make the NHS workplace more inclusive for people with hidden disabilities?



[Or watch here: Invisible Disabilities from NHS Employers on Vimeo](#)



Martin O' Kane,
Strategic Lead for Employment,
Royal National Institute of Blind People (RNIB)

Some facts on sight loss

- Every day in the UK, 250 people start to lose their sight.
- 1 in 5 people will live with sight loss in their lifetime.
- Around 2 million living with sight loss.
- Only 1 in 4 registered blind and partially sighted people of working age is in paid employment, and the number is falling.
- 80% of disabled people acquired their disability whilst of working age.

Macular degeneration



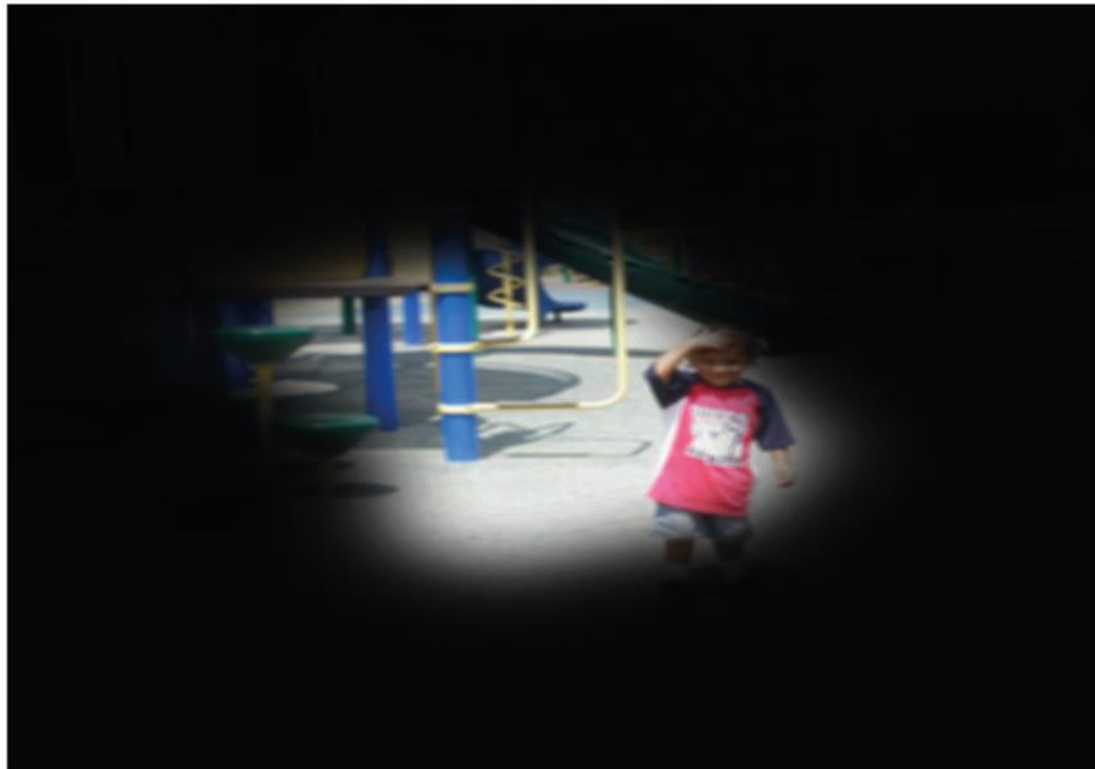


Diabetic retinopathy





Glaucoma





Cataract



Employing blind and partially sighted people (BPS)

See what we can do

This is a short film showing the types of jobs BPS people are doing and the adjustments they have put in place.

<https://www.youtube.com/watch?v=-2jPMmOotl4>



Contact information

- RNIB Helpline (0303 123 9999) – Employment
- Helpline@rnib.org.uk

- Employee specific queries:
- EmploymentServices.Mailbox@rnib.org.uk

- Useful web links
- <https://www.rnib.org.uk/employing-someone-sight-loss>

- <https://www.rnib.org.uk/information-everyday-living-work-and-employment/staying-work>



**Dr Anne Cockayne,
Dandelion Careers**

**Hidden disability: an investigation into the
characteristics of employees with Asperger's syndrome**



6/23/2021

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Strength or (hidden)disability?

- Autistic people have strengths in deliberative reasoning, direct style, detail focus; talent pool.
- ‘Somewhat awkward’ social profile, classified as a protected characteristic/disability.
- Case law evolving around assessment (Lowe v Cabinet Office 2011, Brookes v GLS 2017).
- Sherbourne v npower (2019); “continuous management failure”.

“I am a bright, committed nurse, but to my mentors everything I did was wrong. Colleagues wrote in a general style while I write accurately with a lot of **attention to detail** that they did not like. My **directness** was misconstrued - colleagues said I was rude. There was no support for me.”

When is a strength a strength?

- Directness brings a lightness;[‘quirky’], delivers trust by surfacing issues.
- Speaking up/being blunt has an impact on career progression.
- Can a manager take it?
- Pedantic/boring or misses nothing?

“There’s times where his directness will work for some people and not for others”.

Tim's story: what's it like to manage Andy?

Tim is an operations manager of hotel chain, managing Andy, who is a deputy restaurant manager, in busy restaurant.

- Before...
- After Andy's autism diagnosis...
- Using Andy's strengths; job crafting, trust, a 'good' manager, impact on managers, narrowness of the law.

Workforce [neuro] inclusion for hidden disabilities

State on website and job ads **‘we are open to discuss reasonable workplace adjustments.’**

Know which jobs best suit ND strengths.

Be open to ditching conventional job interview approaches that might be a test of social skills.

Know what to expect of a new ND starter.

It’s OK to dodge the office Christmas party/BBQ

Know how to use Access to Work funding for 1 to 1 support.

Be aware of sensory overload situations.

Be open to experimenting with new kinds of adjustments.



Nicola Green,
Solicitor and Legal Director,
Capsticks Solicitors LLP

Support in the workplace

- Increase understanding amongst line managers about hidden disabilities.
- Understand how liability arises – constructive knowledge of a disability – under the Equality Act 2010.
- Know when to seek support from OH and be specific about the questions which are asked about disability as defined by the Equality Act.
- Impact on day to day activities includes work activities and is interpreted broadly.

Support in the workplace

- Encourage a supportive environment.
- Employees need to understand the disability and adjust their behaviour.
- *Sherbourne v N Power Ltd*
 - Claimant with autism succeeded with a disability discrimination claim where a manager failed to demonstrate any understanding of their condition or make adjustments.

Support in the workplace

- Do not make assumptions about the disability – danger of direct discrimination claims.
- **Chief Constable of Norfolk v Coffey**
 - Claimant treated less favourably because of inaccurate assumptions based on stereotypes about the perceived disability - direct discrimination.
- **Roberts v North West Ambulance Service**
 - Social anxiety disorder and the impact of hot-desking.
- Open and supportive environment is key.



Debra Hall
Disability + Carers Network Co-chair
and
EDI Lead,
Camden and Islington NHS Foundation Trust



Michelle Healy
Data Integrity Officer,
Staff Wellbeing Champion and
Carers' Support Network Member,
West Hertfordshire Hospitals NHS Trust



Q&A

Further information and resources

1. **NHS Employers website** provides guidance, examples of good practice and a variety of useful resources around supporting disability in the workplace:

<https://www.nhsemployers.org/retention-and-staff-experience/diversity-and-inclusion/policy-and-guidance/disability/reasonable-adjustments-in-the-workplace>

2. **Access to Work:** <https://www.gov.uk/access-to-work>



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