

Civil Service Conciliation and Arbitration Scheme

General Council Report 1257

(Meeting/s of 25 March 1992, 17 December 1993)

Claim that an agreed Code of Practice for ensuring equality of opportunity for people with disabilities be drawn up for the Civil Service.

1. At the General Council meeting of 25 March 1992, the Staff Side presented a claim that an agreed Code of Practice for ensuring equality of opportunity for people with disabilities be drawn up for the Civil Service. The claim was referred to sub-committee for consideration.
2. The sub-committee met frequently during 1992 and 1993 and agreed a draft Code of Practice. The report of the sub-committee is attached.
3. This report, recording agreement, was adopted on 17 December 1993.

Report of the sub-committee of the General Council set up to consider drafting a Code of Practice for ensuring equality of opportunity for people with disabilities in the Civil Service.

1. The sub-committee met on several occasions during 1992 and 1993. The issues were researched and discussed in depth during that period. A draft Code of Practice was drawn up, considered, amended and agreed.
2. The sub-committee agreed to recommend to General Council that the attached Code of Practice on the employment of people with disabilities be adopted for the Civil Service. The draft Code is shown as an Appendix to this Report.

Appendix to General Council Report No. 1257

EMPLOYMENT OF PEOPLE WITH DISABILITIES

CODE OF PRACTICE

Introduction

The civil service, as an employer, is committed to a policy of equality of opportunity for all staff. The purpose of this Code of Practice is to provide a clear statement of this policy in relation to people with disabilities and to provide guidance for Departments and Offices in relation to their employment.

Definition

In the context of employment, the term "people with disabilities" means people with physical, sensory or psychological impairments which may

- have a tangible impact on their functional capability to do a particular job
- or- have an impact on their ability to function in a particular physical environment
- or- lead to discrimination in obtaining or keeping employment of a kind for which they would otherwise be suited.

It will be noted that the definition covers a very wide range of disabilities, so wide, indeed, as to render misleading most generalised statements or assumptions about the capabilities or limitations of people with disabilities in employment. While some disabilities are obvious (e.g. as in the case of wheelchair users), others are not readily apparent (e.g. epilepsy or mental illness). Furthermore, the same disability can vary in its severity and affect people differently. Finally, while some people with disabilities may require special assistance and/or equipment to realise their full potential, most can be fully effective employees without special help. Accordingly, care should be taken to avoid the use of stereotypes and every person with a disability should be treated as an individual. Consideration of any question concerning the employment of people with disabilities should proceed from a position of presumed ability until otherwise demonstrated.

Policy statement

The civil service is committed to a policy of equal opportunity for people with disabilities and, in particular, is committed to ensuring

- that people with disabilities who are capable of effective performance in the jobs which they hold or to which they aspire are not disadvantaged by reason of having a disability,
- and
- that all reasonable efforts are made to meet the special requirements to which some disabilities give rise so as to maximise access to employment in the civil service for people with disabilities and to enable staff with disabilities to make the

fullest possible contribution to the work of their Departments.

Particular attention is drawn to the commitment made by the Government to the employment of people with disabilities in the civil service to a minimum of 3% of total staff. All Departments are required to play their full part in ensuring that this objective is met and maintained.

Recruitment

People with disabilities are entitled to apply for any post in the civil service for which they are qualified and to have their applications considered on the basis of their abilities,

qualifications and suitability for the work in question. Furthermore, it is recognised that people with disabilities which would in the past have been regarded as rendering them unsuitable for any or most types of employment, are now in a position, through the use of advanced technology and other means, to overcome the constraints imposed by their disabilities and the environment in which they live and work and to engage in a far wider range of employments.

The Civil Service Commission are required by statute to ensure that a person selected for appointment to a post in the civil service is in good health and free from any disability which would be likely to interfere with the proper discharge of the duties of the post in question. In carrying out this task, the Commission ensure that decisions are based on objective considerations (normally medical advice) rather than on assumptions concerning the limitations imposed by the disability in question.

The following guidelines will apply in relation to recruitment:

- . No unnecessary or irrelevant obstacle will be placed in the way of people with disabilities applying for posts in the civil service filled by open competitions run by the Civil Service Commission.*
- . Through their contacts with organisations which deal with disability and in their promotional literature, the Commission will encourage people with disabilities to consider the civil service as a career choice.*
- . The Commission will make all reasonable efforts to provide such special facilities and equipment as are necessary to enable applicants with disabilities to participate in competitions for posts for which they would otherwise be suited.*
- . Interview boards will be briefed on disability awareness and the equal opportunities policy.*
- . In supplying any information on the duties of posts to the Commission,*

Departments should take care to avoid specifying inessential requirements which could have the effect of excluding people with disabilities. Where the suitability of a particular candidate with a disability is at issue, Departments should also have regard to any flexibility which might reasonably be employed to facilitate a person with the disability in question.

. Where the Commission form an opinion that a candidate is unable, by virtue of a disability, to properly discharge the duties of a post, the candidate in question will be afforded an opportunity to respond to that opinion before a final decision is made.

Reception and integration into the workplace

It must be recognised that people with disabilities may encounter greater difficulties than others in adjusting to a new workplace. Accordingly, particular attention is required when placing staff with disabilities and when monitoring their performance in the initial stages in employment.

Good communication is a key requirement in overcoming difficulties which may arise. It is an obvious fact, but one which may be overlooked in practice, that the best source of information about disability and what that might imply in the workplace is the person with the disability. Accordingly, full and frank discussion of the problems which some staff with disabilities may encounter is essential if difficulties are to be minimised. It is thus important that superiors and officers in personnel sections who deal with staff with disabilities should overcome any inhibitions which they may feel about discussing a person's disability directly with him or her.

The following guidelines will apply in relation to the reception of staff with disabilities and their integration into the workplace:

- . Where a personnel section is aware that a new recruit has a disability a meeting should be arranged to discuss his/her initial placement, any problems which s/he might encounter resulting from the disability and any facilities which may be required to optimise performance on the job.*
- . In deciding on the placement of a recruit with a disability, regard should be had to any particular issues which may require to be addressed. For example, staff with mobility problems should, where possible, be located close to accessible toilets and ramped entrances.*
- . The person who will be the new recruit's superior should be fully informed of the recruit's circumstances and should be involved in any discussions concerning special difficulties which might arise and special facilities which might be required.*

. The work of recruits with disabilities should be carefully monitored in the initial stages of employment and any problems which arise should be discussed frankly with the person concerned with a view to identifying remedial measures.

Career development

Staff with disabilities should have the same opportunities as other staff to develop full and rewarding careers in the civil service.

The following guidelines will apply in relation to career development:

. In assigning duties to staff with disabilities, care should be taken to ensure, to the greatest extent possible, that they are given the same opportunities as other staff to acquire the range of skills and experience necessary for future career development.

. Staff with disabilities should be offered the same access to training as other staff and measures should be taken to ensure they are not inhibited from availing of such opportunities by problems of physical or sensory access to training centres, conference rooms, format of training materials, etc.

. Staff with disabilities should be encouraged to apply for promotion where it appears that they may be reluctant to do so because of their disability.

. Staff with disabilities should not be excluded from promotion solely because their disability may prevent them carrying out the full range of duties in the higher grade; rather the test employed should be whether they are capable of successfully undertaking the duties of a reasonable number of the posts in the higher grade.

. While it is appreciated that some staff with disabilities may not be able to undertake the duties of all posts in their grade, every effort should be made to afford them the same opportunities as other staff to broaden their experience through staff mobility arrangements.

Accommodation and equipment

Most staff with disabilities can operate effectively without requiring modifications to their working environment. However, special facilities are required by some. It is the policy in the civil service to ensure that, insofar as is practical, the working environment is such as to minimise problems which face staff with certain disabilities. Particular importance attaches to providing access for people with mobility or sensory problems, both staff and members of the public who may wish to use Government offices. The key to progress in this regard is sensitivity to the obstacles which particular physical environments place in the way of people with certain disabilities and a planned approach to the progressive removal of them.

Departments should also acquaint themselves with the range of special aids and equipment available to assist people with certain disabilities. Again, most staff with disabilities will not require special equipment but in some cases mechanical aids can greatly enhance the comfort and efficiency of the staff concerned.

The following guidelines will apply in relation to accommodation and equipment:

- . The Office of Public Works will take the requirements of people with disabilities fully into account in their assessment of buildings for rental purposes.*
- . In undertaking any significant structural alteration to or renovation of an existing building, the OPW will, insofar as is practicable, include in the works such alterations as are necessary to bring the building concerned up to an acceptable standard of accessibility for people with disabilities (major constraints apply in this regard, however, in the case of certain buildings, for example, listed buildings).*
- . Departments which carry out work on their own buildings should also consider what alterations might reasonably be included in the work to improve accessibility. The OPW will be available to advise in this regard.*
- . Accommodation Officers in Departments should, in the course of their normal duties, note any access problems or other features of the buildings occupied by their Departments which may cause problems for people with disabilities with a view to the progressive eradication of such problems.*
- . Departments should consult staff with disabilities about special equipment which might enhance their efficiency and effectiveness in performing their duties and adopt a positive approach to reasonable requests for such equipment.*

Safety and Evacuation Procedures

Staff with disabilities may have particular problems in regard to evacuation procedures. For example, the evacuation of people with mobility problems raises particular difficulties where lifts cannot be used. People with hearing difficulties may require some special arrangement to ensure that they are aware that the alarm has been raised. It is of particular importance that such problems are identified and that appropriate alarm and evacuation arrangements are put in place.

The following guidelines shall apply in relation to safety and evacuation procedures:

- . Anyone with a disability who may need particular assistance in the event of an evacuation should make this fact known to the relevant Safety Officer*
- . Safety Officers who identify staff in their areas with special problems in this respect shall, in consultation with the people concerned, devise means, whether by*

way of particular equipment or otherwise, by which those problems can best be overcome.

. Staff with disabilities should never be excluded from evacuation drills; rather it should be a priority concern of Safety Officers to ensure that any particular arrangements which may be required for the evacuation of such staff are fully tested and used at each drill.

Implementing this Code

All staff in the civil service have a role in ensuring that the provisions of this Code are adhered to. Special responsibility in this regard attaches to personnel units and, in particular, to Personnel Officers.

In giving effect to the provisions of this Code, Departments are likely to require advice and assistance on a wide range of issues. The Department of Finance will advise on questions concerning the interpretation of this Code. Queries should be directed to the Equality Section of the Department (Agriculture House, Kildare Street, Dublin 2. Tel.:- 6767571, ext. 3550). On questions which require expert advice (for example, the availability of special equipment in particular circumstances), Departments should, after consulting the person with the disability, directly approach the organisation dealing with disability where the required expertise is most likely to be found. To assist Departments in this regard, a list of relevant organisations together with contact names is attached as an appendix to this Code.

The implementation of this Code will be monitored on an on-going basis by a subcommittee of the General Council.

APPENDIX to the Code of Practice for the Employment of People with Disabilities in the Civil Service

LIST OF SOME RELEVANT ORGANISATIONS

ORGANISATION ADDRESS AND PHONE NO. CONTACT NAMES

NRB (National Rehabilitation Board) 25 Clyde Road Frank Tracy, Regional
Services Manager Ballsbridge (Employment Issues)
Dublin 4

Maureen Gilbert, Manager Independent
01-6684181 Living Section (Disability Awareness)

Niamh O'Doherty, Access Officer

44 Nth Gt Georges Street
Dublin 1 Gerry Kinsella, Access Officer

01-8747503 Dympna Gilligan (Technical Aids
Information)

FORUM OF PEOPLE WITH DISABILITIES City Arts Centre Michael Reynolds

CENTRAL REMEDIAL CLINIC Microelectronics Department
Penny Ansley Building Gerry Craddock
Vernon Avenue
Clontarf Bob Allen
Dublin 3

01-332206

ORGANISATION ADDRESS AND PHONE NO. CONTACT NAMES

AWARE - Helping to fight Depression 147 Phibsboro Road Ms Julie Healy -
Support Group Co -ordinator
Dublin 7

01-308449 (10.00am - 4.00pm)

AWARE HELPLINE St. Patrick's Hospital
James's Street
Dublin 8

01-6791711

GROW (Head Office) 11 Liberty Street Mary O'Shaughnessy, Field Worker
Cork

021-277250

GROW (Dublin) 167 Capel Street Nuala Coffey, Chairperson, Dublin Region
Dublin 1
Ann Crowe, Field Worker
01 - 8734029

IRISH EPILEPSY ASSOCIATION 249 Crumlin Road Nuala Duffy - Social
Worker
Dublin 12

01-557500

ORGANISATION ADDRESS AND PHONE NO. CONTACT NAMES

NATIONAL ASSOCIATION FOR THE DEAF NAD House Barry Dunne
(Technical Officer), Deaftech
c/o St Josephs
Cabra
Dublin 7

01-388124/388129

NATIONAL COUNCIL FOR THE BLIND PV Doyle House Karen Ward
(General Employment Issues)
OF IRELAND Whitworth Road
Drumcondra Tim Gunning (Computers)
Dublin 9

01-307033

SCHIZOPHRENIA ASSOCIATION OF IRELAND 4 Fitzwilliam Place Pamela
McHugh
Dublin 2

01-6761988

VICS Secretary: Michael Lavin
(Visually Impaired Computer Society) Eamonn O'Connor 01 - 6767571 Ext 4179
Technology for Blind and Low Vision 23 Watermill Drive
Raheny
Dublin 5

01-319177

This report was adopted on 17 December 1993