

The disability symbol and the Disability Discrimination Act

What they are and what they mean for you

jobcentreplus

Part of the Department for Work and Pensions





Contents

What is the Disability Discrimination Act?

What does the Disability Discrimination Act mean for employers?	4
How can the Disability Discrimination Act help me?	5
Am I classed as disabled?	5
Should I say I am disabled when I apply for a job?	6
What if I think I've been discriminated against?	7

The disability symbol

What is the disability symbol?	8
How do I know which employers use the disability symbol?	8
What does being a disability symbol employer mean?	9
How does the Disability Discrimination Act affect employers using the disability symbol?	10
What if I have a complaint about an employer using the disability symbol?	10
How do I find out more?	10

What is the Disability Discrimination Act?

The Disability Discrimination Act gives disabled people many legal rights.

This means that if you are disabled, you should still be able to get a job, or use services that non-disabled people can use, unless there is a good reason.

What does the Disability Discrimination Act mean for employers?

The Disability Discrimination Act means an employer must treat a disabled person as fairly as other people without disabilities, unless there is a good reason.

An employer should also make changes to help the disabled person while at work, for example, changing equipment so that the disabled person can use it.

The Disability Discrimination Act does not apply to the armed forces.

How can the Disability Discrimination Act help me?

Any place that gives a service to the public must make sure you can use their service. This includes shops, cafes, courts, banks and many other places. It also includes Jobcentres.

These places may have to make some changes so that you can use their service. These changes could be things like:

- having bigger signs so you can see them
- having a ramp so you can use a wheelchair, or
- letting you contact them by email instead of by phone.

Unless there is a good reason, you must get the same level of service that people without a disability get.

Am I classed as disabled?

The Disability Discrimination Act says that a disability can be physical or mental.

You are likely to be classed as disabled if your disability:

- has a major, long-term effect on you, and
- means you need assistance or special arrangements to do normal day-to-day things (for example, eating, washing, walking or going shopping).

Should I say I am disabled when I apply for a job?

You must always mention your disability if it might risk your own, or other people's, health and safety.

An employer is allowed to ask you about health and disability when you apply for a job. But this is only one of many things they will ask before deciding to offer an interview or job.

If the employer does not ask you about your health or disability, it is up to you whether you tell them. Here are some things to think about to help you decide what to do.

If you are asked about health or disability, try to:

- answer honestly
- say how your disability might affect you at work
- say if it would have no effect on you at work
- talk about your abilities, and
- say why you think you are the right person for the job.

If you sign a declaration saying that you do not have a disability when in fact you do, this may affect your job later.

Remember that if an employer does not know you are disabled, they cannot do anything to help support you in your job.

What if I think I've been discriminated against?

You may have a right to go to a tribunal. A tribunal is a type of court. It will look at the reasons why an employer did not give you the job.

If you did not get a job because someone else was better suited to it, this will not be discrimination. But if you did not get a job just because you are disabled, and you have been treated unfairly, the tribunal may agree that you have been discriminated against. If this happens, the employer may have to pay you compensation.

If you think you were discriminated against when you applied for a job, you should contact the Employment Tribunals Service.

If you want to complain, you must do so within three months of the event you want to complain about.

Go online to www.direct.gov.uk to find out more about your rights under the Disability Discrimination Act.

To contact the
Employment Tribunals
Service

Phone:
[0845 795 9775](tel:08457959775)

Textphone:
[0845 757 3722](tel:08457573722)

Online:
www.employmenttribunals.gov.uk



The disability symbol

What is the disability symbol?

Jobcentre Plus awards the disability symbol to employers. The symbol is circular, usually green, with two ticks and the words 'positive about disabled people'.

How do I know which employers use the disability symbol?

Employers who want to use the disability symbol apply to Jobcentre Plus. If Jobcentre Plus decides they can use it they can show it on job adverts and forms, like application forms. This makes it clear that they have agreed to work positively with disabled people and help them stay in work.

Lots of employers in England, Scotland and Wales have been awarded the disability symbol. The symbol does not apply to employers based in Northern Ireland or the rest of Europe.

What does being a disability symbol employer mean?

An employer can use the symbol if they have agreed to do the following five things.

- 1** Interview all disabled people who apply for a job, if they meet the minimum requirements for doing the job.
Each job advert the employer places must say what is needed to do the job or where you can find that out.

- 2** Make sure disabled workers can, at least once a year, discuss how they can best develop and use their skills.

- 3** Make every effort to help any worker who becomes disabled to stay in work.
All staff should know about this policy and there should be plans in case someone's disability gets worse.

- 4** Make sure all staff know about what support disabled people need from them.
Employers should make it clear what their staff need to know, for example how to train people with different disabilities.

- 5** Review these commitments every year to look at what has been done and how to do it better.

How does the Disability Discrimination Act affect employers using the disability symbol?

Disability symbol users need to meet the terms of the Disability Discrimination Act just the same as employers who do not use the symbol.

What if I have a complaint about an employer using the disability symbol?

If you think an employer is not doing one or more of the five things they should, you can complain.

Contact Jobcentre Plus and we will look into your complaint.

How do I find out more?

You can find more information on the disability symbol or the Disability Discrimination Act by visiting www.direct.gov.uk/disability

Contact Jobcentre Plus by visiting www.jobcentreplus.gov.uk or you can find our address and numbers in your local phone book.

Call charges

As at September 2008, calls to 0845 numbers from BT land lines should cost no more than 4p per minute with a 7p call set up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad.

Calls from mobile phones can cost up to 40p per minute, so check the cost of calls with your service provider.

Textphones

Where textphone numbers are provided, these are for people who find it hard to speak or hear clearly.

If you do not have a textphone, some libraries or citizens advice bureaus may have one.

Textphones do not receive text messages from mobile phones.

Important information about this leaflet

This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure that the information in this leaflet is correct as of April 2009.

It is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of changes to the law.

www.jobcentreplus.gov.uk

Jobcentre Plus is committed to applying the principles of equal opportunities in its programmes and services.

Produced by Jobcentre Plus, part of the Department for Work and Pensions

ISBN 978-1-84763-048-3

DWP1021 | v2.0 (April 2009)

