

[Scottish Government: Consultation on increasing the Employment of Disabled People in the Public Sector:](https://consult.gov.scot/fair-work-employability-and-skills/disability-employment)
<https://consult.gov.scot/fair-work-employability-and-skills/disability-employment>

AUGUST 2018

SNH Response

To view the consultation paper and to respond please [click here](#).

Questions

1. In your view, or the view of your organisation, how could public sector bodies better support self-reporting (self-declaration) of disabilities for members of their workforce, to improve response rates and the quality of data collected?

In order to increase disclosure any organisation must first understand why there is apprehension about recording the data through engagement with staff. Once this is understood effective communication is critical element of encouraging staff disclosure. It is important that those delivering this work ask themselves the following questions:

- How will we explain the purpose of these disclosure questions to staff, to ensure staff members understand how the data will be used?
- How will we reassure staff about the way in which the data will be stored? In particular, how will we communicate any safeguards that exist to protect staff members' confidentiality and privacy?
- How will we make it clear to staff, when they are answering a disclosure question, whether the information they provide will be used solely for statistical monitoring purposes, or whether the information is likely to prompt some contact on an individual basis (e.g. a discussion with their manager about disability-related adjustments)?
- What communication work do we need to do to make those who have access to disclosure data aware of how to handle such data appropriately and respect people's confidentiality?
- How will we communicate the benefits of disclosure to all staff
- Have we sought appropriate buy-in from staff (possibly via staff networks, such as a disabled staff network) and/or their representatives (e.g. trade unions) in relation to any changes we are proposing?

This approach on its own will not necessarily lead to a significant increase in disclosure rates. SNH and other public bodies have over the years adopted a number of failed campaigns to improve employee disclosure, their failure is largely due to culture, both organisationally and wider society. Communication campaigns will only work as part of a broader cultural change strategy.

For this reason SNH's current approach involves the development of an inclusive and supportive workplace culture. Taking visible steps to create a positive culture and promote awareness and understanding can make a significant contribution to an individual's decision to disclose. Possible interventions for staff disclosure at SNH include:

- fostering visible leadership; developing managers who understand the benefits of equality and diversity and have a proactive approach to achieving it
- developing a workplace culture that is supportive and respects the individuality of all staff
- providing equality and diversity learning opportunities for all staff
- involving staff from equality areas in policy-making and other decision-making processes.

To improve disclosure there is a need to raise disability awareness and ensure policies are supportive of staff needs. Developing guidance and support about building disability confidence which is supported by disabled staff is a good starting point. SNH have adopted this approach to mental health as it is recognized that disclosure of mental health disabilities may be more challenging than physical disabilities as they are often more subtle and there is a continuing stigma of being labeled with a mental health condition.

Developing a positive work culture which helps destigmatise is key. SNH is focusing on raising the profile of our organisational values, upskilling our managers, developing a relationship of trust between staff and their managers, raising awareness of mental health through Mentally Healthy Workplace and Mental Health First Aid training and also putting in additional support mechanisms such as local mental health champions to complement the support provided by our Employee Assistance Programme. Our online Mental health forum 'Thrive' provides a safe place to talk about mental health and it is hoped will help reduce the associated stigma. As the support mechanisms develop and embed over time we are expecting to see an increase in disability disclosure around mental health. A similar approach will be taken to physical disabilities.

Systems and processes for reporting are key. Not all organisations have HR systems which can deliver the necessary monitoring requirements. Therefore they may have to use resource intensive workarounds which can lead to inaccuracies and issues around confidentiality. Improvements to the available HR digital solutions could therefore help improve self reporting and quality of data.

Encouragement of staff identified as disabled through Occupational health referrals to update their own Equality data information on HR systems could also lead to improved disclosure rates and raising awareness and identifying any need for wider action.

2. What should be the time scale for implementing these measures?

Campaigns to raise awareness and review of processes to encourage disclosure may be fairly quick and relatively straight forward, however In terms of implementing a more inclusive culture will depend on size and structure of the organisation, priorities and resources. Cultural and attitudinal change cannot be achieved overnight, although with a visibly committed senior leadership team this could perhaps be achieved within 5-10 years.

3. What support, if any, and from where, would public sector bodies need to Implement measures, such as improving data collection?

The configuration of some HR systems presents challenges for equality monitoring. Many system providers operate on a global context and do not have all the necessary configuration to allow equality data to be input at different stages of the employment life cycle. This can lead to resource intensive HR workarounds and time consuming and expensive customisations . We are all measuring the same thing so perhaps it is worth exploring a shared digital solutions across the public sector.

Many equality groups are stretched in terms of responding to consultations and employer demand for their time . Perhaps increased funding for equality groups or charitable organisations to work in collaboration with employers to raise awareness.

It is key to get support from recognized Trade Unions, working in partnership to address this challenge will help create a culture of trust.

4. In your view, or the view of your organisation, would setting targets improve the disability employment rate in the public sector? (If yes, please go to Question 5 below).

Yes

5. If you said yes to Question 4, please rank the following options in order of preference, where 1 is your least preferred option, and 4 is your most preferred option, and use the space provided to explain your rationale. Please only rank options you believe are viable:

Option D above

1) The Scottish Government to set a target for its own core Civil Service workforce, while working with other public bodies to encourage them to set their own voluntary targets.

Imposing targets on organisations does not allow for differences in sizes, organizational complexity or different organizational remits. It also undermines some of the positive action that is being taken by placing the emphasis on numbers rather than positive action that is being taken across the public sector to address wider cultural change as part of the PSED.

Public bodies deliver a hugely diverse range of services. There may be some areas of work that SNH deliver which are easier to set targets than others. For example, it is may be more difficult to recruit some specialist skills from underrepresented groups and targets would not allow SNH to positively discriminate to achieve diversity therefore making targets more aspirational.

Furthermore restrictions on paybill, recruitment and low turnover mean that many public sector organisations would find increasing their disability employment rate a challenge. However like many other public sector organisations SNH has a much higher proportion of disabled staff than the monitoring data suggests. Some staff who have a disability would never label themselves as disabled, therefore the focus

should be on positive action to achieve cultural change, and each organization is best placed to assess their own organization.

As highlighted cultural change can take some time, once organisations begin to see increases in disclosure rates it should be up to individual organisations to then consider whether targets and further action is required.

6. Please also tell us:

Where appropriate, what is your view, or the view of your organisation, on how long it would take to achieve the target set out from your preferred option above?

Allowing for the cultural change outlined above to take place then we should begin to see increases in disability disclosure within approximately 5 years.

7. If you or your organisation do not think setting targets would bring about a significant change to the disability employment rate in the public sector, please tell us why.

Additional comments:-

Please tell us anything else about these options, or setting targets, that you haven't covered already, including any alternatives.

8. What other measures or options do you, or your organisation, think could be put in place to:

a) employ more disabled people in the public sector; and,

SNH does not currently have the Disability Confident scheme, this can help organisations to recruit and retain disabled people and people with health conditions for their skills and talent. We are committed to achieving the award as outline in our Equality Action plan.

SNH are working with a number of organisations to support employment of disabled or disadvantaged young people through support of placements with organisations such as Project Scotland, The Robertson Trust, Skills Development Scotland, SG, Public Sector Network etc. We could also explore an SNH supported employment programme.

b) support disabled people to remain in employment in the public sector?

As outlined above development of a supportive and inclusive culture is key. Development of a Disability network to review

SNH have developed a Mental health Working Group, a Mental Health online forum, Mental Health Champions and a Women's Network. This approach should be developed further to include other disabilities to improve employee disclosure and feed into our equality outcomes.

9. Do you, or your organisation, have any views on monitoring and reporting on the actions needed to increase disability employment rates in the public

sector?

Imposing targets and focusing on further monitoring may undermine further some of the positive action that is being taken across the public sector to meet the PSED. As public organisations are increasingly stretched the reporting and monitoring requirements can already detract from progressing the work required to achieve the desired outcomes.

The NDPB Equality forum is a useful mechanism for collaborative working and support, perhaps having a representative from Scottish Government at quarterly meetings would be useful to provide an insight into some of the challenges faced by public bodies around areas such as monitoring.