

Disability alliance

Telling people about your disability

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Introduction

You might be unsure whether to tell your college, university or your employer about your disability or wondering about the best time to do this. The official term for telling people about your disability is 'disclosure'. If you disclose, it's important to think about what you expect the outcome to be and who you might tell.

Some people disclose their disability because they had support previously and they know they want something similar on their course or in their new job. The application process can be an early opportunity to do this. For example, you can mention your disability in a personal statement, particularly if you can present it in a way that shows evidence of character and achievement.

Education providers should give you further opportunities to disclose throughout the admissions and induction process and during your course, for example in the run-up to exams or before you start work placements. Whenever you choose to disclose you should contact the learning support or disability officer in student services.

If you have an invisible impairment, you may wonder if it's safer to keep everything private. Some people worry that colleges, universities or employers might act in a discriminatory way. Others don't feel that their situation counts as having a disability, don't see it as having any effect on their ability to study or work, or simply don't like being labelled in this way.

There's no clear-cut answer as to whether or when you should tell people about your disability. You need to use your own judgement about what's best for you. However, the information in this booklet can help you make this choice. You can also get advice from your local careers or Next Step service or the Disability Employment Adviser at your local Jobcentre Plus.

1 The Equality Act and disclosure

Disability discrimination laws developed in the 1990s when it became more widely recognised that people with disabilities were facing discrimination. The Disability Discrimination Act (DDA) originally came in force in 1995 and it was significantly amended and extended over the following 15 years, gradually bringing more protection for disabled students and employees.

The Equality Act has now taken over from the DDA. As well as supporting the rights of disabled people by giving greater legal protection against discrimination, it emphasises the legal duty on education providers and employers to make reasonable adjustments so disabled people can take part in education, use services and work.

The legal definition of disability is very broad and can include specific learning difficulties such as dyslexia, medical conditions and mental health difficulties, such as depression. You might feel that your needs are not as important as, for example, someone in a wheelchair. However all impairments affect learning and work in different ways. You don't have to accept the word 'disability' as a label, but it can be used as a way to get support.

When making reasonable adjustments, education providers have an 'anticipatory' duty, which means that they have to anticipate the needs of all disabled people. This may mean making general adjustments to services, policies, procedures and premises before a disabled person actually applies. Employers don't have this anticipatory duty and only need to make adjustments when they know about your disability.

With most types of discrimination, you'd have to show that the education provider or employer knew (or should have known) that

you have a disability. However, in order for them to say they didn't know, they must have taken 'reasonable steps' to find out.

Reasonable steps to find out about your disability include asking on an application form for a job, using information from the UCAS or college application or asking on your enrolment form. It may be that your employer undertakes staff monitoring from time to time or that they offer confidential sessions with the Human Resources (HR) department to discuss any job-related issues.

Disabled student services staff are responsible for ensuring education meet their legal duties in relation to disability equality. This means making sure the reasonable adjustments you need are in place. The processes to make sure that disabled students have a good learning experience are well understood and recognised by most colleges and universities.

In the section that follows, you will find more information to help you decide whether to tell people about your disability in the initial application stages. You will see that there are many more reasons for telling people than against, but it is up to you to make the decision.

2 Confidentiality

You have a right to information about your disability being kept confidential. In addition, disability information is considered as 'personal sensitive' information under the Data Protection Act. It can't be passed on to other people without your permission. If you don't want anyone else to know, **you can request that information is not passed on** and you should make this clear when filling out any forms. Many educational institutions will have a policy outlining which members of staff will be told about your disability. This might include the disability officer, your personal tutor, exams officer and individual lecturers.

Even if you request that nobody else knows about your disability, employers and education providers still have a duty to make reasonable adjustments. It may be that different adjustments are implemented. For example, you might record a lecture rather than have a note-taker in the room with you because you don't want other people asking you questions about the note-taker.

3 Reasons for telling people about your disability

1 Employment and education are covered by the Equality Act

An employer or education provider cannot lawfully refuse you a job or a place on a course just because you're disabled or because they don't want to make an adjustment. So, if you do tell people about your disability and feel that you've been treated unfairly in the application, admissions or interview process because of this, you can make an official complaint under the Equality Act.

If you're given opportunities to tell people about your disability and you don't do this, the employer or education provider could claim that they didn't know. Therefore you might not have a case for discrimination.

See the Disability Alliance booklet [Understanding the Equality Act: information for disabled students](#) for further information.

2 Most employers and all education providers should have equal opportunities policies

Most employers and education providers have equal opportunities policies or statements and therefore a commitment to admissions, recruiting and employing without prejudice. You may feel more comfortable disclosing your disability when you have seen their policies or statements about their equality schemes. In higher education, you could look at the institution's Student Charter and whether it covers equality and diversity. You could even ask for information in relation to the new Public Sector Equality Duty whereby the institution is supposed to publish the effect of its policies and practices on staff and students.

3 Some employers are keen to employ disabled people



Look out for the ‘two ticks’ disability symbol on job advertisements, awarded by the Jobcentre Plus. This means the employer has made a commitment to employing disabled people. The ‘two ticks’ symbol also means you’ll be guaranteed a job interview if you meet the minimum criteria of the person specification. Look out for positive statements about disability or equal opportunities. In some cases, a disability may be viewed as an additional qualification.

4 It’s an opportunity to describe your disability positively

Through your experiences you may have developed skills that are useful in the job or on the course. For example, having a personal assistant might have involved organisational skills, communication skills or managing a budget. You can use this as an opportunity to talk about your disability in a positive way. Admissions officers and recruiters look for evidence of character and achievement and you may be able to give examples of determination and initiative related to your disability.

5 Some courses and professions ask direct questions about health as part of the application process

On some courses such as medicine, nursing and teaching, you may have to meet ‘fitness to practise’ regulations set by professional bodies. These relate to health and safety requirements and the demands of that particular career.

The process involves a health questionnaire and occasionally an occupational health assessment. However no-one should assume that a disabled person can’t become a teacher or

health professional. Reasonable adjustments must be taken into account as part of the 'fitness' assessment.

6 There is funding available for making adjustments

In both education and employment there is funding available to make adjustments and your employer or education provider may not always be aware of this.

In further education, colleges get money from their funding body to provide reasonable adjustments. In colleges this is called Additional or Extended Learning Support (ALS or ELS).

In higher education, you may be eligible for Disabled Students' Allowances (DSAs) which can pay for the cost of additional equipment, non-medical helpers or extra study support that you may need. Recent research shows that disabled students who receive DSAs get better final grades than those who choose to go it alone, without asking for or accepting support.

In employment the Access to Work scheme, operated through Jobcentre Plus, is available to help pay towards specialist equipment, support workers and extra transport costs. Employers can also get free advice on adaptations to the workplace for a disabled employee or applicant from the Disability Employment Adviser (DEA) at the local Jobcentre Plus.

For more information see the Disability Alliance booklets

- **Funding further education for disabled students**
- **Funding higher education for disabled students**
- **Help for disabled jobseekers from Jobcentre Plus**

Available from www.disabilityalliance.org/skillpublications.htm.

7 Adjustments can be put in place earlier

The earlier that you tell people about your disability, the easier it will be for adjustments to be put in place in time for you to start your course or your job. Talking to the disability officer or HR department about adjustments will enable them to make arrangements before you start working or studying.

8 You might build a better working relationship

A working relationship is often better when the people involved feel they can be open about issues that are relevant to work or studying. However you may want wait until you have already established a good relationship with your supervisor or tutor before disclosing your disability to them.

9 You might need to explain aspects of your CV or application form

Your disability might account for aspects of your CV or application that may otherwise count against you. For example, you may have a gap in your educational history or career due to a rehabilitation period, or you may have had to retake your examinations due to a period of illness.

10 Your disability information is confidential

Information about a disability is protected both by the Equality Act and the Data Protection Act as it is considered to be personal, sensitive information. This information can't be passed on to other people without your permission and it needs to be treated as confidential.

4 Reasons against telling people about your disability

1 You may have concerns about discrimination or being rejected by people with pre-set ideas about the effects of disability

You may feel that the competition for jobs and course places may mean that employers and education providers will look no further than a disability and not look at your abilities. You may feel that an employer or education provider will automatically see you as a 'problem' and possibly a potential expense.

2 You may have concerns that it will give the employer or education provider the chance to label you by disability

You may feel that an employer or education provider will see your disability as the only or most important thing about you or make assumptions about what you can and cannot do on the basis of your disability.

3 You may not want to discuss your disability with a stranger

You may feel that the application process does not allow the time or space for someone to get an accurate understanding of your disability, or that you find it difficult to explain it in words on an application form.

4 You may feel your disability may have no effect on your ability to do a job or course

You may feel that your disability is not relevant to the job or course, and so there is no reason to tell people about it. However, you should bear in mind that you may need adjustments as your course or job develops.

5 When is the best time to tell people?

After weighing up the pros and cons of disclosure, you may decide you want to tell people about your disability. The next important decision is at what stage of the application process you should do this. The information below sets out the options available to you.

On the application form

Some application forms ask direct questions about disability, so you can give all the details that you feel are important at this point. The UCAS form, for example, has a drop down menu and a section where you can describe any additional study support needs you may have. You may feel that your disability and your related life experiences increase your ability to succeed in a job or on a course. You may also wish to include information in the section on the application form that asks about why you feel you are suitable for the course or job.

On medical questionnaires

You may be asked direct questions about disability and health on a medical questionnaire. Whether you will need to fill one out, and at what stage you do this, depends on the type of job or course.

Certain professions such as medicine, nursing and teaching have 'fitness to practise' regulations. The process involves a health questionnaire and occasionally an occupational health assessment. You will have to answer honestly. If your disability has any health implications, you will need to put this down on this form. However, reasonable adjustments must be taken into account as part of the 'fitness' assessment.

Under the Equality Act 2010, employers cannot ask candidates questions about their health that are unrelated to the job role.

On equal opportunities monitoring forms

An employer may have a separate equal opportunities monitoring form which they ask all applicants to fill in. This form is for them to see that the mix of people applying for their jobs matches the mix of people in society. If it doesn't, they may need to change where they advertise job vacancies.

These equal opportunities forms are not used to judge your application. They are separated from the main application form, usually by Personnel or Human Resources, at an early stage. This means that the people who decide which candidates to interview do not see these forms. They should judge the applicants on the basis of their skills and work experience only.

In a covering letter or personal statement

If you need to provide a covering letter with your CV or a personal statement with your application form, you could mention your disability in this. It could also be mentioned in your CV, for example if you have been to a school or specialist college for disabled people.

Before going for an interview

If you're invited for an interview and need practical support, such as a sign language interpreter or help getting to the interview, you could contact your employer or education provider to arrange this. It's much easier for employers to respond to your needs if they can prepare in advance. It will also show how you can manage matters relating to your disability, and may also improve how well you do at an interview. You'll feel more relaxed if you know the right support will be in place.

At the interview

You may have a disability that is visible and it may surprise them if you have come this far in the application process and not said that you have a disability (even if it has no effect on your ability to

do the job). They may end up asking irrelevant questions about your disability that you could have simply explained in the application form. Interview time should be spent explaining how you're suitable for the job, not focusing on any disability.

Talking about your disability at an interview may be difficult. This is especially true if you don't find it easy to discuss personal matters in a formal environment. It may be easier to put any relevant information down on paper when you first apply, rather than having to deal with it in a face-to-face situation when you may be nervous. You'll also have time to prepare what to say, rather than having to come up answers on the spot. On the other hand, you may feel happy to tackle this kind of question in an interview. You may be better at explaining your disability by talking about it, rather than putting it in writing.

6 Use your control of the situation - some key points when disclosing your disability

- **Don't assume that an employer or education provider will view your disability in a negative way.**

There are now over four hundred company members of the Employers' Forum on Disability and each is committed to improving the job prospects of disabled people. The Jobcentre Plus awards the 'two ticks' Disability Symbol to organisations that commit themselves to promoting opportunities for disabled people. Other organisations may have good equal opportunities policies but not have the 'two tick' symbol, so find out more about the organisations or companies you want to work for.

Most higher and further education institutions have a disability officer (or equivalent, such as a learning support manager) who will be able to give you advice about your disability and your course. This may be the first time you've had to think about disclosure, but the college or university will likely have had many disabled students through its doors and have experience of supporting students with a similar impairment.

- **If you decide when to tell people about your disability, you will have more control over the way it is seen.**

You can describe your disability in a positive way as well as any positive effects it has had on your life. For example, if you have a hearing impairment your other communication skills may be strong, such as attention and use of eye contact or body language. If you want to work with the public your awareness of disability may improve your service to disabled people.

- **If you are invited for an interview, don't allow them to dwell on your disability**

Sometimes it can be tempting to use the interview as a chance to air past grievances. However, don't allow them to dwell on any negative aspects as employers and tutors will want you to be positive and enthusiastic.

- **Think about what being disabled has taught you.**

What skills can be transferred into the workplace or onto your course? Some application forms ask questions about your strengths and weaknesses, and your most important achievements. These can form the basis of a declaration, for example:

- Because of my hearing loss I have developed a good level of concentration. This is demonstrated in my ability to analyse spreadsheets and make performance-related forecasts.
- Having restricted mobility has meant that I have developed an interest in Information Technology at an early age and have worked with a range of software.

Also, admitting the difficulties you've had and stressing the ways you have found to overcome them shows maturity and determination to an employer.

7 After you start your job or course

Once you have started your job or your course, you may find that your colleagues or fellow students may show some prejudices, especially if they've had limited contact with disabled people or knowledge of disability. This could be the case even if people are genuinely committed to equal opportunities and the employment of disabled people and even if staff have been on all the relevant courses!

People may ask lots of questions about your disability. This may be relevant if it's about how you may best be supported, for example:

- Is this print large enough?
- Is this lighting OK?
- Are the shelves at the right height?

However, you may have to deal with irrelevant personal questions about your disability, such as:

- How much can you see?
- What's wrong with your legs?
- How much can you hear?
- When did it happen?

Also, people may not be aware of subtle things that you may have to explain to them, for example:

- your condition may vary
- you may be able to read small print but trip over a chair
- you may be able to hear one type of sound better than another (such as men's voices as opposed to women's and vice versa)
- your speech may be clearer one day and not so clear the next.

Some people can be awkward and embarrassed, preventing you from bonding with colleagues or fellow students. They may have negative expectations about what you're able to do, and see only

the disability and not other things about you. Being good-humoured and helping people to be relaxed about your disability can go a long way to breaking down barriers. Of course, there is no excuse for people making offensive comments, either through ignorance or prejudice, and harassment of disabled people is specifically covered by the Equality Act. You should speak to your line manager at work or the disability officer at your institution about this and how you can use the internal grievance or complaints procedures and the protection of the Equality Act.

8 Further information

You may find it helpful to talk through any concerns you have about disclosing your disability. You can talk to the disability officer in your institution or careers adviser at your local careers or Next Step service (in England).

If you've already left university or a college of higher education, you can still use the careers service where you studied. If you've moved, you can use the service at your nearest university. You should be able to visit for up to three years after graduation. A careers adviser can take you through all the options that your degree has opened up and help you decide which direction you want to go. There may be a charge for careers interviews and some universities also charge for the use of their careers resources.

Disability Employment Advisers (DEAs) who work at Jobcentre Plus have experience of working with disabled people applying for jobs. You may wish to talk to other disabled people about how they felt when disclosing their disability. Local groups of disabled people may also be able to help you.

Association of Disabled Professionals

BCM ADP, London, WC1N 3XX.

Tel: 01204 431638 (answerphone only service)

Fax: 01204 431638 (9am to 5pm).

Email: info@adp.org.uk

Website: www.adp.org.uk

Membership organisation for disabled people who are or aim to be professionally employed. Publish a quarterly newsletter and a series of employment guides for disabled people.

Blind in Business (BIB)

4th Floor, 1 London Wall Buildings, London EC2M 5PG

Tel: 020 7588 1885 Fax: 020 7588 1886

Email: info@blindinbusiness.org.uk

Website: www.blindinbusiness.co.uk

Blind in Business provides a range of services to both undergraduates/graduates and employers to ease the transition between education and employment for visually impaired individuals.

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Radar

12 City Forum, 250 City Road, London EC1V 8AF

Tel: 020 7250 3222 Fax: 020 7250 0212

Textphone: 020 7250 4119

Email: radar@radar.org.uk

Website: www.radar.org.uk

Radar runs various leadership programmes for disabled people and coordinates the Radiate network for high flying senior or talented aspiring professionals living with disability or health conditions.

9 Useful publications

Choosing your path. Disclosure: it's a personal decision

Published by the University of Western Sydney, Australia. This web based resource information about options and pathways that disabled people can use in disclosing their disability in education and employment. Available from <http://pubsites.uws.edu.au>.

Disclosure

Published by AHEAD, the Association for Higher Education Access and Disability based in Ireland. This booklet provides a suggested approach to disclosure and a useful self assessment checklist. Available from www.ahead.ie.

Doing Careers Differently – How to make a success of your career

Published by Radar. Includes sections on education and training, mentoring, personal development, internships, interviews, networking (including online networking do's and don'ts) and what to do about disclosing a disability to an employer.

Available from www.radar.org.uk/publications/doing-careers-differently.

Do you have a disability - yes or no? or is there a better way of asking?

Available from LSN www.lsneducation.org.uk.

Evidence in Equality: Approaches to increasing disclosure and DSA take-up.

Published by the Equality Challenge Unit (Nov 2011)
www.ecu.ac.uk.

Finding out about people's disabilities: A good practice guide for further and higher education institutions

Available from www.lifelonglearning.co.uk/findingout/finding.pdf.

Disability Alliance Information booklets

- Adjustments for disabled students
- Careers and work for disabled people
- Help for disabled jobseekers from Jobcentre Plus
- Making a complaint
- Understanding the Equality Act: information for disabled students

Available from www.disabilityalliance.org/skillpublications.htm.

The Equality Act

Copies of the Act are available from The Stationery Office.

The Equality and Human Right Commission (EHRC) has produced practical guidance together with examples which explains the Equality Act. Currently there is a guide for employers, employees, service providers, service users and education providers. Guidance for students will be available soon.

www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads

The EHRC has also produced Codes of Practice to accompany the Equality Act. They explore each clause in technical terms and are useful for lawyers, advocates and human resources experts.

www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice