Booklet 1

How to actively involve disabled people

Responding to the duty to promote
disability equality in the post-school sector

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Acknowledgements

Introduction

This document is part of a suite of materials designed to assist post-16 education providers to respond positively to the duty to promote disability equality. These materials are derived from a research project which reports the experiences of organisations engaged in implementing the Disability Equality Duty (DED). This duty is part of the Disability Discrimination Act 2005 (DDA 2005), which comes into force on 4 December 2006. Readers should note that this was wrongly put in the Disability Rights Commission (DRC) code of practice as 5 December. The DRC has since issued an erratum saying that the correct date is 4 December 2006.

The Disability Equality Duty project

The aim of the project was to explore the implications of implementing the disability equality duty (DED) in the post-school sector, to respond positively to the new requirements. Over 25 organisations were involved, including:

- further education colleges

- sixth form colleges

- adult and community learning (ACL) providers

- higher education institutions

- Adult Learning Inspectorate (ALI)

- Disability Rights Commission (DRC)

- Equality Challenge Unit (ECU)

- Learning and Skills Council (LSC)

- Learning and Skills Development Agency (LSDA)

- Higher Education Funding Council for England (HEFCE)

- National Disability Team

- National Institute of Adult Continuing Education (NIACE)

- Ofsted

- Skill.

The project ran from May 2005 to March 2006 and was managed by the Learning and Skills Development Agency (LSDA) in partnership with NIACE and Skill; it was funded by the Learning and Skills Council (LSC). The project outcomes were disseminated through three events called 'New legislation: new opportunities', which took place between March and May 2006. Issues from these events have been incorporated within the suite of materials.

Organisations in the project were at different points on their journey towards disability equality. Many recognised strengths but also accepted areas that had yet to be addressed. All started work to implement the requirements of the duty to promote disability equality and, within the context of their own organisation and timescale of the project, many identified a particular aspect of disability equality to improve. These focused on one or more of the following requirements of the duty:

- to carry out impact assessments
- to gather information to monitor progress
- to embed disability equality across the whole organisation
- to actively involve disabled people
- to work in partnership with other organisations
- to improve disability equality by tackling institutional barriers.

You can read the reports of the organisations involved in the research on the Learning and Skills Network (LSN) website (www.lsneducation.org.uk). The project was steered by an advisory group of disabled people, which provided an invaluable forum for the exchange of ideas and advice on the direction of the project.

Implementing the duty

Implementing the duty will help close the gap between the expectations, experiences, education, qualifications and employment of disabled and non-disabled people. It will enable you to:

- create a positive atmosphere where there is a shared commitment to value diversity and respect difference
- deliver a first class service; Ofsted, for example, has found that a common characteristic of the highest performing organisations is that they have an inclusive ethos, and the best lessons take place where teaching and learning responds to the needs of individual learners

- achieve a more representative workforce, recruiting from a wider pool of applicants

- meet the requirements of funding, audit and inspection bodies better

- promote a greater knowledge and understanding of disability among all learners, which will benefit society at large.

If you are leading on the implementation of the DED, you are advised to familiarise yourself with the Code of Practice produced by the DRC, which is a statutory document. It is admissible as evidence in legal proceedings under DDA 2005, and courts and tribunals must take into account any part of the Code that appears to be relevant to issues arising in proceedings. The Code and other guidance materials provided by the DRC are available on the DRC website (www.dotheduty.org). Online guidance documents available on the DRC's website (www.dotheduty.org) include:

- guidance for the further and higher education sectors (from August 2006)

- guidance on evidence gathering

- guidance for disabled people on the Disability Equality Duty (from July 2006).

Using the materials

This suite of materials derived from the project is designed to provide practical advice, tools and examples drawn from practice and offers key messages about implementing the duty. Throughout the materials you will find references to and quotes from the DRC's Code of Practice and other publications. It is advisable to read these materials alongside the Code of Practice.

The suite of materials consists of seven documents (see figure 1).

- **Core document: The journey towards disability equality** is the starting point and needs to be read first. It provides an overview of the main requirements and key activities required when promoting disability equality. The core document also includes a self-evaluation tool to help develop a Disability Equality Scheme and improve disability equality. There are signposts in the core documents to the other booklets in the suite.

- There are five accompanying 'how to' booklets. Each provides more detailed information on the main themes of the duty:
  - ☐ **Booklet 1: How to actively involve disabled people**
  - ☐ **Booklet 2: How to gather and use information to improve disability equality**
  - ☐ **Booklet 3: How to carry out disability equality impact assessments**
  - ☐ **Booklet 4: How to take a whole-organisational approach to disability equality**
  - ☐ **Booklet 5: How to meet the employment duties**
- The remaining booklet is **Booklet 6: How is the disability equality duty different from the race equality duty?** This analyses the similarities and differences between the duty to promote disability equality and the duty to promote race equality, carried out as part of the project.

Figure 1   The seven documents of the DED project
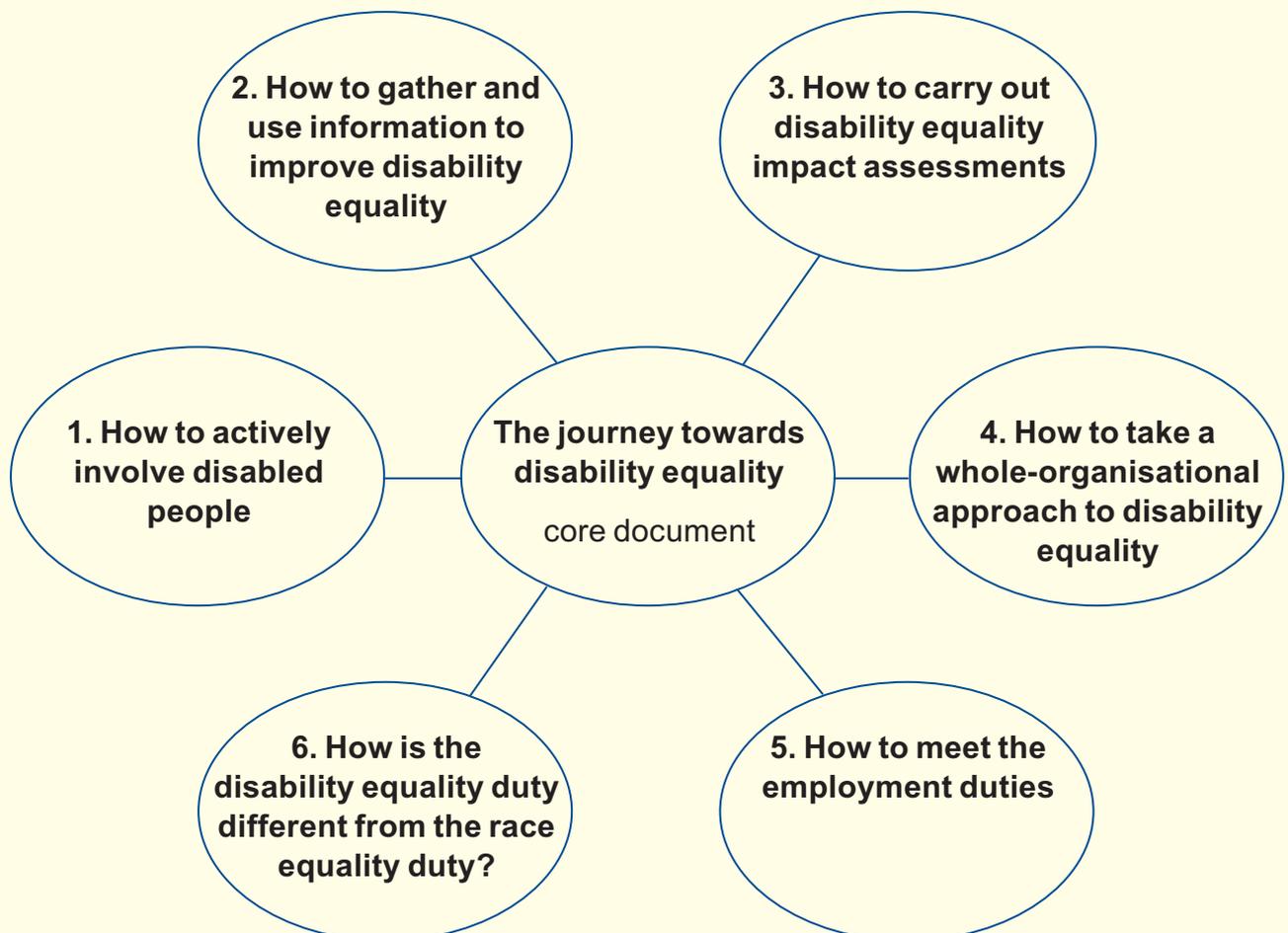
Booklet 1 How to actively involve disabled people

A critical success factor will be for you to involve disabled people in a genuine and meaningful way in implementing the duty to promote disability equality. Disabled people have the expertise to identify barriers for you to dismantle and to help you set priorities to improve disability equality in your organisation. This booklet will help you to:

■ appreciate the specific duty requirement to involve disabled people – section 1

■ consider different aspects of involvement – section 2

■ understand the different approaches that can be taken to involve disabled people – section 3

■ appreciate potential barriers to involvement and find out how these might be addressed – section 4.

1 ■ The specific duty requirement to involve disabled people

The Disability Discrimination Act 2005 places a duty on all public sector organisations to promote disability equality. There are six inter-related parts to this duty, also known as 'the general' duty or 'disability equality duty' (DED). In carrying out their functions public authorities must have due regard to the need to:

■ promote equality of opportunity between disabled people and other people

■ eliminate unlawful discrimination

■ eliminate disability-related harassment

■ promote positive attitudes towards disabled people

■ encourage participation by disabled people in public life

■ take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

In addition, there are specific duties for listed public authorities including education providers and funding bodies. Organisations covered by the specific duties must publish a Disability Equality Scheme (DES) by 4 December 2006. One of these specific duty requirements is to actively involve disabled people; they 'require a public authority to involve disabled people who appear to the authority to have an interest in the way it carries out its functions in the development of the Disability Equality Scheme' (DRC 2005, p56). This means that in developing your DES, you need to involve disabled people systematically, and to articulate your approach within your Disability Equality Scheme.

As well as involving disabled people in the development of your DES, the DRC's code of practice (2005) points out that it is critical to the successful implementation of the duty to involve disabled people in implementing various aspects of the Scheme, such as carrying out impact assessments and identifying appropriate information to gather. You may also, therefore, want to include a statement in your DES explaining how disabled people will be involved in the implementation of your Scheme.

Why should we involve disabled people?

The underlying principle of the Disability Discrimination Act is the legally enforceable rights of disabled people to be treated as equal citizens and, in this context, it is imperative to involve disabled people in improving disability equality in your organisation.

Engaging with disabled people is not only a legal requirement of the duty, but brings great benefit in terms of expertise to your organisation. It can, for example:

- identify barriers in your organisation that should be dismantled, leading to you making the changes necessary for there to be greater inclusion and equality for disabled people
- increase your effectiveness in identifying and prioritising disability equality initiatives
- improve staff satisfaction and morale
- improve learner satisfaction and success rates.

Involving disabled people in implementing your DES can be mutually beneficial. Your organisation gains by obtaining a clearer understanding of how to improve your service to disabled staff and learners, often with benefits to the organisation as a whole. Sometimes, disabled people can also benefit. An LSN briefing on learner involvement noted that practitioners involved in DDA action research projects:

reported personal growth with increased confidence and improved self-esteem among learners. Learners have developed skills in representing themselves and others, speaking out, being assertive, turn-taking, listening to others and collecting and collating information.

Learners have gained confidence and skills through participating in meetings. A learner with dyslexia who would not normally express her opinions in an unfamiliar setting has contributed to discussions on how information is presented. Similarly, a learner with mental health difficulties has taken the lead in organising one of the sub-groups. Before joining the group neither learner would have had the confidence to do this.

Involvement enables learners to understand some of the management and administrative processes that go on around them. Importantly too, learners feel listened-to and valued if they are appropriately involved.

I have found it very interesting to work with the college and have been able to give my opinions freely about what it feels like to be a sight-impaired learner. I have been able to help quite a few staff by discussing my difficulty in using some forms and other resources at the college. I am finding my time at the college much more enjoyable and my learning is becoming easier for me.

(LSN 2006a, p3)

What do we mean by 'involvement'?

Engaging with disabled people will involve consultation but must, at times, go beyond this to involving disabled people actively. The Disability Rights Commission has made clear that consultation by itself will not be enough. One way of seeing the difference between consultation and active involvement is to consider a model of participation developed by Sherry Arnstein (figure 2).

Figure 2. Model of participation, developed by Sherry Arnstein

Ladder of participation

Genuine and active involvement

Consultation

Information sharing
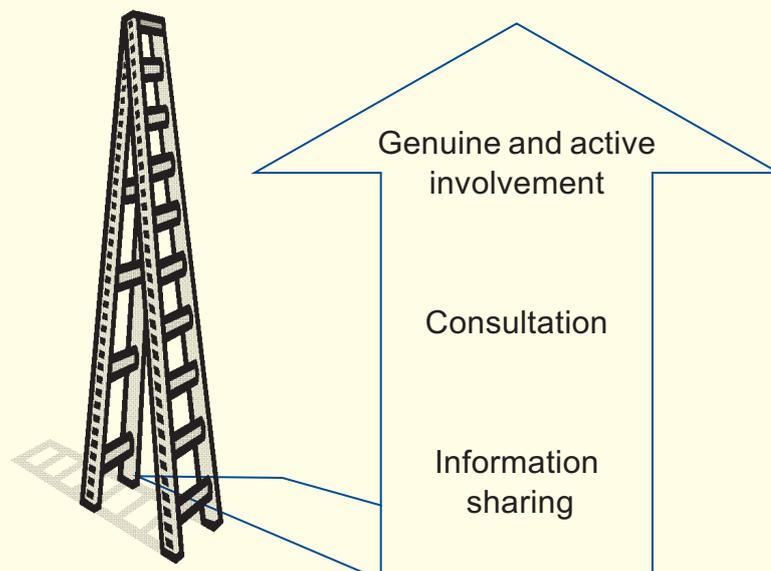
The model uses the rungs of a ladder to depict varying degrees of participation and involvement. At the bottom of the ladder is information sharing, which often involves 'rubber-stamping' predetermined decisions. As such, this level is better regarded as 'non-participation' or 'zero involvement'. Higher up the ladder is consultation, which is the first step to participation but this is often superficial. Consultation may allow choice between limited, predetermined options, or canvas opinion, but participants have few or no opportunities to propose alternatives, or to take part in putting plans into action. Consultation may be used in an attempt to fulfill participating responsibilities while maintaining the power structure. Participants have a voice, but no power to ensure their voice has influence.

Active and genuine involvement, at the top of the ladder, empowers and enables participants to create a vision of their own future and to become actively involved in making it happen. Participants establish a partnership to share decision-making, are given genuine opportunities and are actively engaged in exploring options, and shaping action and outcomes.

Despite its simplistic approach, this is a helpful model to describe the difference between consultation and active involvement.

What aspects of drawing up our DES should disabled people be involved in?

We have seen in the previous section that you should involve disabled people not just in drawing up your DES, but through all key aspects of its implementation. These include:

- carrying out impact assessments

- choosing appropriate mechanisms to gather and make use of information

- identifying barriers faced by disabled people in the organisation

- setting priorities in the action plan

- assisting planning activities.

When disabled people are involved in implementing your DES there will be an impact on all areas of your organisation: on teaching and learning, admissions, recruitment and selection processes, induction, open days, staff training and development, curriculum development and delivery, business planning, quality improvements and strategic planning.

Disabled people will be involved in a 'continuum' of activities, which are discussed further in the next section. However, the code of practice makes clear that 'involvement is particularly important given the under-representation of disabled people in positions which determine policies and priorities of public activities' (DRC 2005, p41). It will be relatively easy to get feedback on the opinions and experiences of disabled staff and disabled learners. It will be a greater challenge to ensure that disabled people are actively and genuinely involved in policy and decision-making activities, particularly at a senior level. Yet both will be important if you are to engage with disabled people fully.

Which disabled people should we involve?

You will want to involve your disabled staff and learners but also consider disabled people outside your organisation. For example, outside agencies that are of and for disabled people may be able to provide a degree of concentrated expertise to tap into. Some groups, such as mental health trusts and centres for independent living, will represent disabled people with a particular interest. Dial UK is a network of 130 local disability information and advice services run by and for disabled people that may be able to give you information about groups local to your area. Information can be accessed via its website (www.dialuk.info/). Many unions have networks or groups with disabled members who will be able to provide advice and information.

You should also consider engaging with less obvious stakeholders such as disabled learners who drop out of courses, disabled applicants who are not successful in staff recruitment and selection processes and disabled parents. You may want to involve disabled people who you know are under-represented in your organisation, to try and find out the reason for the under-representation and what action can be taken to address it.

People with different impairments can experience fundamentally different barriers and it will therefore be important to consider the full diversity of disabled people in terms of the type of impairment, as well as considering other dimensions such as ethnicity, age and gender. For example, disabled people from different ethnic groups may have different experiences, or prefer different ways of engagement. One LSDA DDA action research project explored the cultural requirements of disabled learners from minority ethnic groups. Staff in a college involved in the project, who worked with disabled refugees, tried to organise focus groups. They found that this was inappropriate for this group, who much preferred individual interviews. They also found that different cultures have different concepts of disability and may have different ways of defining disability. People may not identify with the language used in the UK, and there might not be a straightforward translation of terms such as 'learning difficulty'.

These are complex issues, and interested readers can find further information by reading the project report (LSN 2006b). These concepts are also explored further in *It's not as simple as you think* (DfES 2006).

How should we involve disabled people?

Raising awareness

Many of the sites in the DED project initially used a range of strategies to raise awareness of the new duties and the desire to listen to the views of disabled people. For example, sites:

- publicised through college 'newspapers' and intranets

- gave short presentations to a variety of staff, such as senior managers, governors, curriculum and cross-college managers

- wrote and distributed short briefing papers to staff

- held individual meetings with heads of department

- contacted staff using e-mail, and mail shots

- contacted learners through mobile text messages

- used poster campaigns to raise awareness, generate interest and ask for volunteers.

Taking a personal and direct approach to encourage involvement seemed more successful than indirect approaches, such as asking for volunteers through newsletter articles, letter or by e-mail. Some sites in the DED project, however, had success through the latter approach. For example, one site sent an e-mail to all staff inviting any with an interest in disability equality, with or without a disability, to join a working group to take the new duty forward. As a result, two groups were formed. One is a face-to-face group with 16 disabled and non-disabled staff; the other is an electronic group composed of staff who are interested but have less available time, and those with undeclared impairments who would prefer to be engaged in a less public way.

The London School of Economics placed a message on the payslip of every member of staff which invited them to 'be part of the disability equality steering group', and gave the e-mail address to reply to. Response was good, with two responses received on the very same day that the payslips went out to staff. Plymouth University did a mailshot to all staff. Some staff said that they were happy to have a chat but did not want to join a group (this illustrates the importance of exploring different methods of involvement). The College of West Anglia established a student focus group of 13 disabled students primarily through a successful college-wide poster campaign asking for volunteers.

One organisation asks learners when they are enrolled: 'Are you happy to be contacted for research and survey purposes?' The information is incorporated onto the college database (individualised learner record, or ILR) and permits reports to be produced for disabled learners who have replied yes to the enrolment question. This provides an immediate group to contact, for example to help identify the barriers that disabled learners experience in the organisation.

Using a variety of mechanisms

It is likely that you already have existing processes for involving disabled people that you can draw on. It's important that these involve a wide range of mechanisms and are accessible so that certain groups of disabled people are not excluded. For example, if you are going to use paper-based surveys, these should be available in alternative formats such as large print, easy read and tape. If you engage with disabled people face to face, then the venue you choose should be fully accessible, with access to hearing loops and sign language interpreters, for example.

Other adjustments may be necessary to ensure that disabled people can fully engage in discussions. For example, one organisation recognised that forums can be intimidating. They invited people from MIND (the National Association for Mental Health) to empower learners with mental health difficulties to have a voice in such forums. After training, some of the learners volunteered also to work as advocates for other learners.

One organisation involved in a LSDA DDA action research project organised a focus group to obtain feedback from learners with Asperger Syndrome.

I didn't manage to engage any of the students I interviewed alone, (this was) not really surprising as they didn't know me. Then I gained two allies in Joe and Ted who were two students with a more mature attitude to having Asperger syndrome. They brought other students to talk to me and stayed during the interview.

Further examples on the involvement of disabled learners from the DDA action research projects can be found in *Nothing about me, without me* (Nightingale 2006).

Using a variety of mechanisms to involve disabled people will help you to validate your findings. For example, one site in the DED project asked disabled learners to feed back their experiences of the additional support arrangements for examinations on their evaluation forms. Feedback was all very positive. When staff engaged with learners individually a little later, learners gave a very different response. One learner, when asked why she had been so positive on the evaluation form, said: 'I said it was fantastic because I didn't want you to stop it.'

Using a variety of mechanisms also helps to ensure that some disabled people are not excluded. For example, relying on paper-based surveys and questionnaires, even when they are made accessible by ensuring that alternative formats are available, may still exclude certain groups, such as people with learning difficulties.

The variety of mechanisms you choose to involve disabled people should involve a broad continuum of activities, from involving them indirectly via anonymous surveys to involving them actively and genuinely in policy development and decision-making activities at a senior level. A model that illustrates this is one originally devised by the Northern Ireland Youth Forum and adapted by Duffen and Thompson. Although focused on learner involvement, the principles are transferable to staff involvement.

Figure 3 Model for participation, adapted by Duffen and Thomson

A model for participation

Led	Tokenism	Consultation	Representation	Participation	Self-managing

Power of the practitioner/……..…..........……◀▶…….….....…...Power of the learner organisation

- **Led**: the practitioner or organisation has complete authority.
- **Tokenism**: practitioners or organisations set the agenda and take the decisions, but may consult one or two learners.
- **Consultation**: practitioners or organisations decide what they want to ask, and how much control they want to give the learners. They are still seen as leaders.
- **Representation**: a number of learners express the views of their peers. It is important to consider which issues are not on the agenda, and how effective this approach is in practice.
- **Participation**: joint decision-making, where all parties have some control. All responsibilities are shared.
- **Self managing**: learners have effective control over the decision-making.

You will want to involve traditional approaches, such as focus groups, surveys and anonymous questionnaires. Each approach has advantages and disadvantages. For example, the information received from one-to-one interviews is likely to be more detailed that that obtained by an anonymous questionnaire. However, the former will not allow people to respond anonymously, while the latter will not allow further probing to clarify responses. You may also want to explore more creative mechanisms of involvement, such as the use of photographs, artwork, poems and videos. Some examples are provided below, drawn from sites involved in the DED project and other organisations in the sector.

Direct face-to-face involvement

This mechanism of involvement might include:

- disability focus groups and forums
- one-to-one interviews
- video footage
- pictures created by disabled people, for example one site used pictures created by learners with learning difficulties on pre-Entry level courses.

The Learning and Skills Development Agency (whose work is being carried forward by the successor organisations Quality Improvement Agency for Lifelong Learning and the Learning and Skills Network) sent out an invitation to all staff to join an open session at a staff development day.

This was marketed at staff:

- *interested in disability issues*
- *who knew or cared for someone with a disability or learning difficulty*
- *who had a disability or learning difficulty themselves.*

A list of what was meant by disabilities and difficulties was attached which specifically mentioned some areas where people might not consider themselves disabled (such as long-term illness or dyslexia and related difficulties). In addition, we clearly stated that no one would ask why individuals were interested in joining the group.

This session was attended by 6 staff, a further 2 expressed interest (although they were unable to attend) and we started to map out the work to be undertaken. A major consideration is how we move towards a fully participative advisory group that is actively involved in identifying and raising issues as well as agreeing and scheduling work required, rather than a reactive group to simply review the work of others.

Such an approach allows disabled people to contribute to discussions without being required to disclose their disability.

City Lit also intends to take this approach:

The Heads of Human Resources and Learning Support will lead on the implementation of impact assessment of City Lit policies, procedures and practices. As a part of this they have been tasked with forming interest groups of staff and students with disabilities. It is proposed that the staff group will not be composed solely of people with disabilities as this would potentially identify them as having a disability, when they may not want this to happen. The group will be open to any member of staff with an interest in disability equality issues; an anonymous poll of that group will ensure that members of staff with disabilities are well represented. This group will be asked to review how current staff are surveyed to obtain data of the number of staff with disabilities and to suggest improvements.

Some sites in the DED project had difficulty in establishing a focus group or forum of disabled learners, and found it easier to get involvement with disabled learners via other mechanisms such as personal interviews. This is a perfectly acceptable approach. However, it is worth reflecting on the success of King George V Sixth Form College, who had little difficulty in forming a forum of disabled learners. This forum included learners with dyslexia, Myalgic Encephalomyelitis (ME), visual impairments, mental health difficulties, Asperger Syndrome and attention deficit and hyperactivity disorder (ADHD) and wheelchair users. Their success, in part, seems to be the positive and open approach that the college takes towards disability. For example, disabled learners act as ambassadors during open days, talking to potential learners and parents on the support available and the benefits of disclosing support requirements. Materials advertising the availability of support are professionally produced and widely available. Disability and diversity are promoted and celebrated, for example through disability awareness days. Success stories of disabled learners are used in promotional literature to help raise aspirations. Staff are flexible and responsive to the individual needs of disabled learners.

Some sites had difficulty in involving disabled people with certain impairment types, such as people with mental health difficulties. In contrast, Morley College had service users who willingly participated in developing job descriptions and training new 'mental health' champions. Again, their success in part seems to be their positive and open approach, in this case to people with mental health difficulties. The college has a good reputation for supporting learners with mental health difficulties, and excellent partnership arrangements have been formed with a range of external agencies. They have organised a variety of staff training and development activities and promoted mental health awareness days. The more you break down barriers by encouraging these and other activities, the more likely you are to be successful in involving people with mental health difficulties.

National Star College formed a working group of disabled staff to identify the barriers for disabled applicants in staff recruitment and selection processes. They canvassed views from other disabled members of staff and contacted external agencies such as Jobcentre Plus. They also met managers at the college to find out what they thought about employing and working with disabled colleagues. As a result, the organisation has produced a DVD promoting employment opportunities at the college for disabled people, and developed a new employment charter. Further information can be found in the accompanying booklet 'How to meet the employment duties'.

One organisation created a 'graffiti wall'. Large sheets of paper were attached to a wall, and learners were able to add written comments, their own drawings and art work, and pictures from magazines, for example, that illustrated their views on a range of organisational practice and how improvements might be made. Graffiti walls can be placed in classrooms or other areas that are easily accessible to learners, such as the canteen.

Indirect involvement.

Indirect approaches might include:

- anonymous targeted surveys

- satisfaction questionnaires

- text messages on mobile phones

- providing an opportunity for disabled people to make comments, for example, on specifically designated notice boards, the use of comment boxes, or the creation of online virtual forums and chatrooms

- interviews conducted by learning support assistants, who feed back any concerns raised by disabled learners

- following up disabled applicants who do not enrol, perhaps by Connexions staff.

One organisation has questions on learners' support plans, such as:

- 'Would you be prepared to give your views on college life to others?'

- 'How easy do you find it to get around college?'

- 'How are you treated by other students?'

Oaklands College used newly appointed 'disability champions' to involve disabled staff and learners in their curriculum or support areas, and then reported back their findings to a working party.

One organisation has learning support assistants (LSAs) who write to or see learners to 'elect' a representative. For example, the LSA who works with learners with dyslexia arranges for one of the learners receiving support to be elected. The elected person from each group takes forward the issues raised by the group to a forum that reports directly to the academic board. This group ensures that issues are addressed within the self-assessment report.

Morley College sent a survey to 600 students who had declared a disability. About 20% of these students replied. Around 40 suggestions were made for improvements, and the organisation has carried out about half of them. Responses were analysed by impairment type, and although learners with physical disabilities and mental health difficulties were well represented, learners with dyslexia were not. The organisation is exploring alternative mechanisms to engage with these learners.

Milton Keynes Council is a small adult and community education provider that attracts around 7000 part-time learners each year. The council sent out a questionnaire to all learners receiving additional support to ask how they could improve the support they provide.

King George V Sixth Form College has carried out a disability equality review, which included sending out surveys to parents, carers, disabled learners, Connexions staff and external agencies asking how they could further improve their services and promote disability equality.

Representation on committees

This may involve the direct representation of disabled people on groups and at meetings such as student unions, equality and diversity groups, governors meetings and academic board.

Partnership with external agencies

Many sites in the DED project formed partnerships with a variety of external agencies that were able to provide specialist input. For example, Morley College worked with several agencies, including South London and Maudsley (SLAM), their local mental health trust, 'Leo' early onset services, Gateways, a local project to find work for people with mental heath difficulties and Pathways to Learning, an organisation based in Westminster. These alliances have strengthened the work of supporting learners with mental health difficulties and have provided a number of benefits. For example:

SLAM currently run a trauma clinic to support their staff after difficult incidents. Our contact in SLAM is currently seeking permission for college staff to use this if necessary after incidents in the college. There have been a few occasions when this would have been useful. We provided SLAM with case studies to support our request.

Somerset College of Arts and Technology has formed a partnership with Somerset Access and Inclusion Network (SAIN). This is an organisation of disabled people in the community whose mission is to enable Somerset's disabled citizens to secure unrestricted access to and inclusion in any service, premises or facility in the county:

The opportunity to commission SAIN has been a very positive step, not only because they are an independent group of disabled people in the community but also because this relationship can then be built upon when the Disability Equality Scheme develops. A partnership agreement to ensure their ongoing participation to implement the new duties has been provisionally discussed.

Policy development and decision-making activities

Many of the sites in the DED project formed strategic steering groups to develop and implement their Disability Equality Schemes. These included disabled people who work directly with and act as expert advisers for the group.

As a direct result of the DED project, a disabled learner at one of the sites is now a student governor who sits on the Quality and Standard Committee.

In the accompanying booklet 'How to carry out disability equality impact assessments', examples are given where learners were involved in reviewing and revising forms and procedures such as marketing publicity, admissions procedures and complaints forms. Examples are also given where disabled staff provided expert advice to working parties carrying out impact assessments. For example, National Star is an independent specialist college with 460 employees. A team of staff, including three with differing disabilities, have carried out an impact assessment of recruitment and selection process. Outcomes have included:

- adapting paperwork

- making changes to recruitment literature

- developing electronic online application forms

- a new employment charter advertised on the college website and provided to new staff during induction. This can be seen in the accompanying booklet 'How to meet the employment duties'.

One organisation has formed a management advisory group of disabled learners with a direct line of reporting to the senior management team.

Appreciating the cost of involvement

It is important to appreciate and reimburse, where possible, the time and expense that disabled people can incur when providing you with their expertise. You might do this by direct payment, or by indirect payment through, for example, gift vouchers or phone credits. It is also important to ensure that disabled students who are involved in policy development are given appropriate recognition and status. For example, the finance director of one organisation convened a group of disabled students to help inform the accommodation plans to improve accessibility. This was an informal group that was given high status with the use of the board room and notices around the college. The group went on to become a valuable advisory group. Another organisation convened a group of disabled staff, again using the board room and providing a buffet lunch and refreshments.

It is vital that feedback is given and findings published to show how the comments and concerns of disabled people have changed practice. If you neglect to feed back to disabled people the results of your activities in responding to their issues, people can feel that there is little point in giving their views if they are apparently ignored. Letting people know what has changed as a result of their input helps to acknowledge their expertise, and to make the time they have given to helping seem worthwhile.

There are a number of potential barriers to involving disabled people effectively, and disabled staff and learners in your organisation are in the best position to advise you of these. However, you may want to consider the following barriers identified by sites in the DED project.

Involvement fatigue

There is a real danger, particularly in the first couple of years of the development and implementation of a Disability Equality Scheme, that disabled people are asked about too many things too often. You can help to avoid involvement fatigue by:

- ensuring people's involvement is focused, coordinated and efficient; for example, you may consider joint events with other organisations so that disabled people are not repeatedly asked about individual Disability Equality Schemes, or canvassing the opinions of disabled people on a range of documentation, rather than gathering information separately to inform impact assessment

- involving different rather than the same groups of disabled people for different activities; this also helps to ensure a wider range of opinions

- avoiding excessive use of mailshots, or using a limited number of mechanisms for involvement, for example relying heavily on surveys

- steering clear of procedures that are lengthy and complicated, for example asking people to complete a complex questionnaire.

It will be helpful to discuss these issues with disabled people before gathering evidence, carrying out impact assessments or seeking views, to ensure that involvement activities are carried out in the most appropriate ways.

Under-declaration

Many sites in the DED project found it relatively easy to engage with disabled learners: 'We know who they are, they drop into additional support, they're an easy-to-reach group.' Engaging with disabled staff proved more of a challenge. There appeared to be two main reasons for this. First, organisations have a culture of obtaining feedback from learners to improve performance so systems and processes are in place. They do not, by and large, obtain feedback from staff to the same extent.

Second, sites found it difficult to identify disabled staff. It is hard to involve disabled staff to collect their views and experiences if you do not know who they are. A number of sites found that staff records were likely to be inaccurate. Many sites in the DED project had staff individualised records (SIRs) that indicated that only 1–2% of staff had a disability or learning difficulty. Blackpool and the Fylde College, for example, had 30 staff (2%) disclosing a disability at the staff audit in January 2004, and 406 (27%) staff not indicating whether they believed themselves disabled or not. Given that one in five people of working age have a disability or learning difficulty, this is likely to represent significant under-declaration and/or participation.

City Lit surveys staff via their payslip every two years to ensure the information held in Human Resources (HR) is correct. Staff are asked: 'Do you consider yourself to be disabled?'; this is the only formal ongoing opportunity staff have to declare a disability. In 2005 only 26 members of staff (2.4%) had identified themselves as having a disability. To try and rectify this situation, in the same year HR staff sent a different survey to all staff; see figure 4. In response to this, 44 slips were returned. Although this is not a high return, it still represents a 70% increase in identification.

Figure 4. Survey sent to City Lit staff

Important Survey

The Disability Discrimination Act 2005 creates a duty on public authorities to promote disability equality. As a part of this City Lit is reviewing how it supports its employees with a disability and those who develop a permanent or temporary disability whilst in our employment.

We recognise that disabled people face exclusion and discrimination because barriers are placed in the way of their full participation in society. While the achievement of equality may call both for adjustments to working practices and physical features, even more profoundly it will require the transformation of attitudes – an abandonment of the traditional approach based on what a person with a disability can't do, to one based on the approach of what he or she can do.

As a part of our disability equality scheme City Lit will publish clear guidelines for the support of staff with a disability.

As a first step we wish to gain a better appreciation of the number of staff with a disability that we employ.

We would therefore be grateful if you could tear off and return the question below if you believe that you may be covered by the Disability Discrimination Act.

The Act covers anyone who has "a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities".

In practical terms you may be covered if you have a long-term health condition that has an impact on your day to day life. This means that not only are visible disabilities, mental health conditions and learning difficulties covered, but also a range of other conditions are too, such as diabetes, disfigurement and arthritis. Also, cancer, multiple sclerosis, and, HIV are covered from the point of diagnosis.

Please be assured, this survey is anonymous and will be used solely to gain an accurate picture of the number of staff who may be covered by the Disability Discrimination Act.
If you would like to discuss this further in confidence or require any more information or support with a disability please contact me.

XXXX (name of member of staff)   XXXX (email address)
Head of Human Resources   XXXX (telephone number)

I believe that I may be covered by the Disability Discrimination Act
Please return in the enclosed prepaid envelope

The number of people declaring a disability or learning difficulty may be low for a variety of reasons. For example, data are often collected via a staff survey which asks: 'Do you consider yourself to have a disability or learning difficulty?' Many people, however, do not appreciate that the term 'disabled person' covers people with a wide range of impairments and health conditions, which may include, for example, visual impairments, arthritis, multiple sclerosis, heart disease, depression, dyslexia and diabetes. Simply asking staff the question 'do you have a disability' is probably unlikely to be an effective mechanism for encouraging disclosure.

Even if people are aware that they meet the definition, they may choose not to disclose, which is particularly pertinent given that a significant number of impairments are not immediately obvious, such as a mental health difficulty or a medical condition such as cancer. People may be concerned about the consequences of disclosure, fearing, for example, that disclosure may invite discrimination or have a negative impact on their job prospects. They may be concerned at the levels of confidentiality in place.

In order to encourage disclosure, it will be important to address issues such as these in your organisation. It is also worth bearing in mind that people are more likely to disclose if:

■ the benefits of disclosure are made clear

■ an explanation of why you are asking for the information is provided

■ a guarantee of confidentiality is given, if the information is not collected anonymously

■ examples are given, if the word 'disability' is used

■ there is clarification on what will happen if a member of staff discloses their disability or learning difficulty.

Ultimately, the culture and ethos of your organisation, such as one in which diversity and disability are celebrated and respected, will have an impact on disclosure.

Consequently, sites found themselves in a position of needing to address these issues in order to identify disabled people whom they could approach. For further information on encouraging disabled staff to disclose, see the accompanying booklet 'How to meet the employment duties'.

For further information on encouraging disabled learners to disclose, see *Do you have a disability or learning difficulty – yes or no? (or is there a better way of asking?)* (Rose 2006).

However, it might be worth ending this section by first pointing out that disclosure is a process that should be positive in removing barriers, and not a process for merely gathering data. Second, while the ethos and culture of an organisation plays a large part in enabling people to feel safe to disclose without fear of negative or inappropriate reactions, disabled people have the right not to disclose. Participation in involvement activities is entirely voluntary, and in some situations it will be more appropriate to provide opportunities for disabled people to discuss organisational barriers anonymously.

Concerns about confidentiality

Disabled people are often prepared to be more frank if they are reassured that their name and identify will not be used when relaying back information to others. For example, the Working Men's College for Men and Women conducted interviews with disabled learners and recognised that learners would be more open if their views were confidential:

We needed to reassure students that their privacy would be maintained if they felt they had criticisms of the initial assessment and enrolment procedures. This developed when students expressed concern that they felt uncomfortable being critical as they still were in regular contact with staff members they felt had not initially helped them at the college.

It will be important to be open and transparent about the levels of confidentiality that you are able to offer.

6 ▌ Conclusions

Involvement is more than listening. Involvement is about relinquishing the power structure to disability experts; disabled people are enabled and empowered to create a vision of their own future and are actively involved in making it happen.

The expertise of disabled people will help you to identify and prioritise equality initiatives effectively, dismantling barriers to improve your service for the benefit of all who work and learn in your organisation.

It is important to establish mechanisms to evaluate the involvement of disabled people. It is all too easy to slip into a set of activities that focus on low-level approaches or inadvertently exclude certain groups of disabled people, such as those with mental health or learning difficulties. Evaluating the process of involvement with disabled people will help to ensure that this does not happen in practice.

The new duty to promote disability equality provides an opportunity to close the gap between the expectations, experiences, education, qualifications and employment of disabled and non-disabled people. It provides an opportunity for making fundamental organisational changes. The genuine and meaningful involvement of disabled people will be a critical success factor in this change process.

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