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Focus on Disability

Supporting staff with disability

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The National Offender Management Service (NOMS) has a workforce of around 45,000 employees. It has been estimated that around 13 per cent of employees in the public sector have a disability, which would equate to nearly 6000 employees in NOMS. Disability is therefore an issue that affects many people. Almost four out of five people with a disability developed this at the age of 16 or after and it is estimated that almost a thousand NOMS employees will develop a disability each year. It is therefore a dynamic issue that can affect people at any time. Disability can also affect employees domestically, so that it is estimated that one in three people are disabled or close to someone who is and nearly one in ten carry out unpaid caring responsibilities in addition to their work. Disability is therefore a more extensive and commonplace experience than many people assume.

Despite this, NOMS staff have not had access to a dedicated support service, until the NOMS Disability Support Network was officially born on 1st June 2009. The immediate reason for its creation was the reform that reduced the responsibilities of the Home Office and created the Ministry of Justice. Up until that point, the care and interests of disabled staff in prisons had been covered by the wider Home Office Disability Support (HODS), but the changes meant that prison employees were no longer part of the HODS remit group. Six staff decided to push forward with creating a new and specific group for NOMS staff, lobbying unions, existing staff support networks and issuing a questionnaire to all staff. Despite some resistance, over 500 responses were received and the majority of these were overwhelmingly positive. With the assistance of the Probation Disability Support Network, unofficial elections were then held for the executive posts and committee. It was only following this that the

Network was officially recognised. It was officially launched six months later and by this stage it had garnered widespread support and the event was supported by unions, senior prison managers and politicians.

The membership has subsequently grown to over 1300. The Network is also starting to spread as each establishment has now appointed a representative and each region a co-ordinator. As a result, the Network is able to draw upon a broad base of support and information.

The work of the Network

It is the aim of the Network to work to the social model of disability. This approach emphasises that the interaction of an individual's impairment with the barriers they face is the disability rather than the impairment itself. As a result our focus is on supporting the individual's needs on a daily basis in order for them to work on a level playing field to those without a disability. This approach informs all of the work we carry out.

The Network argues that not only is there a legal and moral obligation to treat people with a disability equally, but there is also a strong business case for this. Organisations such

as the Employers Forum on Disability have promoted fair employment practices and have challenged many myths, such as demonstrating that people with disabilities are as effective as anyone else in their jobs and that they stay longer and have less absenteeism. We echo this and argue that NOMS as a public sector organisation should be a model employer and will benefit from this in terms of reputation and performance.

Much of our work is focussed on advising and supporting individuals. They receive contacts by email, phone and post covering a variety of situations. In the first instance their approach is to liaise between our members and managers and hope

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we are seen by all as a tool to find solutions, rather than a group that finds problems. Our advice and support can help managers as much as individual staff in providing the right support to get good performance and ensure that they comply with legislative requirements.

We have set up a webpage for all members of staff to access, which incorporates information on the Network and our regional coordinators, guidance on reasonable adjustments, various fact sheets, membership forms, guidance on disability leave and much more. This not only provides information about the organisation but also acts as a source of self-help information for staff and managers. This provides a useful source of reference and information.

The core of disability employment policy and practice is the making of reasonable adjustments in order to enable individuals to carry out their work successfully. However, this is a complex area as what is 'reasonable' will be dependent upon the circumstances of the individual case. For individuals with disabilities they may find it difficult to ask for or to access the support that they need. For managers, it may be difficult to make judgements about adjustments or to access resources. In addition, other staff may be resentful or suspicious about differential treatment of individuals. The design, implementation and management of reasonable adjustments are therefore complex both technically and inter-personally. The Network can support individuals and managers in trying to navigate this difficult area. Although this is central to disability employment policy, it is nevertheless an area that is difficult, confusing and complex in practice. As well as providing guidance notes and individual support, we have also been innovative in opening up new avenues of co-operation with Access to Work, the Government body that supports employers and disabled people at work. In the East Midlands region, we are currently operating a trial looking at building improved practice in the provision of reasonable adjustments in the workplace.

Another major strand to our work lies in policy and practice development. All public bodies, including prisons, have a statutory duty to promote equality for people with disabilities. One of the main

ways that this duty is met is for policy leads at HQ and managers in prisons to undertake Equality Impact Assessments (EIAs), looking at how policies and functions affect people from different groups, including people with disabilities. We provide advice on this and support the assessment and identification of follow up action to address deficits. This is an important long-term tool for improving practice.

We have highlighted a number of practical and policy issues that have arisen and assisted with finding solutions. For example, the software for P NOMIS, the electronic prisoner records system, is not compatible with our assistive technology. We are now working with others to highlight and address this

issue. This illustrates some of the problems that can occur where impacts are overlooked or not fully understood when new policies are introduced.

Other examples of policies that we are currently considering are human resource policies aimed at improving fitness and managing attendance. With the drive to reduce absenteeism over recent years, we have been concerned that some people with disabilities have been detrimentally affected. Whilst we recognise that there is a legitimate balance between the needs of the organisation and those of individuals, we are looking at how referrals to occupational health professionals are being used and

whether disability leave is being properly utilised. This is an issue that has been highlighted by the Trade Unions Congress who have provide guidance and advice to union representatives supporting people with disabilities who face disciplinary procedures relating to absenteeism. We are also considering how the requirement for fitness testing for prison officers may have an impact on current staff and future recruitment.

Our role is also to work with NOMS in order to identify solutions to the issues we have highlighted. We have begun to undertake dyslexia testing on individual staff. This is not a full psychological assessment but it is a recognised tool for identifying dyslexia traits and tendencies. This test can provide information that helps to identify issues that an individual may be facing and provides us with an opportunity to work with them and their employing

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establishment in order to provide support and make reasonable adjustments.

The Network therefore provides a range of services at the individual and organisational level. Our intention is to improve practice and find solutions that enable NOMS to develop best practice in relation to disability at work.

Looking Ahead

The Network is still in its infancy, however, it has already demonstrated that there is a need for the services it provides and that there is significant work that is required in the future. Not only do we need to improve awareness and support for individuals who have disabilities, but there is a wider role in sensitizing and improving the organisational

capability in managing disability. This includes improving understanding, using impact assessments effectively and building skills in the making of reasonable adjustments.

Our work is also taking place in a challenging context with financial restraint effecting public services. This may have an impact on the support available to those with disabilities at work or out of work and this may have consequences for our members. In a more general sense, in the current period of change and reform it is essential that organisations such as the Network speak up so that the needs of our members are considered.

We are a relatively new organisation and our work has only just begun but its importance is already clear.