Disability Sheffield
Centre for Independent Living

Disability Sheffield Information Service

Employment Factsheet

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Disability Sheffield Centre for Independent Living Limited is a company limited by guarantee, registered in Cardiff No. 4639160 and is a registered Charity No. 1112712

Throughout the document we will refer to ‘disabled people’ which includes people who have long-term physical, mental, intellectual or sensory impairments and health conditions.

We believe that every disabled person has the right to participate fully in society and to determine how they live their lives, including having access to employment opportunities. Employment can provide a person with a sense of purpose; it helps people to gain confidence, develop social skills, and introduces different situations and people to our experiences. For disabled people, there can be extra barriers to work, created either by our impairments, or by difficulties in finding accessible employment and staying in work. We can also face discrimination in less obvious ways than inaccessible buildings. In this factsheet we aim to direct you to information under the following colour-coded headings:-

Employment Rights

Information about your employment rights under the Equality Act including reasonable adjustments.

Benefit Entitlement

How to access your nearest advice centre for welfare rights advice and self-help guides and factsheets about disability and benefit entitlement

Permitted Work and Voluntary Work

Information to help those who would like to work or volunteer whilst claiming benefits due to a disability.

JobCentreplus and Funding Support

How to contact Jobcentre Plus, adjustments to access benefits and access to funding and support through Access to Work .

Employment Support

Local organisations that provide support and assistance to disabled people looking for work and remaining in work.

Advice on Employment Issues

Who to contact for independent, impartial and confidential advice on employment issues.

Useful Websites and Resources

Links to a selection of national disability organisations that provide employment specific information, services and resources.

Employment Rights

Disabled workers share the same employment rights as other workers. There are special provisions for disabled people under the Disability Discrimination Act (DDA) 1995 which was replaced by the Equality Act in 2010.

Disability is one of the 'protected characteristics' in the Equality Act alongside age, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

The definition of disability under the Equality Act is;-

"a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities."

To look at what this means in more detail please find:-

More information on Gov.UK website
More information on Advice Guide

The Duty to Make Reasonable Adjustments

The duty to make reasonable adjustments is a cornerstone of the Equality Act and requires employers to take positive steps to ensure that disabled people can access and progress in employment. This goes beyond simply avoiding treating disabled workers, job applicants and potential job applicants unfavourably and means taking additional steps to which non-disabled workers and applicants are not entitled.

The legislation requires an employer to take reasonable steps to provide an 'auxiliary aid '. An auxiliary aid is something which provides support or assistance to a disabled person. It can include provision of a specialist piece of equipment such as an adapted keyboard or text to speech software. Auxiliary aids include auxiliary services; for example, provision of a sign language interpreter or a support worker for a disabled worker or more flexibility around working times. Reasonable adjustments can also include redeployment to a different kind of work if necessary.

Information must also be provided in an accessible format for example providing letters, training materials or recruitment forms in Braille or on audio tape

The duty to make reasonable adjustments applies in recruitment and during all stages of employment, including dismissal. The duty relates to all disabled workers of an employer and to any disabled applicant for employment. The duty to make reasonable adjustments applies to employers of all sizes, but the question of what is **reasonable** may vary according to the circumstances of the employer.

The Equality and Human Rights Commission website has information about disabled people's employment rights under the Equality Act, about reasonable adjustments, Access to Work, recruitment and promotion, performance, training and development, health and safety in the workplace, and leaving work.

The GOV.UK website has information about the Equality Act, about reasonable adjustments, redundancy, and who to go to if you feel you have been discriminated against.

The Disability Law Service has useful information on Employment Rights under the Equality Act.

Advice Guide has information about Disability Discrimination and rights at work.

Disability Rights UK have a number of work related factsheets on their website.

The Advisory, Conciliation and Arbitration Service (ACAS) provides information and support regarding disability and discrimination in employment - please follow this link

Their guidance on **Using Protected Characteristics in Recruitment** is now available for employers and makes it clear that they can:

- seek to recruit a disabled person with a specific impairment if there is a "genuine occupational requirement" for them to do so
- advertise for and recruit disabled people to any role, without the risk of disability discrimination and without the need to demonstrate that there is an occupational requirement for a disabled person.
- treat a disabled person more favourably compared to a non-disabled person in the hiring process

National voluntary organisations may offer information and support depending on your impairment. For example, the Royal National Institute for the Blind has a summary of employment rights under the Equality Act, including who has rights under the DDA, what discrimination is, and how to proceed if you have been discriminated against. See our Useful Websites and Resources section at the end of this factsheet.

Disclosure of Your Disability

An employer recruiting staff may make limited enquiries about your health or disability.

You can only be asked about your health or disability:-

to help decide if you can carry out a task that is an essential part of the work
to help find out if you can take part in an interview
to help decide if the interviewers need to make reasonable adjustments for you in a selection process
to help monitoring
if they want to increase the number of disabled people they employ
if they need to know for the purposes of national security checks

You may be asked whether you have a health condition or disability on an application form or in an interview. You need to think about whether the question is one that is allowed to be asked at that stage of recruitment.

Disability Rights UK has produced a factsheet 'Telling People You're Disabled' - a guide for students - but the principles still apply if you are unsure about telling an employer about your disability and the best time to do so.

A Guide to Disclosure is available from the Association for Higher education Access & Disability.

Disability Confident

Disability Confident is a government campaign designed to support employers to remove barriers, increase understanding and ensure that disabled people have the opportunities to fulfil their potential and realise their aspirations. This new initiative has replaced the Two Tick scheme. It aims to increase the number of employers offering employment opportunities for disabled people, and to increase the number of people with disabilities in employment

Further information is available on the GOV.UK website

Big Ambitions is a Community Interest Company (CIC) that provides support programmes to help people both gain and retain work alongside supporting businesses to adopt healthy workplace practices and support Disability Confident Employers. Their Employer Champion Service aims to work with businesses to increase the number of people with disabilities in employment and ensure that they provide an inclusive and fair working environment.

Disability Sheffield offers training and consultancy which can help businesses by developing an inclusive workplace. As a disabled people's user led organisation we know just how beneficial employing disabled people can be. Our experienced staff can support you in creating a diverse, knowledgeable, and confident team. You can visit our training page here.

Business Disability Forum

Business Disability Forum is the leading business membership organisation in disability inclusion. Their mission is to advise, support and encourage businesses to become more disability-smart as well as influencing policymakers by representing the voice of disabled employees.

The Disability Smart Management Tools have been developed by the Business Disability Forum for organisations to assess how well they are performing when it comes to disability inclusion. This includes both an online Disability Smart Assessment and a more in-depth Disability Smart Audit Service.

Mindful Employer

Mindful Employer is a national organisation providing guidance to employers about supporting mental wellbeing at work

Mindful Employer also provides specialist Mental Health First Aid (MHFA) training for employers. This is achieved through a two-day course accredited by the Royal Society of Public Health which aims to train employers on recognising poor mental health in employees and helping them to find the support they need.

Benefit Entitlement

As the benefits system is constantly changing, we do not want to add information to this factsheet which will soon be out of date, or which risks being wrong. For this reason, we would recommend that for any benefits queries you contact one of the agencies below.

You can easily find your nearest advice centre on the Citizens Advice Sheffield website. Click on 'Get Help' and then 'Get Started' and enter your postcode. Click on 'Help Yourself' for online free advice and self-help resources

Citizens Advice Sheffield offices offers a Freephone helpline on 0808 278 7820, Monday to Friday, 10am to 4pm (except Bank Holidays)

The following organisations can provide more Information on benefit entitlement:

Disability Rights UK: https://www.disabilityrightsuk.org/benefits

Money Saving Expert: https://www.moneysavingexpert.com/family/consumer-rights-and-moneysaving-for-disabled-people/#basics

Benefits and Work: https://www.benefitsandwork.co.uk/

Gov.UK: https://www.gov.uk/browse/benefits/disability

Permitted Work and Voluntary Work

You may work, including voluntary work, while claiming health or disability-related benefits.

If you are thinking of starting paid work of 16 hours or more a week, you should seek advice about benefit entitlement from an advice agency. You could ask for a 'better-off' calculation to find out if you will be financially better off in work.

Disability Rights UK has a series of factsheets with detailed information, including how much permitted work can be done, which benefits it applies to, the work allowance for universal credit and volunteering.

Following a number of enquiries about housing benefit applications we wish to highlight that if you are getting employment support allowance, incapacity benefit, severe disability allowance or income support paid as a result of illness, any permitted work earnings you receive are disregarded when calculating housing benefit.

Voluntary work can help to build your confidence, get experience in a workplace, and feel a sense of pride and achievement.

You can find more information about volunteering in Sheffield at the Volunteer Centre website and the very comprehensive Do-it website.

Gov.UK has information about volunteer placements, rights and expenses

JobCentreplus and Funding Support

Jobcentre Plus/DWP

Jobcentre Plus is responsible for the national network of job centres. These give advice at every stage of your search for a job and make sure you know which benefits or allowances you're entitled to claim. They can also support you if you're concerned about the impact of your disability on your search for work.

The general telephone numbers for all Jobcentre Plus in Sheffield:
0800 169 0190

Information about Jobcentreplus is on the GOV.UK website

GOV.UK pages about looking for work (whatever the title is)

Adjustments to Help You Access Benefits and Pensions

The Department for Work and Pensions (DWP) must make adjustments for you if your disability or health condition makes it difficult to:

- Use the phone
- Use the internet
- Read letters
- Fill in forms
- Attend face-to-face meetings
- Understand complicated information to manage your own affairs

To emphasise this message the government has published information on **how you can get help if you have difficulties claiming benefits and pensions** and pensions because of a disability or long term health condition.
If you require an adjustment and you feel that a DWP service or information is not accessible, you can **make a complaint.**

Access to Work

If you want to work but have a disability that makes working a problem you may be able to get help from the Access to Work scheme. This provides practical advice to help you overcome these problems. It can also give you grants towards extra employment costs. The kind of support you might need because of a health condition or disability can include:

- Aids and equipment in the workplace
- Altering your workplace and adapting equipment to make it easier for you to use
- Money towards any extra travel costs to and from work, or help adapting your vehicle
- An interpreter or other support at a job interview
- Other practical help at work, such as a job coach or a sign-language interpreter.

Access to Work
Operational Support Unit
Harrow Jobcentre Plus
Mail Handling Site A

Wolverhampton
WV98 1JE

Tel: 0345 268 8489
Textphone 0345 608 8753
Fax 0141 950 5265
Email atwosu.london@dwp.gsi.gov.uk

Disability Rights UK has a helpful factsheet about Access to Work, what help is available, who can claim it, how long it will last and how to claim:

You can also look at information about Access to Work on the GOV.UK website.

Access to Work: Mental Health Support

Did you know that you can get support with your mental health at work through Access to Work? Able Futures and Remploy deliver the Access to Work Mental Health Support Service on behalf of the Department for Work and Pensions (DWP).
View Disability Sheffield News
https://www.disabilitysheffield.org.uk/blog/mental-health-support-at-work-2021-09-29

Employment Support

Experience and research shows that disabled people can find it difficult to find the support they need when thinking about employment. Help to find work is available locally including help with Job search, CV's, interview techniques, applying for jobs, training and apprenticeships, work experience and in-work support.

The Sheffield Directory lists organisations in the city on their employment support page including some specifically for disabled people.

Opportunity Sheffield

Opportunity Sheffield is the Council's employment and skills service running a wide range of community-based employment support projects for jobseekers and working with Sheffield employers on recruitment and training. They are responsible for carrying out the Pathways to Work programme across the city.

Pathways to Work

Pathways to Work is South Yorkshire's joined-up support offer for people who are facing challenges with work due to their health or other circumstances.

If you're either out of work, looking for a job, returning to work, or need help to stay in work, their friendly and trained advisors are there to guide you. They will take the time to understand your situation and match you with the right support to meet your individual needs and circumstances.

You might have heard of services like WorkWell, Connect to Work, or UKSPF - they're all part of Pathways to Work.

To refer yourself you can contact the Sheffield Pathways to Work team at Opportunity Sheffield

Email: opportunity@sheffield.gov.uk or telephone: 0114 229 6188.

Visit the Sheffield Pathways to Work website to find out more.

Advice on Employment Issues

Advisory Conciliation and Arbitration Service (ACAS)

ACAS provides independent and impartial information, advice, training, conciliation and other services for employers and employees to help prevent or resolve workplace problems.
If you would like to talk through your options, an ACAS adviser can talk to you about your rights and help you decide your next steps.
ACAS website
Helpline number 0300 123 1100
Text Relay: 18001 0300 123 1100
Publication: Asking and Responding to Questions of Discrimination in the Workplace

Citizens Advice Sheffield

Advice Centres provide free, independent and confidential advice on a range of topics mainly around benefits, housing, immigration, debt support, family and employment issues.

On the Citizens Advice Sheffield website you can click on 'Help Yourself' for online free advice and self-help resources. Citizens Advice Sheffield ooffers a Freephone helpline on **0808 278 7820**, Monday to Friday, 10am to 4pm (except Bank Holidays).

Disability Law Service

The Disability Law Service began in 1975 as a volunteer organisation and is now a professional organisation, still run by disabled people, providing advice on all types of disability-related legal problems.
Advice Line 020 7791 980 (please note this is a national call rate to London)
Disability Law Service

Sheffield Occupational Health Advisory Service (SOHAS)

Sheffield Occupational Health Advisory Service is a registered charity that aims to prevent and alleviate the effects of occupational disease and injury and to enable those with limiting health problems to work.

They provide information and advice for employed and unemployed people with work-related health problems. They offer a service which is free, confidential and accessible to all.

Address –
3rd Floor, Queen's Building
55 Queen Street
Sheffield
S1 2DX

Tel: 0114 275 5760
Email: sohas@sohas.co.uk
Website: https://www.sohas.co.uk/

Equality Advisory and Support Service

The Equality Advisory and Support Service is aimed at individuals who need expert information, advice and support on discrimination and human rights issues and the applicable law, particularly when this is more than other advice agencies and local organisations can provide. The EASS is commissioned by government and works with other advice organisations and with the Equality and Human Rights Commission.
Phone: 0808 800 0082
Textphone: 0808 800 0084
You can email using the contact form on the EASS website.
Also available through the website are BSL interpretation, web chat services and a contact us form.

Post:
FREEPOST
EASS HELPLINE
FPN6521

Opening hours:
9am to 7pm Monday to Friday
10am to 2pm Saturday
closed on Sundays and Bank Holidays

Website : https://www.equalityhumanrights.com/en/contact-us/equality-advisory-and-support-service

Business Sheffield

Have you ever wanted to start your own business but didn't know how? Self-employment is an option that offers control and flexibility for disabled people. If you are interested in turning your business ideas into reality and need support to do so you may wish to contact Business Sheffield on 0114 224 5000 or email BusinessSheffield@sheffield.gov.uk to find out about their free networking events, workshops and training.

You may also not realise that Access to Work is available to self-employed people as well as to people in a paid job.

Useful Websites and Resources

Here we provide examples of some (but not all) organisations which offer information, resources and support on employment issues for their client group. Please follow the links to the employment information on their websites:-

My Employment Plan

My Employment Plan is a tool created by people with lived experience and employment organisations across South Yorkshire.

The plan aims to help you and your employer talk about and agree things that might help you both whilst in the workplace. The changes or plans that you agree to help you at work are sometimes called 'reasonable adjustments'. Every person and every employer is different. This employment plan might not include everything you need but it is designed to be a helpful tool. You might want to add your own questions to it.

The plan is available to download on the Employment is for Everyone website

Carers UK
If you are juggling work with looking after someone, you are not alone - there are three million working carers in the UK. Juggling work and care can be very challenging, so it's important to find out about your rights. Carers UK has produced a factsheet detailing Your Rights at Work or you can contact the Carers UK Adviceline for expert information and advice about caring on **0808 808 7777** (open Monday to Friday, 10am-4pm) or email advice@carersuk.org .

Action on Hearing Loss

Versus Arthritis

Epilepsy Action

Royal National Institute for the Blind (RNIB)

MIND

SCOPE

British Dyslexia Association

Multiple Sclerosis Society

Mencap - Employment Services

The Equality and Human Rights Commission
Information about disabled people's employment rights under the Equality Act, reasonable adjustments, Access to Work, recruitment and promotion, performance, training and development, health and safety in the workplace, and leaving work.

GOV.UK
As already mentioned GOV.UK offers information and services that are available to those wanting to find employment. These services include help to gain new skills, find a job or stay in work from a range of organisations, including Jobcentres, careers services and voluntary organisations.

Disability Rights UK
Fact sheets on various topics (Access to Work etc).

Careers and work for disabled people

One of a series of guides produced by Disability Rights UK dealing with various aspects of life whilst managing ill health, injury or disability.

Into Apprenticeships : The guide for disabled people
The guide deals with common questions about applying for apprenticeships in England such as how to find an apprenticeship, whether the training will be accessible and what support is available in the workplace.

What do you think of this factsheet?

If you would like to comment on this factsheet or provide additional information from your own experience please let us know and we would be happy to consider adding to or amending the factsheet. We welcome any comments to help us improve our service. Our contact details are:-

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www.disabilitysheffield.org.uk

Disclaimer

No recommendation is given or implied by providing these details. Whilst every effort is made to ensure accuracy we cannot accept responsibility for any errors or omissions. Please note that the inclusion of groups or individuals on the factsheet does not mean that they have been vetted or are recommended by Disability Sheffield Information Service. Details may change so it is important you check the information provided to make sure they are accurate and suitable for your own requirements.

Last updated Nov '25