

An update for all members in the London Region on the work of the Disabled Members' Network

October 2020



# NEU disabled members

## Covid-19 - How has it affected you?

### Nearly two-thirds of disabled adults say COVID-19-related concerns affecting their well-being.

The main reasons cited by disabled adults for their well-being concerns during the COVID-19 pandemic were feeling worried about the future and being stressed, anxious or bored.

The ONS survey reports indicators from its Opinions and Lifestyle Survey covering the period 27 March 2020 to 13 April 2020 on the impact of the coronavirus pandemic on disabled people in Great Britain.

Disabled adults were significantly more likely than non-disabled adults to report spending too much time alone. Around a third (35%) of disabled adults reported this compared with around a fifth (19.9%) of non-disabled adults.

The NEU expects employers to carry out a risk assessment relating to every individual member of staff to help ensure safety for staff and their families. This risk assessment must consider personal health circumstances, including whether the staff member is in

an officially recognised clinically vulnerable group. Given the known greater risks of Covid-19 to other specific groups, especially older workers and Black and disabled workers, the risk assessment must also consider whether the staff member is in one or more such higher risk groups.

The Government's position continues to be that everyone who can work at home should do so and that vulnerable people must be protected, whether they are at home or at the workplace. The NEU does not think that requiring staff who are clinically vulnerable, or otherwise at higher risk, to work in school or travel on public transport offers such protection.

The NEU is firm in its advice that staff who are in clinically vulnerable groups, or who live with or care for household members in clinically vulnerable groups, should not be required to return to the workplace and should instead be allowed to work at home. Similarly, staff who are at significantly greater risk due to other personal circumstances, or a combination of factors, should not be required to return to the workplace and should instead be allowed to work at home.

**You can find out much more along with further NEU advice at:**

<https://neu.org.uk/advice/coronavirus-ensuring-safety-staff-higher-risk>

**Join us for the**

**London Disabled Members' Conference**

**Making Equality count for Disabled Members**

**on**

**Thursday 15th October 6-7.30 pm**

(open to all NEU London members who identify as disabled)

**Look out for the email invitation from regional to register to attend on Zoom or click [here](#):**

<https://neu-org-uk.zoom.us/meeting/register/tJ0sd-Grrz4tHdJZafpdRgBhH8CqDsFeta-42>

# Am I Disabled?

**Is that a question you have ever asked yourself? What does it even mean to identify as disabled? We will try to answer these and any other questions you may have.**

The Equality Act (2010) defines a disability as a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. The definition of what it means to be disabled is set out in section 6 of the Equality Act 2010. It says you're disabled if:

- you have a physical or mental impairment
- that impairment has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities

- 'substantial' means neither minor nor trivial
  - 'long-term' means that the effect of the impairment has lasted or is likely to last for at least 12 months; or is likely to last for the rest of the life of the person affected; or has not lasted 12 months, but is likely to recur
  - 'normal day-to-day activities' may include walking, climbing stairs, washing, shopping or any activity (both mental and physical) which most people engage in regularly, if not daily.
- Impairments come in all different shapes and sizes but all disabled teachers and educational professionals have specific protection from discrimination at work on grounds of disability. Your colleagues, managers and governors are prohibited from discriminating against you. If you are an agency worker on a day-to-

day or longer term contract, your agency and the hirers for whom you are working are prohibited from discriminating against you.

The NEU has adopted a model of self-identification for all disabled members and identifying as a disabled union member will never be disclosed to your employer by the union. There is no questionnaire or test just lots of support from fellow disabled members, conferences, CPD and a WhatsApp group.

You can be involved with as much or as little as you like but checking your equality details and identifying as a disabled member will help us to keep you up to date with union groups and events that may be of interest.

**If you're still not sure if you identify as a disabled member and would like to discuss this further, email your Rep or contact:**

[londonorganising@neu.org.uk](mailto:londonorganising@neu.org.uk)

## The NEU Disabled Members' Network has close links with DPAC. DPAC is about disabled people and their allies.

DPAC is UK based but are aware that disabled people in other countries are suffering from austerity cuts and a lack of fundamental rights. They welcome in fighting for justice and human rights for all disabled people.

DPAC was formed by a group of disabled people after the 3rd October 2010 mass protests in Birmingham against austerity cuts and their impact on disabled people—It was led by disabled people under the name of The Disabled Peoples' Protest.

DPAC owes its existence to all those that marched in the pouring rain that day, all those that joined the virtual protest, and all those that supported them



with email campaigns and messages when the march was threatened.

DPAC is for everyone who believes that disabled people should have full human rights and equality. It is for everyone that refuses to accept that any country can destroy the lives of people just because they are or become disabled or have chronic health issues. It is for everyone against government austerity measures which target the poor while leaving the wealthy unscathed. It is for everyone who refuses to stay silent about the injustices delivered by wealthy politicians on ordinary people and their lives.

# The Social Model of Disability

**The Social Model of Disability proposes that what makes someone disabled is not their medical condition, but the attitudes and structures of society.**

It is a civil rights approach to disability; if modern life was set up in a way that was accessible then they would not be excluded or restricted. It makes a distinction between 'impairments', (the individual problems which may prevent people from doing something), and 'disability', which is the additional disadvantage bestowed by a society which treats these 'impairments' as abnormal, thus unnecessarily excluding these people from full participation in society. The social model of disability says that it is society which disables impaired people.

People are disabled by (among other things):

- prejudice
- labelling
- ignorance
- lack of financial independence
- families being over protective
- not having information in formats, which are accessible to them.

An illustration of the social model of disability in practice would be a town designed with wheelchairs in mind; no stairs or escalators. An environment designed this way would enable wheelchair users to be as independent as everyone else. It is society which puts these barriers on people.

## **Why the social model**

**matters ...**The medical model, that underlying the Equality Act has a long history. Disability was thought by almost everyone to signify an inability to live a "normal life". Disabled people were seen as either the pathetic and helpless objects of charity, or, if they succeeded in their careers and lives despite everything, as heroic figures overcoming their "defects" (not, note, the barriers) by superhuman effort. Historically, many have appointed themselves the spokespersons on disability, despite being nondisabled themselves, and the focus was on street corner collections to fund the charities, and separate institutions to care for (= lock away) the most impaired. Although much has improved through the campaigning by disabled people demanding the right to speak for themselves and bringing changes in the policy of many of the large charitable organisations, the medical/charity model continues to dominate popular awareness. Non-disabled people might assuage their

consciences by making a donation to a good cause, but nothing changes for disabled people as a whole.

The social model challenges this approach, recognising that the barriers that currently exclude disabled people are not only the obvious physical obstacles (such as steps for a wheelchair user, or the absence of an induction loop for someone with a hearing impairment), but also the accompanying attitudes. There is a deep-rooted social and cultural majority consensus based on the medical model, and these attitudes maintain and condone continued exclusion and inequality. The social model turns the traditional approach on its head. It asks what can be done to remove the barriers to inclusion: it is about fitting the job to the worker, rather than the worker to the job. It places the onus on the employer (and service provider) to make changes to the workplace and to policies, practices and procedures to render them accessible to disabled people. This also makes that corner of the world more accessible to a wider group of potential workers and potential customers, instead of having to rush to fix a problem to provide access to each individual employee who requires an adjustment.

**UK Disability History Month (UKDHM)** is an annual event creating a platform to focus on the history of our struggle for equality and human rights. It has seen a steady increase in interest and activity since beginning in 2010.

It will take place from the evening of 18th November (with an online launch) until Friday 18th December 2020.

**The theme is Access: How far have we come?**

**How far have we to go?**



<https://ukdhm.org/>

# Reasonable Adjustment and the Education Workplace ...

For an employee to have the protections of the Equality Act with regard to disability they must inform their employer that they have a condition which may count as a disability. They have a right for this to be kept confidential. Once declared they are entitled to be afforded reasonable adjustments to carry out their work duties.

The cost of complying with the duty to make reasonable adjustments falls on your employer and not on you. Your entitlement to reasonable adjustments is triggered whenever you are placed at a substantial disadvantage in comparison to non-disabled staff because of:

- A provision, criterion or practice (PCP) applied by or on behalf of the employer and/or
- The physical feature of premises or prospective employer's premises and/or
- The absence of an auxiliary aid.

'Substantial' means the disadvantage complained of must be more than minor or trivial. It does not carry a particularly heavy burden of proof. **You are entitled to reasonable adjustments at all stages of the recruitment process**, as well as at all stages of your employment.

The Equality Act sets out three things employers may have to do to remove the barriers you face because of your disability:

- **change the way things are done in the workplace (informally and formally)**, e.g. allowing staff who are classed as extremely Clinically Vulnerable to Covid 19 to work from home as part of blended learning.
- **make physical changes to the premises**, e.g. providing accessibility ramps to exits and entrances.
- **provide auxiliary aids or services** - for example, a specialist piece of equipment such as an adapted keyboard or text to speech software.

Examples of adjustments to PCPs are:

**Allocating some duties to another worker**, e.g. asking a non-disabled worker to undertake classroom teaching or playground supervision for you.

**Altering your hours of work**, e.g. allowing you to work part-time or to job share or making adjustments to the school/college timetable.

**Reducing your workload**, e.g. by reducing your maximum working hours to a proportion of the working week.

**Arranging home working**, e.g. allowing an employee with management and classroom responsibilities to work occasionally from home with regard to both the PPA and management side of the job.

**Allowing absences during working hours for rehabilitation, assessment and/or treatment**, e.g. allowing you to take time-off during work to receive physiotherapy or other treatment.

**Making physical changes to the premises** Physical features include steps, stairways, kerbs, exterior surfaces, paving, parking areas, building entrances, exits, internal and external doors, gates, toilet and washing facilities, lighting and ventilation, lifts, escalators, floor coverings and signs.

**Providing extra equipment** ([which equality law calls an auxiliary aid](#)) or getting someone to do something to assist you ([which equality law calls an auxiliary service](#)).

**Providing a reader or signer**, e.g. reading information to you at particular times during the working day if you are visually impaired.

**Employing a support worker to assist you**, e.g. providing you with a dedicated classroom assistant because of your mobility problems.

**Modifying documents needed to do your work**, e.g. producing materials in large font if you are visually impaired or in an appropriate format if you are dyslexic.

**Supporting a member:** Always accompany them. Keep notes. Seek advice from NEU District or region.

**Access to Work** is a Government grant scheme, which supports disabled people and their employers to overcome barriers in work. Contacted through Job Centre Plus they can provide funding and support for reasonable adjustments.

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