



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Work without limits

Our Code of Practice for employing people with a disability

Human Resources Department
This document forms part of the staff handbook



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1.0 Introduction to Code of Practice

In Dublin City Council we maintain and promote an inclusive work environment so that our employees, with and without disabilities, can feel that we value and treat them equally.

Research shows that four out of five people with disabilities developed their disability as an adult.

'Work without limits' is a Code of Practice that we have carefully designed as a useful tool for all employees, including senior managers. It builds on the significant progress we have made in supporting employees with disabilities. It also describes the processes we have put in place to meet our employees' diverse needs.

This Code of Practice contains the commitments that this organisation makes to us all. I hope that the information in this document will positively inform the way that we interact with our work colleagues on a day-to-day basis.

I would like to acknowledge the assistance of all those who helped to make the revised Code of Practice possible. 'Work without limits' was produced on a partnership basis and benefited greatly from having the input of employees, trade unions and management as well as the expertise and experience of an invaluable focus group. I would like to thank all those concerned for both the time and resources that they devoted to this project.

This Code of Practice complies with the:

- Employment Equality Acts 1998-2015;
- Equal Status Acts 2000-2008;
- Safety, Health and Welfare at Work Act 2005; and
- Disability Act 2005.



Mary Pyne
Head of Human Resources
and Corporate Services

2.0 Recruitment and career development

2.1 Recruitment

In Dublin City Council we have an open and transparent recruitment policy that applies to those with and without disabilities.

We recruit people who:

- have the necessary qualifications for the post; and
- are able to carry out the core functions of the job.

On all our job application forms we ask applicants if they consider that they have a disability. We also ask them if they need any reasonable accommodation so that they can take part in the selection and interview process.

The members of our interview boards are trained on disability and equality awareness.

We make sure that any successful applicant for a job with us, who has a disability, meets our Equality Officer/Disability Liaison Officer to address any concerns they may have about their new appointment.

This has worked well in the past to make sure that any supports or other reasonable accommodations are in place before the new employee starts.

This means that our new employee feels supported and valued.

At 12 months following appointment, the Equality Officer/Disability Liaison Officer meets with each employee who has a disability and their manager to review any reasonable accommodations requested or provided.

2.2 Career development

We provide all our employees with a wide range of training courses to assist their career development and progression.

When asked, we will provide our employees with any reasonable accommodation they need to attend training courses. For example, over the years a number of employees with sensory disabilities have decided to do European Computer Driving Licence – basic computer training (ECDL training). We organised one-to-one sessions with the ECDL training provider to make sure that the needs of these participants were fully met.

The Equality Office can also provide advice and support at all times for employees, with and without disabilities, about this Code of Practice.

3.0 Disclosure of a disability

We recognise that letting people know you have a disability can be a sensitive issue. We hope that our inclusive work environment encourages employees who have or develop a disability to tell us about it in confidence – their manager or their Human Resource Manager, or both.

When an employee gives us this information, their manager will treat it confidentially and in a positive and supportive way.

When an employee tells us that they have a disability, it gives us the chance to make sure that we provide them with any support or reasonable accommodation that they need.

Once an employee has told their manager about their disability, the manager will ask them if they think it would be beneficial to let their colleagues know about their disability.

This is because a person may need to change their work schedules or duties because of their disability and it is often best to tell their work colleagues why these accommodations are being made.

Colleagues are more likely to be supportive towards the employee if they are informed and included in the process. However, it is up to the employee to decide if they wish to disclose their disability to their colleagues. We will not take any action without the employee's consent.

4.0 'Reasonable accommodation' – supporting employees

If someone has a disability it does not necessarily affect their ability to do their job. However, some employees with disabilities may need 'reasonable accommodations' to be made so they can do their work to their full capacity.

We have a duty of care to all our employees and will, when asked and where possible, always provide reasonable accommodation. Examples of reasonable accommodation include:

- flexible working hours; and
- changes to work duties or assistive technology (technology that helps people do their jobs).

When needed, we can also provide employees with:

- job restructuring;
- retraining; and
- relocation.

We give a sample list of other reasonable accommodations in **Section 8.3** on page 13.

4.0 continued

The law requires Dublin City Council, unless it would place a disproportionate burden on the organisation, to do what is needed so that an employee who has a disability can:

- take part in employment;
- progress and undertake training.

The Employment Equality Acts 1998-2015 prohibit discrimination in recruitment, employment and training on nine grounds including the ground of disability. The definition of disability is broadly defined and includes physical, cognitive, emotional and intellectual disabilities and a wide range of medical conditions. For more information on Employment Equality Law see: www.equality.ie and **Section 8.1** on relevant legal information and disability definitions, pages 09-10 of this document.

Under the Employment Equality Acts, employers must provide reasonable accommodation so that employees and prospective employees with a disability can do their job.

When an employee who develops a disability (sometimes called an 'acquired disability') returns to work, the Employment Equality Acts require Dublin City Council to take the necessary steps to help the employee reintegrate into the workplace and carry out their duties.

Some other examples of reasonable accommodations when someone returns to work include adapting a workplace to accommodate the person's disability. This includes changing:

- the premises;
- equipment;
- patterns of working time and distribution of tasks.

It also includes providing training. However, the law does not require employers to provide any treatment, facility or thing that the person might ordinarily or reasonably provide for themselves when going about their daily life, for example, hearing aids.

Dublin City Council has a duty of care to all our employees and will provide reasonable accommodation where possible to any employee who needs it to do their job to their fullest capacity. In turn we ask that all employees:

- strive to perform to the best of their ability;
- are respectful of others and conform to our policies on the safety, health and welfare of all employees.

Where we have provided reasonable accommodation, but work difficulties continue we may need to explore other options by talking with:

- the employee;
- the line manager;
- where necessary, the Human Resources Department and Union representative or official (if applicable).

5.0 Evacuation procedures

Employees with disabilities may have particular concerns about how they can evacuate a building in an emergency. We need to find out what these concerns are and put in place ways of dealing with them.

For example, the evacuation of employees with mobility issues may raise particular difficulties where lifts cannot be used in some emergencies. Meanwhile, employees with hearing difficulties may need a system in place to make sure they are made aware when an alarm has been raised.

Line managers will meet with employees in their area who have specific needs in relation to evacuation. They will, in consultation with the Departmental Health and Safety Officer and with any other people concerned, work out how those needs can best be met.

Employees must tell their line manager if they have any reasonable accommodation needs that need to be addressed so they can evacuate a building safely in an emergency.

We make arrangements for any employee with a disability to have a Personal Emergency Evacuation Plan (PEEP) in place. Line managers should make appropriate arrangements to ensure that employees with disabilities are always included in evacuation drills and that any arrangements needed for the evacuation of employees, are fully tested and used at each drill.

6.0 Action plan

i. Job advertisements

The Equality Office will as required review:

- advertisements;
- job descriptions;
- person specifications; and
- application forms.

ii. Accessible formats

When asked, we will make information available in accessible formats in relation to:

- application forms; and
- job descriptions.

6.0 continued

iii. Equal opportunities

We advertise all jobs with a statement that:
“Dublin City Council is an equal opportunities employer”

iv. Public appointments service

The Public Appointments Service, when it acts on our behalf, will have regard to this Code of Practice.

v. New employees

The Resourcing Unit will notify our Equality Office at the relevant recruitment stages of any new employee who has a disability, so that we can put all necessary supports in place.

vi. 3% Disability Target

We will let all employees know about the 3% disability target.

vii. Code of Practice briefings

The Equality Office will on request brief the Human Resource representative network meetings.

viii. Review Code of Practice

The Equality and Diversity Partnership Group will review the progress made on this Action Plan.

7.0 Putting the Code of Practice in place and monitoring it

While all employees in Dublin City Council have a role in putting this Code of Practice in place and monitoring it, managers have a particular responsibility to make sure that the requirements of the Code are being met.

In addition, our Equality Office will review the Code as the need arises.

8.0 Appendices

8.1 Relevant legal information and disability definitions

Definition of disability

The Employment Equality Acts 1998-2015

In the Section on 'Reasonable accommodation', the legislation refers to an employer's obligation to employees with disabilities.

Under Part 1 Section 2(1) of the Equality Acts disability is defined as:

- " (a) the total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body;
 (b) the presence in the body of organisms causing, or likely to cause, chronic disease or illness
 (c) The malfunction, malformation or disfigurement of a part of a person's body;
 (d) A condition or malfunction which results in a person learning differently from a person without the condition or malfunction;
 or
 (e) A condition, illness or disease which affects a person's thought process, perception of reality, emotions or judgment or which results in disturbed behaviour, and shall be taken to include a disability which exists at present, or which previously existed but no longer exists, or which may exist in the future or which is imputed to a person."

Reasonable accommodation

Employment Equality Acts 1998-2015 Section 16

Disability Act 2005 – Part 5 – Section 47 (1) a

Section 47 (1) a of the Disability Act requires public bodies, as far as practicable, to take all reasonable measures to promote and support employment of people with disabilities.

Meeting the 3% target

Disability Act 2005 Part 5 Section 47

Unless there are good reasons to the contrary, public bodies must employ 3% of employees with disabilities.

Report on compliance with the 3% target - Disability Act 2005

Part 5 Section 48

Dublin City Council needs to know how many of their employees have a disability so they can report on compliance with the 3% target. This 3% target comprises those employees covered by the definition under Part 1 Section 2 (1) of the Disability Act 2005:

"Disability, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment".

Report date for compliance with the 3% target

Disability Act 2005 Part 5 Section 48

Public bodies must report every year by March 31 on compliance with these obligations. They report to statutory Monitoring Committees in their parent Department.

8.1 continued

Dublin City Council writes an annual report that it submits to its Monitoring Committee in the Department of Housing, Planning & Local Government. This report is submitted by March 31 each year and must cover the previous calendar year.

The report:

- contains details of the number of people with disabilities employed by Dublin City Council; and
- documents any policies, programmes and procedures employed by the organisation, to promote and support the employment of people with disabilities.

All the information collected on disability status for this report is classified as 'sensitive personal data' under the Data Protection Acts 1988 and 2003. It is kept confidential and stored securely with access limited to employees in the Equality Office.

8.2 Frequently asked questions

Q. What are the options open to me if I acquire a disability?

A. If you acquire a disability or you have an existing disability that becomes worse, we will look at all reasonable accommodations and do everything we can to make sure you can stay in employment. This includes providing:

- equipment;
- assistive technology (technology that helps someone with a disability to do their work – See **Section 8** Appendix 8.3); and
- possible job restructuring.

Where we have provided reasonable accommodation, but there are still difficulties with work, we may need to explore other options by talking to:

- you;
- your line manager;
- where necessary the Human Resources Department; and
- your union representative or official (if applicable);

Q. As a manager, what should I do if:

**I am assigned an employee who has a disability as a member of my staff?
or If a member of my staff acquires a disability?**

A. Disability can vary in degree and in kind. While some disabilities may not affect a person's ability to do their job in any way, others may need you to make some form of accommodation.

8.2 continued

Communication

Good communication is the key to overcoming most difficulties. The person with the disability is often the best person for you to ask what they need.

Medical Opinion

Sometimes, however, you may need a medical opinion. If you do, you should consult the Human Resources Department.

Staff Support Service

As a manager you should make all employees aware of the availability of the Staff Support Service as it can offer short-term professional support to the employee.

Equality Office

The Equality Office is also always available to offer support and advice to both managers and individuals.

Local managers are responsible

Under the Safety Health and Welfare at Work Act, 2005, those directly in charge of the workplace such as local line managers, are responsible for the health and safety management of all employees and workplaces under their remit. This includes employees with disabilities.

Line managers must make sure:

- health and safety risks are managed and controlled adequately;
- there is a plan that makes sure their Section complies with core safety and health standards.

Specific risk for people with a disability

When an employee with a disability is assigned to a department, local management should arrange for a site-specific risk assessment to be carried out. If this shows up anything that needs to be changed, local management must make sure these changes are made.

It is good practice to consult the employee with a disability when writing this risk assessment.

Q. What role does the Access Unit have?

A. As outlined in the Disability Act, 2005, the remit of the Access Unit is:

“...to promote or arrange for and co-ordinate the provision of assistance and guidance to persons with disabilities in accessing the Services”
(of Dublin City Council).

This includes access to:

- roads;
- parks; and
- public buildings.

8.2 continued

It also includes providing services. The Access Unit also:

- raises awareness and understanding of disability issues;
- co-ordinates disability awareness training.

The Access Unit manages an interactive website www.accessdublin.ie, which includes a Business Directory, providing access information to the public on various premises in the city.

Q. What role does the Staff Support Service have?

A. The Staff Support Service provides a short-term information, advice and counselling service to all Dublin City Council employees. It is an appointment-only service and deals with a range of work and personal issues such as:

- financial worries;
- relationship breakdown;
- work place accidents; and
- work disputes.

Q. What other relevant policies and procedures relate to employees with a disability?

A. Some of the most relevant policies and procedures are as follows:

- 'Equality and Diversity Management Policy';
- 'Dignity at Work Policy and Procedures';
- 'Employee Safety Handbook';
- 'Fire and Emergency Evacuation Procedure';
- 'Personal Emergency Evacuation Plans';
- 'Access with attitude' – a disability awareness handbook for the employees of Dublin City Public Libraries.

Q. Who is responsible for making assistive technology available when it is needed?

A. Your Department or Section is responsible for making assistive technology available. While you can always look for advice from the Equality Office about where to source the equipment, your Department or Section is responsible for getting the equipment and for any financial cost involved.

8.3 Technology and adapting the workplace - examples

Here are some examples of helpful technology and changes in the workplace that can be made to adapt the workplace for the needs of someone with a disability.

Nature of Disability

Technology or Adaptation

Blind or vision impaired

JAWS – A computer screen-reading software package.

Alternative formats – Production of policy documents in alternative formats such as:

- large print
- high contrast print
- Braille

Software – Computer screen enlargement software.

Dyslexia

Voice-activated software

Voice activated adaptive software uses speech recognition to allow the user:

- create documents and emails;
- fill out forms; and
- streamline workflow tasks by speaking.

Mobility issues or issues related to the ergonomics of the office space that affect the person with a disability

Ergonomic assessment – Ergonomic assessment to customise work stations.

Deaf and/or hard of hearing

Interpreters – Irish Sign Language interpreters provided for meetings and interviews.

Alerts – Deaf alerters, which are a piece of technology, can be provided to alert employees who are deaf and/or hard of hearing in the case of a fire evacuation or drill.

Phones – Provision of phones that flash and have volume control.

The services of the Equality Office are also available to employees who may need:

- special assistance to complete application forms; or one-to-one support to prepare for an interview.

8.4 Some do's and don'ts

As a general guide all employees are encouraged to be patient, supportive and flexible and always take the time to understand and make sure they are understood.

Do

People first

Use 'people first' language to respect the fact that someone with a disability is not defined by their disability.

For example, refer to:

- a person **with** learning difficulties
- a person who **is a wheelchair user**

Ask first

Ask and don't assume someone needs or wants help even if they appear to be struggling with mobility.

Respect personal space

Think of a wheelchair or other mobility aid as a part of the user's personal space. Don't lean on it or push it without asking.

Speak at eye level

Bend down or pull up a chair so that you can speak to someone who is a wheelchair user at their eye level. It is less stressful on their neck and more respectful.

Give clear signals

Tell a person who is blind or vision impaired if you are leaving them at any point so that they are not left talking to an empty space.

Use normal tone of voice

If a person is deaf and/or hard of hearing, use a clear normal tone when speaking to them and if necessary use pen and paper in order to help you communicate.

When speaking look directly at the person so that they can see your facial expression and can lip-read if necessary.

If a colleague is deaf and/or hard of hearing, ask if they would like you to take notes at staff meetings so that they are aware of what is being said.

Take your time

If a colleague has an intellectual disability, take your time when explaining a task to them. Use clear and simple language and be prepared to repeat the steps of the task a couple of times to make sure they understand clearly.

Don't

Don't distract guide dogs

Don't distract or touch a guide dog without first asking the owner.

A guide dog is a working animal not a pet.

Don't forget to ask first

Do not try to lead a person who is blind or vision impaired without first asking if they want such help.

Don't ignore the person

Do not ignore the person by speaking to their Irish Sign Language interpreter rather than them. The Irish Sign Language interpreter is only there to translate.

Don't interrupt

If someone has a speech impediment, do not try to finish their sentences.

Don't speak extra loudly

If someone is deaf and/or hard of hearing, do not:

- speak loudly;
- over exaggerate your words; or
- turn your face away when talking.

Don't be impatient

If a colleague has an intellectual disability, do not get annoyed or impatient with them or rush through the task you want them to do assuming that they are going to understand what you are asking.

9.0 Useful internal contacts and other agencies

Address	Contact	Address	Contact
<p>Dublin City Council Equality Officer Equality Office Block 4, Floor 4 Civic Offices Wood Quay Dublin 8</p>	<p>Tel (01) 222 3136 Email donncha.ocathasaigh@dublincity.ie</p>	<p>National Disability Authority 25 Clyde Road Ballsbridge Dublin 4</p>	<p>Tel (01) 608 0456 Email nda@nda.ie</p>
<p><i>For information on producing documents in accessible formats contact the Equality Office (see above).</i></p>		<p>Irish Human Rights and Equality Commission 16- 22 Green Street Dublin 7</p>	<p>Tel (01) 8589601 Email info@ihrec.ie</p>
<p>Dublin City Council Staff Support Service Unit 2 Ground Floor Marshalsea Court Merchants Quay Dublin 8</p>	<p>Tel (01) 222 5140</p>	<p>Irish Wheelchair Association Áras Cúchulainn Blackheath Drive Clontarf Dublin 9</p>	<p>Tel (01) 818 6400 Email info@iwa.ie Tel (01) 6617211 Email info@aware.ie</p>
<p>Dublin City Council Access Officer Planning and Property Development Department Building Control Block 4 East, Civic Offices Wood Quay Dublin 8</p>	<p>Tel (01) 222 3126 Email pat.nestor@dublincity.ie</p>	<p>AWARE 9 Upper Leeson Street Dublin 2</p>	<p>Chime 35 North Frederick Street Dublin 1</p>
<p>FÓRSA Municipal Employees Division Desney's Court Dublin 1</p>	<p>Tel (01) 817 1550 Email info@forsa.ie</p>	<p>National Council for the Blind of Ireland Irish Deaf Society 30 Blessington Street Dublin 9</p>	<p>Tel (01) 8175700 Email info@chime.ie Tel (01) 8307033 Email info@ncbi.ie Tel (01) 860 1878 Email info@irishdeafsociety.ie</p>
<p>TEEU 6 Gardiner Row Rotunda, Dublin 1</p>	<p>Tel (01) 874 7048 Email info@teeu.ie</p>	<p>Inclusion Ireland National Association for People with an Intellectual Disability Unit C2, The Steelworks Foley Street Dublin 1</p>	<p>Tel (01) 8559891 Email info@inclusionireland.ie</p>
<p>SIPTU Floor 3 Local Authority Branch Liberty Hall Dublin 1</p>	<p>Tel (01) 858 6491/0872341601</p>		



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