

RECRUITING AND APPOINTING PEOPLE WITH DISABILITIES

INTRODUCTION

1. To provide high quality public services to the people of Northern Ireland, the Northern Ireland Civil Service (NICS) needs to recruit and develop the best available people. The Service aims to have a workforce that reflects the diverse nature of the population it serves. It is committed to maintaining the confidence of the whole community by offering equality of opportunity and by promoting a working environment and culture that harnesses and values people's diverse experiences and talents. The NICS aims to provide a positive working environment for all groups, including people with disabilities. The Executive has committed to supporting the Social Model of disability which sees the obstacles to participation, rather than any medical condition per se as the disability.
2. NICS welcomes job applications from people with disabilities. The aim of this policy is to ensure that the NICS' recruitment and selection procedures provide equality of opportunity to people with disabilities so that they are encouraged to apply to, and compete for, employment opportunities. In this way the NICS benefits significantly from the skills, experience and abilities that people with disabilities possess, whilst disabled staff can develop their employment skills, abilities and careers.

CONTEXT

3. All recruitment to the NICS must be carried out in accordance with the principles set out in the Northern Ireland Civil Service Commissioners' Recruitment Code. Appointments must be made on merit, appointment processes should be fit for purpose, be fair and applied with consistency and appointments should be made in an open, accountable and transparent manner. The NI Civil Service Commissioners have a statutory responsibility to regulate external recruitment to the NICS and to ensure that appointments are made on merit, on the basis of fair and open competition.
4. The comprehensive arrangements covering all aspects of recruitment and selection are contained in the Northern Ireland Civil Service Recruitment Policy and Procedures Manual which can be viewed at <http://www.nicsrecruitment.gov.uk>. This policy on recruiting and appointing people with disabilities does not attempt to replicate the recruitment information contained in the manual, but provides guidance on arrangements to enable people with disabilities to participate fully and fairly in recruitment to the NICS.
5. Corporate HR in the Department of Finance and Personnel (DFP) has overall responsibility for recruitment and selection policy in the NICS. This includes ensuring that our policies and procedures meet all relevant obligations under employment and equality legislation, including disability discrimination law. The day-to-day organisation and management of recruitment competitions in accordance with NICS policy, are carried out by HR Connect. Where exceptionally a recruitment competition is not organised through HRConnect,

the Department with responsibility for the recruitment exercise will ensure compliance with NICS policy on recruitment and selection, including all aspects of this policy on Recruiting People With Disabilities.

6. This policy on Recruiting and Appointing People with Disabilities complies with the provisions of the Disability Discrimination Act 1995 as amended, and takes account of good practice, including that set out in the Equality Commission for Northern Ireland Disability Code of Practice – Employment and Occupation. Within the NICS we have consulted with Disability Advisory Service, OHS, occupational psychologists in the Northern Ireland Statistics and Research Agency (NISRA), Equality and Diversity Branch in DFP, the Disability Forum in Department of Justice and the Disability Group in the Department of the First Minister and Deputy First Minister.

REASONABLE ADJUSTMENT

7. Any special arrangements which are necessary to enable people with disabilities to compete ‘on a level playing field’ are known as ‘reasonable adjustments’.

The Disability Code of Practice states the following: *“Whether it is reasonable for an employer to make any particular adjustment will depend on a number of things, such as its cost and effectiveness. However, if an adjustment is one which is reasonable to make, then the employer must do so. Where a disabled person is placed at a substantial disadvantage by a provision, criterion or practice of the employer, or by a physical feature of the premises it occupies, the employer must consider whether any reasonable adjustments can be made to overcome that disadvantage. The Disability Discrimination Act lists a number of factors which may, in particular, have a bearing on whether it will be reasonable for the employer to have to make a particular adjustment. These factors include the following:*

- *The effectiveness of the step in preventing the disadvantage; and*
- *The practicability of the step.*

8. The NICS recognises that there is a wide and diverse range of disabilities that could affect a person’s access to employment. This includes physical disability, including sensory impairment, learning disability or social and communicative impairment. We also recognise that disability and its impact on individuals can vary greatly from person to person and an adjustment which is ‘reasonable’ for one person may not necessarily be ‘reasonable’ for another who has a ‘similar’ disability. We understand the need to ensure that the right decisions are made in respect of reasonable adjustment requests, where appropriate, by those with suitable knowledge and skills, including occupational psychologists and informed by those with specialist knowledge of the disability. Where the adjustment sought is one which involves modification or alteration to the nature of the recruitment and selection process, such as an assessment test or an interview, there will always be a professional assessment to determine that the adjustment is ‘reasonable’. The determination of what constitutes a ‘reasonable adjustment’ will always be carried out by suitably trained professionals. All decisions on the ‘reasonableness’ of an adjustment in a selection process will be in a context in which it can continue to be an appropriate instrument to assess effective

performance. HRConnect, where it manages recruitment competitions, is responsible for ensuring that all requests for reasonable adjustments have been addressed, that the reasonable adjustments are practically facilitated and that all parties, including applicants with disability, selection panel members etc are informed as appropriate. Many requests for reasonable adjustments will be straightforward and relatively easy to accommodate. HRConnect will always seek guidance through Corporate HR on requests which are more complex.

KEY PRINCIPLES

9. This policy is concerned primarily with enabling people with disabilities who can, with reasonable adjustments if necessary, participate fully and fairly in recruitment and selection for NICS jobs. In developing the policy a number of key principles have been identified:
 - All recruitment to the NICS complies with the principles of the NI Civil Service Commissioners' Recruitment Code and with all relevant employment and equality legislation, including the Disability Discrimination Act 1995;
 - Recruitment and selection policies, procedures, processes, tools and materials are as far as possible fit for purpose, accessible, free from bias and do not create unnecessary obstacles or adverse impacts or exclude any group, including people with disability;
 - Recruitment and selection processes do not provide unjustifiable advantage or disadvantage to any particular candidate or groups of candidates;
 - NICS welcomes applications from all sections of the community, including from people with disability. Recruitment and selection policies and procedures have been developed with due regard to good practice, including the good practice in the ECNI Disability Code of Practice;
 - Policies and processes make provision as far as possible, for reasonable adjustments to all aspects of the recruitment and selection process;
 - There is effective communication with applicants and candidates with disability to identify and understand their reasonable adjustment needs and as far as possible, to agree how they may be addressed;
 - Decisions on reasonable adjustments are made only by those with suitable knowledge and skills, including by occupational psychologist, informed as appropriate by specialist knowledge of a disability;
 - All key decision makers involved in the recruitment and selection process are trained in equality of opportunity and understand the requirement for reasonable adjustment;
 - Reasonable adjustments applied ensure that the selection processes continue to provide appropriate instruments to assess effective performance and do not undermine the integrity of the competition.

The following paragraphs provide guidance on reasonable adjustments for key components of the recruitment and selection process.

ATTRACTING CANDIDATES

10. Applicants may apply on-line to HRConnect who manage the competition process. If it not possible for applicants to apply online because of the nature

of their disability, upon request, recruitment literature, such as application forms, candidate information on the competition, can be made available in alternative format and media such as large print, audio, Braille, Easy Read or plain electronic text. Applicants are invited to notify to HRConnect any special requirements they might need to facilitate their application and participation in the recruitment and selection process.

11. The NICS currently obtains equality monitoring information from applicants relating to Section 75 groups including by community background, gender, race, disability, age, sexual orientation, marital and dependants status. This equality monitoring information is used for monitoring purposes only and is not seen by anyone involved in the recruitment and selection process. Nor is it used to determine reasonable adjustments to recruitment and selection process.

ELIGIBILITY

12. The Candidate Information developed for each recruitment exercise sets out openly for applicants the requirements of the job and all aspects of the recruitment and selection process. The information includes a job description and person specification, derived from job analysis, which relate only to the requirements of the post(s) to be filled. Care is taken to ensure that person specifications do not require, or imply unnecessary or marginal physical requirements, which could discourage or preclude a person with disability from applying. Job and person specifications must be genuinely related to the ability to perform effectively the duties of the job. Managers involved in defining job and person specifications and eligibility criteria for recruitment competitions must have training in equal opportunities and understand the concept of reasonable adjustments for candidates with disabilities. All recruitment competition literature is overseen by HR management to ensure it promotes the principle of equality of opportunity.

Criteria used to assess applicants' eligibility to participate in a recruitment competition must be justified and consistent with the principle of equality of opportunity. There is an emphasis at the outset on ensuring that any potential for adverse impact is considered and addressed. Candidates who are unable, with reasonable adjustment as appropriate, to satisfy the essential eligibility criteria cannot proceed in the competition.

13. If a candidate requests a reasonable adjustment for in relation to meeting the eligibility criteria, the selection panel will consider the appropriateness of the adjustment in consultation and advice from the HR management with responsibility for the competition and from HRConnect. Reasonable adjustments may, for example, include waiving the requirement to meet all or some of the non-essential criteria used to shortlist candidates in the competition.

ASSESSMENT TOOLS

14. Assessment tools and techniques which are relevant, appropriate and used effectively in recruitment competitions help to ensure the identification, assessment and selection of applicants who best meet the requirement of the job. Decisions on the selection and use of tests are made by occupational

psychologists, who provide assurance that the tests meet the professional standards and are fit for purpose.

15. Where a reasonable adjustment is requested in relation to undertaking assessment tests which had not been previously professionally assessed, occupational psychologists will communicate with the disabled applicant on their specific disability and reasonable adjustment needs. The stages in requesting a reasonable adjustment for tests are as follows:

Stage 1: Notification

Applicants are invited to identify on the application form to HRConnect if they require any reasonable adjustments, due to disability, to enable them to participate in any part of the assessment process. Details of all requests for reasonable adjustments in tests should be forwarded by HRConnect for determination. Where an adjustment is required but the assessment does not include a test, HRConnect professionals will manage the request, liaise with the applicant and seek advice from occupational psychologists as appropriate to determine the reasonable adjustment.

Stage 2: Disability Report

The Application Form will have advised the candidate that he/she may be asked to provide HRConnect with a report /statement containing relevant information about their disability from an appropriate specialist/professional. This information will help to determine what a reasonable adjustment is.

Where possible, this report/statement should contain specific recommendations about the reasonable adjustment the candidate requires for the assessment they will be undertaking. All documentation should be forwarded to HRConnect.

In the event that furnishing a report or statement from a professional/specialist is likely to incur a charge to the applicant, this should be advised to HRConnect, before any cost is incurred. (Costs incurred in providing specialist reports, purely for the purposes of participating in the recruitment exercise may be reimbursed by NICS)

Stage 3: Determining Reasonable Adjustment

For tests, occupational psychologists will consider the information and recommendations within the report and discuss these with the candidate. They will also discuss with, as appropriate, the test developer/provider and specialist disability organisation in determining the appropriate reasonable adjustment to be made.

Stage 4: Offering and Agreeing Reasonable Adjustment

The candidate is required to provide written confirmation of their acceptance of the reasonable adjustment offered prior to undertaking the assessment.

The reasonable adjustment is then arranged and facilitated by HRConnect.

If it is not possible to make a reasonable adjustment, consideration may be given to the appropriateness of waiving the test and allowing the candidate to proceed to the next stage of the process. Only appropriately qualified

individuals carry out the selection, administration, scoring and interpretation of tests and determine reasonable adjustments for disabled persons. On arrival at the test venue the disabled person will be asked to confirm the reasonable adjustment available is what they expected and require. If the candidate does not accept the adjustment available will meet their needs, HRConnect will not allow the test to proceed.

INTERVIEWS

16. HRConnect is responsible for ensuring that applicants invited to interview, who have identified special requirements because of a disability, are facilitated as far as it is reasonable to do so. Reasonable adjustments for interviews will be decided by HRConnect professionals in consultation with selection panels and Corporate HR, where necessary. Reasonable adjustments may include ensuring access to the interview venue, use of interpreters for interviewees with speech or hearing difficulties, adjusting the timing or extending the duration of an interview. Applicants will be invited to provide written confirmation to HR Connect of their acceptance of the reasonable adjustment offered.
17. Candidates are interviewed by a selection panel constituted, as far as possible, on the basis of equality principles. All chairs and members of selection panels are fully briefed on the recruitment process and trained on selection interviewing and equality of opportunity, including interviewing applicants with disability. This ensures that interview panels have an appreciation of the needs of disabled interviewees, avoid irrelevant or discriminatory questions and that candidates have the opportunity to perform to their optimum. HRConnect is responsible for ensuring that interview panels are made aware, as appropriate, of the reasonable adjustment to be made for interviewees.

APPOINTMENTS

18. Candidates who meet the required standards for the post are placed in order of merit for appointment. Candidates found suitable and accepted for employment are subject to a number of pre-employment checks. Health checks are only carried out if there is a specific and essential requirement for the post. New appointees will be requested in their letter of offer of employment to advise HRConnect if they require a reasonable adjustment in the workplace. This is because adjustments needed in the workplace may differ from those which were required to facilitate participation in the recruitment exercise. HRConnect will inform the line manager of the reasonable adjustment request.

EVALUATION

20. The NICS undertakes evaluation of all its large volume recruitment exercises. This involves NISRA in conducting analyses of the progress of applicant groups, by gender, community background and disability, through all key stages in a recruitment exercise ranging from applications, shortlisting, testing, interviews and appointments. These analyses are used to assess the outcomes

of recruitment and selection activities and to review policies and procedures to identify opportunities for further improvement and development.

21. The NICS has a procedure to address any complaints about external recruitment competitions. The complaints procedure, and an explanation of how complaints will be handled, can be accessed at <https://irecruit-ext.hrconnect.nigov.net/resources/documents/c/o/m//comp.pdf>.

This policy will be reviewed one year after implementation or before should any issues of clarification etc become necessary.

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