

Dyslexia in HE: employers' responsibilities

Contents	Page
Why does it matter?	1
What does the law say?	2
What is the Disability Equality Duty for the Public Sector?	3
What are “reasonable adjustments”?	4
What should I do if I think a staff member is dyslexic? Funding for support	6
Employer roles and responsibilities	7
How can an organisation become dyslexia-friendly?	8

Why does it matter?

- Around 10% of all people are affected by dyslexia to some extent. It has been estimated that up to 2.9 million UK workers are affected. This will certainly include some of the staff at your institution.
- People with dyslexia can have valuable talents, such as creativity, problem-solving and lateral thinking. Making the most of these benefits everybody.
- If staff with dyslexia are supported at work, it improves their motivation, loyalty and efficiency. Stress for all staff is lowered in an accepting atmosphere.
- Appropriate support can improve productivity and workplace relations, as well as reduce sickness and staff turnover.

- By making its services dyslexia-friendly, the organisation will improve its image, and recruit and retain more students and staff.
- The organisation will be able to show that it is making “reasonable adjustments” to meet the requirements of disability legislation.

What does the law say?

The Disability Discrimination Act (1995) gives people with disabilities the right to be protected from discrimination in employment. Employers must ensure that they do not discriminate against people

- because of a disability
- and without reasonable justification.

Disabilities are defined as

- substantial and long-lasting
- affecting everyday activities (such as memory, concentration, reading newspapers and writing everyday letters)
- and may be physical, sensory, or mental.

Therefore, people significantly affected by dyslexia are normally covered by the law. If dyslexic employees use successful strategies to manage their difficulties, this does not exclude them under the Act. This is because such strategies can break down under pressure, and so may not always be able to be implemented.

Discrimination may be

- direct, e.g. a blanket ban
- disability related – less favourable treatment for a reason related to a disability
- or failure to make a reasonable adjustment

The DDA applies to **all** employment-related areas:

- recruitment and retention of employees
- promotion and transfers
- training and development
- redundancy and dismissal processes

It is not enough to treat everybody in the same way if this disadvantages people with a disability.

This means that employers are required to make "**reasonable adjustments**" if they know, or could reasonably be expected to know, about a disability so that employees are not "**substantially disadvantaged**".

What is “reasonable”?

Adjustments are assessed on an individual basis. Being “reasonable” depends on.....

- maintaining prescribed standards
- cost
- financial resources
- grants or loans available
- practicability
- health and safety
- effect on others
- confidentiality

What is the Disability Equality Duty for the Public Sector?

From December 2006, The DDA has been amended to place a duty on all public bodies to promote disability equality. This affects all public bodies, including HE institutions. The Disability Equality Duty requires the public sector to actively promote disability equality, and is similar to the duty to promote race equality under the Race Relations (Amendment) Act.

This is a positive duty which builds in disability equality at the beginning of the process, rather than making adjustments at the end. It will bring about a shift from a legal framework which relies on individual disabled people complaining about discrimination to one in which the public sector becomes a proactive agent of change.

The Act sets out what is known as the General Duty. This means public bodies all have to have due regard to the need to eliminate unlawful discrimination and promote equal opportunities for disabled people. They also need to consider the elimination of harassment of disabled people, promotion of positive attitudes and the need to encourage the participation of disabled people in public life.

The Regulations give key public bodies a Specific Duty which defines for them a framework to use to meet the General Duty. The main element of this is the requirement to produce, and comply with, a Disability Equality Scheme.

Information based on Disability Rights Commission guidelines. For details, see www.drc-gb.org/businessandservices/disabilityequalityduty.asp

What are “reasonable adjustments”?

Dyslexic people should be helped to make the most of their strengths in their work role. Given the right support, they can usually function well. Even so, they often have to put in more time and effort to achieve the same results as their colleagues. Time or other pressure can create even more stress. It is important to realise that simple awareness, and a few common-sense allowances for a difficulty, can sometimes be enough to enable the person to function well. Adjustments need not be expensive or difficult to implement, and can often benefit other employees. If there are cost implications, the Access to Work programme, administered by the JobCentrePlus can help – see www.jobcentreplus.gov.uk/JCP/Customers/Helpfordisabledpeople/Accessstowork/index.html

If the organisation follows dyslexia-friendly principles, such as adopting appropriate style guidelines for documents, then the need for additional adjustments will be reduced. Each dyslexic person will benefit from different things, but here are a few examples of what can help:

- coloured background and/or fonts on computer screens
- aids to memory such as wall charts, planners, personal notebooks of commonly used words
- images as well as words on labels
- a small tape recorder for messages and meetings
- minor adjustments to work allocation
- computer spelling and grammar checkers
- a mentor or buddy, e.g. to check written work or discuss reading matter
- personal organisers, mobile phones, voicemail, Outlook to-do list and calendar
- receiving individual skills training from a dyslexia specialist
- text to speech software
- voice recognition software
- a calculator or hand-held spellchecker
- having some time to work free of interruptions
- being allowed to perform tasks in the most suitable way and at the right pace

Various descriptions of reasonable adjustments may be found in:

- Bartlett and Moody (2003) *Dyslexia in the Workplace*, Whurr, pp. 187 - 189
- *An Employer's Guide to Dyslexia*, British Dyslexia Association
<http://www.bdadyslexia.org.uk/shop.html#employers>
- Fitzgibbon and O'Connor (2002) *Adult Dyslexia: a Guide for the Workplace*, John Wiley and Sons, ch. 4
- Briefing Paper 6, *A practical guide to employment adjustments for dyslexic people*, pub. Employers' Forum on Disability, www.employers-forum.co.uk
- For a written material style guide, see www.bdadyslexia.org.uk/extra352.html

What should I do if I think a staff member is dyslexic?

You should be aware that this can be a sensitive issue and treat the staff member with tact and confidentiality. Remember that it may take some courage for the person to discuss their difficulties. Employees may not even realise that they could be dyslexic.

Make it clear that treatment at work and issues such as promotion will not be affected. Keep the discussion informal, and do not raise the issue during a formal, recorded procedure such as appraisal. Be sure to discuss people's strengths as well as areas of possible difficulty, and concentrate on the idea of allowing them to achieve their full potential.

Discuss what areas are causing special difficulty now, and whether there is anything that can be done in the short term to improve the situation.

The staff member, if willing, should then be referred for an informal talk with the dyslexia co-ordinator, HR staff, or another appropriate person, to find out whether a full assessment is needed. This will lead to recommendations for suitable support.

Each institution should identify the budgets from which payment for assessments and workplace adjustments can be made. Some funding for support for staff with disabilities is available from the Access to Work programme (see below). However, it does not pay for the dyslexia assessment itself. Access to Work pays for 100% of the cost of adjustments in the first six weeks of employment.

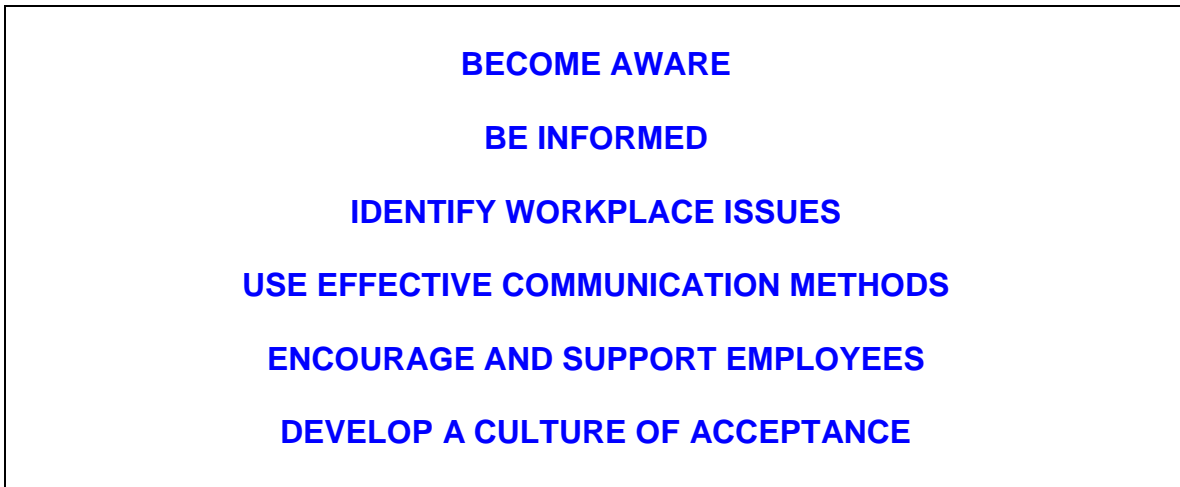
Funding for support

The government's Access to Work Scheme (AtW) helps disabled people find and remain in work. They provide specialist advice and support to employees and their employers.

AtW funding (subject to assessment) may be available for IT equipment, assistive software programs and individual training from a dyslexia specialist. It pays 100% of the cost if you apply within 6 weeks of starting a job. After that, your employer pays the first £300 plus 20% of the cost of adjustments.

AtW is administered by Jobcentre Plus. Further information is available from your regional business centre – the number and details of AtW can be seen at www.jobcentreplus.gov.uk/JCP/Customers/Helpfordisabledpeople/Accessstowork

Guidelines for employers: roles and responsibilities



- Establish a written disability policy and clear procedures. Disseminate them throughout the institution, e.g. on the intranet.
- Follow your Disability Equality Scheme, to meet the requirements of the Disability Equality Duty for the public Sector.
See www.drc-gb.org/businessandservices/disabilityequalityduty.asp
- Identify the budgets from which payment for dyslexia assessments and workplace adjustments can be made.
- Consult the dyslexia/disability staff in the institution.
- Provide dyslexia awareness training for the senior management team.
- Train staff in key areas e.g. Human Resources, Occupational Health, training and development, department heads
- Allocate and train named staff to provide specialised support, possibly within departments. Consider training mentors or buddies for staff with dyslexia.
- Integrate dyslexia awareness into all mandatory training programmes, including staff induction.

- Establish links with local Access to Work representatives.
www.jobcentreplus.gov.uk/cms.asp?Page=/Home/Customers/HelpForDisabledPeople/AccessToWork
- Review communication systems and methods e.g. signage, staff publications, written document style guides (see www.bdadyslexia.org.uk/extra352.html), IT (e.g. personalised screen adjustments), email systems.
- Incorporate dyslexia-friendly adjustments into institutional processes e.g. provide text-to-speech and mind mapping software on the university network.
- Provide ample opportunities for disclosure in a supportive environment, including at job application and interview.
- Cultivate a culture of openness; welcome differences

How can an organisation become dyslexia-friendly?

The more dyslexia-aware and dyslexia-friendly an organisation is, the fewer adjustments are likely to be necessary for individuals. These are examples of measures which will support staff with dyslexia, and also benefit other staff and students:

- Write and speak in plain English. Give clear instructions.
- Make instructions and procedures available in spoken and written forms (e.g. speech followed by a confirming email)
- Use charts and diagrams to present information.
- Use a clear, uncluttered house style for all written materials.
- Construct simple, clear, colour-coded filing systems.
- Have appropriately-trained, supportive managers and colleagues.
- Plan and think ahead to reduce pressure and to ensure adequate time to perform tasks.
- Make available quiet places to work, with natural daylight.
- Ask individuals about their own preferences in doing task.
- Cultivate a non-judgmental atmosphere; welcome individual differences