



**Maynooth
University**
National University
of Ireland Maynooth



Disability in the Workplace Guidelines



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Introduction

Maynooth University is committed to creating an environment that welcomes and supports staff with disabilities. MU is committed to creating a disability-friendly culture where trained staff can support staff members in disclosing their disability.

This guide has been produced to support staff who have a disability or acquire a disability while working in the university to remain in the workplace and access any adjustments or accommodations they may need. It will also support staff to talk about disability and be aware of appropriate language use and training available to help disability awareness.

In most cases, whether staff join Maynooth University (MU) with an existing disability or acquire a disability during their time at MU, they will be capable of continuing to work and being a very valuable member of their team. However, some steps might be beneficial to take so that these staff members can excel to the best of their ability.

Many of the steps that need to be taken by a staff member with a disability, their team, line manager, or university to excel and stay in work are simple, take little effort, and cost very little. MU knows the significant benefit of retaining staff members with disabilities as experienced, knowledgeable, and skilled team members. There is also an additional benefit to having a diversity of experiences in working teams, and this diversity has been shown to make teams more successful and innovative. MU is committed to incorporating flexibility, blended working arrangements and technology into the workplace.

Sometimes, for the university to provide relevant and appropriate support for staff members with disabilities, it will be necessary for the staff member to disclose that they have a disability. Please know that any information disclosed by the staff member is entirely private and confidential and will not be shared without the staff member's explicit written consent.

Staff members must utilise the policies and systems that will guide them in disclosing a disability and requesting accommodations. Heads of Departments and Line managers will play critical roles in providing and delivering these practical supports required.

This guide is a living document and will be reviewed regularly. If you have any feedback on the document or any of its content, please contact equality@mu.ie, (01) 708 4687.

What you will find in this guide

This guide will make it easier for staff with disabilities to excel in the workplace by:

1. Providing a process for requesting the provision of Reasonable Accommodations. Ensuring all MU staff know what to say and do when requesting an accommodation related to a disability.
2. Highlighting the relevant legislation that impacts staff members with disabilities.
3. Answering some common questions related to the disclosure of a disability.
4. Provide relevant information to all staff members, including managers, to support colleagues with disabilities.

Please take time to familiarise yourself with this information. It is essential to recognise that this is a guide only and that its information is not exhaustive. You may need to seek additional advice from experts either internally or externally. Should you have further queries, please contact the Equality Officer, Office of the Vice President for Equality & Diversity, equality@mu.ie, (01) 708 4687.

What is a disability?

Within the Irish Equality Legislation, disability is broadly defined as people with physical, intellectual, learning, cognitive or emotional disabilities and a range of impairments. It also includes past, present,

imputed, and future disabilities (further information on this can be found in Appendix 1: Legal Definitions of Disability).

The Economic & Social Research Institute (ESRI) estimates that 18% (almost 1 in 5) Irish people have a disability. Disability is, therefore, a very normal part of the human experience and life on campus.

As our society ages and with ever more significant medical and technical advances, the rates of disability will increase. As a result, more people with disabilities will be able to enter and remain in the workplace than ever before.

Rather than focus on the medical aspects of disability, the Equality Officer, along with line managers/Heads of Department, will assist in identifying how structures, processes and policies related to the staff member, can be adjusted, or accommodated to ensure that they can remain in the workforce. In addition, they will seek to ensure that they also have the same opportunities to contribute and participate to the best of their ability as any other member of their team.

Creating an Inclusive Work Environment

Disability Liaison Officer

At MU, the Equality Officer in the Office of the Vice President for Equality and Diversity (EDI Office) acts as the Disability Liaison Officer. Having Disability Liaison Officers is an essential part of achieving an inclusive environment. The Equality Officer also guides organisational policies and practices.

The Equality Officer will support employees with disabilities to:

- Integrate into the organisation.
- Ensure existing employees with disabilities are receiving necessary support in the workplace.
- Assist all employees with disabilities to progress in their careers.
- Assist line managers by providing the necessary information, appropriate contacts, guidance, suggestions, and advice.

Employees who would like to contact the Equality Officer can reach them at equality@mu.ie or (01) 566 2037, for further information on accessing support and supporting colleagues. More information about the EDI Office staff can be found on the [MU EDI webpage](#).

Communicating Policies and Strategies

MU ensures that policies and procedures supporting staff with disabilities are communicated to employees at employee induction and are available on the [EDI Office webpage](#).

MU makes every effort to ensure that organisational communications, information, and policies are provided in accessible formats to ensure that employees with different disabilities can understand them. Don't hesitate to contact the Equality Officer, equality@mu.ie, if you require publications in accessible formats, e.g. large font or braille.

Language use

Language is dynamic and nuanced, changing rapidly along with social norms, perceptions, and opportunities for inclusion. Stanford University has developed this [guide](#) for considering the language surrounding disability that answers many of the common questions people may have around talking about disability.

In this document, the terms used refer to people with disabilities and the same form is used for reasons of consistency. We understand that some people who fall into the very broad legal definition of having a disability, do not see themselves as having a disability and may use other terms like

impairment or long-term illness to describe their personal circumstances. We understand disability in this context as encompassing of all impairments and health conditions.

We also understand that there is a structural element to disability, in that someone is often disabled, first of all by society, and that appropriate adjustments and universal design can ensure full access to that individual.

Disclosure

What is disclosure?

In the context of disability in the workplace, disclosure is the decision of an employee to inform their manager or employer that they have a disability. Disclosure can be very challenging for people, particularly in employment. One of the most personal decisions a person with a disability makes is whether to tell someone about their disability. MU recognises that this can be a difficult decision on their part. Therefore, staff should be aware that we seek to create a supportive environment which encourages staff members with disabilities to disclose.

MU welcomes disclosure as this ensures that the appropriate supports and accommodations can be put in place to enable staff with disabilities, to participate fully and equally in all aspects of the university. However, it is up to individual staff members to determine how much information they would like to disclose and to whom they would like to disclose it.

Personal and medical information disclosure is **strictly private and confidential**, and no information disclosed by a staff member can be provided to a third party without their written consent.

Staff members can formally confirm that they are disclosing a disability via the Reasonable Accommodation Request Form (Appendix 2: Reasonable Accommodation Request Form).

Staff members with a disability will be facilitated by MU in applying for positions, training and development or promotional opportunities and by removing any discriminatory barriers. In addition, MU will make all **reasonable efforts** to provide the necessary/specific support requested or required by you.

MU encourages employees to disclose their disabilities as:

- Disclosure of a disability is often of benefit to the person with a disability as the university can put in place accommodations or changes to the organisation of the employee's work that can support the employee to participate fully and equally in the university.
- Employees should be aware that under the Policy on the Employment of People with Disabilities, all disclosures of a disability will be treated with the utmost confidence.
- Please note that a person with a disability only has a legal obligation to disclose that disability if their disability presents a health and safety risk in the workplace, as they have a duty of care to themselves and others.

The policies on obtaining Reasonable Accommodation are outlined below and in the Policy on the Employment of People with Disabilities.

Disclosing a Disability

MU recognises that disclosure of a disability requires thought and preparation, and it is a personal decision. Therefore, while we encourage disclosure, there is no legal obligation for staff members to disclose information about their disability unless it will likely affect their work performance and ability to work safely. In addition, they must be competent in the inherent or essential requirements of the job (i.e. the tasks that must be carried out to get the job done).

It is important that when considering disclosing, staff members take the time to decide the following:

- When do I disclose?
- How do I disclose?
- Who do I disclose to?
- What information do I disclose?

If a staff member is already working in MU and have recently acquired a disability – we recognise that deciding to disclose may take time. They may initially choose not to disclose their disability or only disclose certain aspects, e.g. its impact on their work. However, they should consider both the benefits and disadvantages of not-disclosing when making their decision, as non-disclosure can at times be counter-productive in the long term if they require accommodations.

When do I disclose?

You may disclose your disability either before or post-employment or at different stages of the recruitment & selection process, such as:

During the Recruitment Process

- On the application form or your CV
- On invitation to interview
- At any time during your interview
- When you receive the job offer
- During Induction

Existing or New Employees

- When you are diagnosed with a disability
- When and if problems arise because of your disability
- When returning to work having acquired a disability
- Any time of your choosing

You need to decide whether Reasonable Accommodation on the job is required – if it is required, then there are personal advantages to disclosure.

Remember: Accommodations in the workplace are **only provided** when staff members **disclose their disability and request accommodations** via the Reasonable Accommodation Request Form, found in Appendix 2: Reasonable Accommodation Request Form.

How do I disclose?

You may disclose your disability:

- Verbally
- In writing
- Via the Reasonable Accommodation Request Form

It is recommended that when disclosing, you set up a meeting with the individual you are telling so that you have the time and space for the necessary conversation. If you do require accommodations, it is recommended that you complete the Reasonable Accommodation Request Form. You can do this yourself in advance of this meeting, or your manager or the Equality Officer can assist you in completing the form if you would prefer.

Who do I disclose to?

Your line manager should be your first point of contact if you wish to disclose a disability or request Reasonable Accommodations. Your line manager has a key responsibility for your general well-being and ensuring you have access to the full range of opportunities to undertake your role.

Should you prefer not to disclose your disability to your line manager for any reason, you may instead speak with the Equality Officer - equality@mu.ie, (01) 566 2037; or the Employment Relations Manager in HR.

What information do I disclose?

When disclosing, you do not need to share the precise nature of your disability, and your line manager does not require this information.

Disability disclosure is only essential if it affects (or can potentially affect) your ability to perform the **job's essential functions**. The most important and helpful information includes:

- How your disability affects your ability to perform the essential functions of the role
- What supports/Reasonable Accommodations you may require

You may wish to provide the following additional information to your Line Manager and/or fellow staff:

- General information about your disability
- Why you have chosen to disclose
- The types of accommodations that may have worked for you in the past
- The types of accommodations that you may require in the future
- How your disability and other life experiences can positively impact your performance

Disclosure of your disability in a face-to-face setting:

- select a private, confidential and a comfortable place to disclose
- allow time if you think it is necessary to discuss the impact of your disability
- allow time for questions, suggestions or concerns that require time for discussion

Do I have to disclose my disability?

You have no obligation to disclose, if:

- there is no impact on your job or the work environment
- you do not require any accommodations to the workplace
- you do not need any changes to the organisation of work or assistance
- you do not wish to, and there are no health & safety implications

You have a legal obligation to disclose, if:

- your disability presents a health and safety hazard or risk in the workplace; you are obliged to disclose – as you have a duty of care to yourself and others. (See Appendix 1: Legal Definitions of Disability)

What are the advantages of disclosing my disability?

- Access to Reasonable Accommodations – enables you to perform to the best of your ability and receive the supports you need
- Aids in identifying support structures that are available to you, including the Enable Staff Disability Network
- Reduces your stress levels - non-disclosure can be exhausting

- It provides you with the freedom to examine questions regarding health insurance and other benefits
- If changes occur in your personal circumstances, it provides you with greater freedom to communicate
- Helps the university to improve processes regarding the provision of adjustments/accommodations

Suppose you are unsure of whether to disclose your disability. In that case, we recommend speaking to the Equality Officer in confidence, contacting your relevant disability organisation or utilising resources such as the [Ahead Guide to Disclosure](#) for independent advice on the advantages and disadvantages of disclosing your disability.

What if I don't disclose?

If you do not inform the university or your line manager that you have a disability and it is not reasonable for your line manager to know that you have a disability - then they, as your employer, are not deemed to know; therefore, they are not liable if Reasonable Accommodations are not provided.

What if I don't give permission to disclose to others?

If you decide not to make relevant information available to others, this may impact the type and level of accommodations you receive. Again, this will be confirmed to you in writing.

Confidentiality: What information can be shared?

As a staff member with a disability, you have the right to keep information about your disability private. Therefore, it is not necessary or permissible for us to inform your colleagues about your disability or need for accommodations unless your express permission has been given in writing.

While colleagues may be aware of the accommodations, especially if you are taking extra breaks/availing of flexitime, they are not entitled to know why these have been provided unless you have given written permission for this via the Reasonable Accommodation Request Form.

Under Irish employment legislation, MU must keep staff members' disability and medical information confidential. However, if you choose to disclose to someone other than your Line Manager (e.g. Equality Officer), your line manager will only be provided with information on a need-to-know basis with your consent.

Confidentiality of Reasonable Accommodation Forms

A copy of the Reasonable Accommodation Request Form, which lists which accommodations have been put in place for you, and all evaluations will be maintained by Human Resources. This form is stored in a secure file, in line with the MU Data Protection Policy. These will be signed and dated by you, your Line Manager, and the Equality Officer. To maintain confidentiality, they will be stored in line with Data Protection legislation and applicable University policies and procedures.

Your safety– the exception to confidentiality

If your line manager has good reason to believe that your safety, or the safety of another person, may be at risk unless the information is shared - your line manager has a duty of care to disclose and seek specialist advice. It is recommended that they consult the Equality Officer or the HR Employee Relations Manager, who will then guide the next steps and with whom this information can be further shared.

Quick Guide: Disclosure Conversations

Open and ongoing communication between employees and their line manager is important in creating a positive workplace culture. The following steps can support the dialogue process.

Talking to your Line Manager

- You will likely benefit from preparing for this conversation
- It might help to know about the supports that might benefit someone with your disability and to have an awareness of the impact it has on your role (while recognising that you may still be learning about a newly acquired disability)
- Try to be clear and matter of fact about why you are disclosing and your desired outcomes from doing so
- Try to present information clearly and concisely in a way that is relevant to the role to limit the amount of medical/personal information you disclose
- If possible, provide some options and strategies for workplace adjustments to make it easier for your line manager
- There is no need to disclose detailed medical and/or personal information
- Discuss the impact of possible symptoms and side effects of any medication on the workplace (if you think it is necessary or relevant)
- We recommend that you keep your disclosure conversation focused on your abilities and not your disability

It is better to disclose your disability early to ensure that accommodations can be put in place before your job performance and satisfaction suffer. If possible, you should **disclose when you first realise that difficulties are being encountered**. MU's primary focus is to ensure that you can reach your full potential and to support you to excel in the workplace. It is never too early to disclose, particularly if your disability may progress.

Note: In the future, if performance issues due to the impact of disability arise, you can request accommodations or adjustments to address these

For Line Managers

- It can be very stressful to disclose a disability, and any staff member disclosing to you may feel very vulnerable in this conversation
- It is important that you reassure the staff member who is disclosing the confidentiality of your conversation
- Stay positive – disclosure of a disability is not a negative thing, and at MU, we view the diversity of our staff as a strength. Therefore, we welcome staff coming forward to access Reasonable Accommodation to excel in their role.
- Get in touch with the EDI Office and specifically the Equality Officer, who can facilitate the provision of Reasonable Accommodation through a central budget.

Staff Members & Line Managers - Responsibilities & Rights

As a staff member with a disability, it is important to understand that you have a significant responsibility to, first of all, yourself and also to your line manager and your fellow staff. In addition, as an employer, the university and your line manager have an equal responsibility toward you.

As a Staff member with a disability, you have the following responsibilities:

- Disclose a need for accommodations if any work-related adjustments are required
- If going for a promotion or a new role, to inform the interview panel of any interview accommodations required in a timely manner
- If attending training/development courses, to inform the Course Trainer of any training or accommodations required in a timely manner
- Be truthful and proactive

As a Staff member with a disability, you have the right to:

- Keep information about your disability private
- Have information about your disability treated with due respect and confidentiality
- Choose to disclose your disability at any time before or during your employment
- Receive appropriate Reasonable Accommodations
- Be considered for promotion based on your skills and merit
- Have respectful questioning regarding your disability for the purpose of accommodations

Line Management Responsibilities

Line Managers are expected to:

- Promote a climate of trust and encourage staff members with disabilities to disclose their disability
- Raise awareness and understanding of disability amongst their staff and be cognisant that many disabilities are invisible
- Ensure all staff members are aware of the available supports, Reasonable Accommodations and the processes involved
- Promote positive attitudes towards any staff member with a disability
- Act as the primary contact for staff members with disabilities – including taking the lead on ensuring Reasonable Accommodations are put in place once agreed
- Involve staff with disabilities in the implementation of Reasonable Accommodations
- Make it clear that fellow staff members cannot discriminate against staff with a disability because of their disclosure or accommodations and that the university will treat any complaints regarding discrimination in a serious manner
- Lead by example

Reasonable Accommodation

What is Reasonable Accommodation?

Under Employment Equality legislation, employers are obliged to take appropriate measures to enable a person who has a disability to access and participate in employment or undertake training – unless these measures would result in a disproportionate burden for the employer¹.

Reasonable Accommodation (RA) can be defined as some modification to tasks or the structure of a job or the workplace which allows a qualified employee with a disability to do their job and enjoy equal employment opportunities fully. Reasonable Accommodation can vary from something as simple as rearranging office furniture, to providing Assistive Technology or changing working hours.

Examples of what may be considered a Reasonable Accommodation

Successful accommodations are often minor, requiring little or no expense.

Some examples of Reasonable Accommodations may be:

- Rearranging furniture
- Changing the level of a desk
- Buying a piece of office/lab equipment
- Adapting standard equipment
- Adjusting training materials
- Accepting that there may be alternative ways of accomplishing a given task
- Providing company information in appropriate formats

¹ [DemystifyingDisabilityInTheWorkplace.pdf \(ahead.ie\)](#)

- Providing a parking space close to the place of work
- Allowing flexitime, part-time work, job share, remote work
- Moving Lectures to a different accessible hall

Please Note:

Reasonable Accommodation does not include any treatment, facility, or item that a staff member might ordinarily or reasonably provide for themselves, for example, a wheelchair, a hearing aid or reading glasses.

Quick Guide: Requesting Reasonable Accommodation

The following are the key steps which should be taken by you and your line manager when you request a Reasonable Accommodation. Further information and guidance can be found in the main body of this guide.

1. Complete the request form

Meet with your line manager (or the Equality Officer), who will explain the process for accessing Reasonable Accommodations. They can then assist you in completing the Reasonable Accommodation Request Form (Appendix 2). They will then submit the form, on your behalf, to the relevant contact (the Equality Officer). Costs associated with Reasonable Accommodations are paid for under a central budget under the EDI Office.

2. Participate in the workplace needs assessment

The Equality Officer will arrange a workplace needs assessment with the MU Occupational Health Provider if necessary. This assessment will identify the Reasonable Accommodations you may require concerning the work environment, accessibility, access, etc. **Note:** The Workplace Assessment should be completed within two weeks of making a request.

3. Agree on accommodations

In collaboration with your line manager, the Equality Officer, and any other relevant parties, agree on what accommodations will be implemented and when they will be implemented. You will be consulted and involved throughout the entire Reasonable Accommodation process.

1. **Note:** The accommodations should be agreed upon within three weeks of finalising the needs assessment. In the small number of cases where this is impossible, you will be consulted regarding a revised timeline.
2. If it is impossible to meet your preferred accommodation requests, you will be invited to work with the university to identify whether an alternative option may be feasible. In addition, you should receive a written explanation as to why your first-choice accommodation request is not possible.
3. Dependent on the nature of the disability a Personal Emergency Evacuation Plan (PEEP) may be required to be developed and agreed with the employee and Line Manager to ensure the safety of the employee in an emergency situation. Where such a plan is required, the Equality Officer will liaise with the Health and Safety Office to initiate the development of the PEEP.

4. Confirmation of Implementation

Your line manager (or the Equality Officer) will ensure agreed accommodations are implemented. **Note:** The accommodations should be implemented within six weeks of being approved. If this is not possible due to complexity or the time required for a change, this will be agreed upon with you and the Equality Officer, and a revised timeline will be agreed upon depending on accommodation, procurement and lead times.

While we will endeavour to ensure all recommendations are met, should issues arise with non-implementation, you or your line manager can escalate this through the University's Grievance Procedure.

5. Follow up

Your line manager or the Equality Officer will agree to a follow-up meeting schedule with you to ensure that accommodations are still working satisfactorily (typically after two weeks, six weeks, three months and then every six to twelve months). Where changes are needed, steps 1-5 should be re-visited.

6. Maintaining confidentiality & communications

Confidentiality will be maintained per your wishes and as outlined in the Reasonable Accommodation Request Form. Throughout the process, open communications will be maintained with you. You will be updated on progress and consulted on any changes which may need to be implemented. Accurate records will be maintained at every stage of the assessment process, and reasons for decisions made will also be recorded.

Staff Reasonable Accommodation Request Form

A simple form has been developed to formally place a request for accommodations and ensure that Reasonable Accommodations can be accessed consistently and fairly.

Your line manager will ensure that you are informed about the availability of Reasonable Accommodations and provide you with this form where necessary. When you disclose a disability to your line manager, you can seek assistance from them in completing this form.

Once completed, these forms will be submitted by your line manager.

The Form

The Reasonable Accommodation Request Form consists of three simple sections:

- **Section 1:** Reasonable Accommodation - Confirmation that you would like to request a Reasonable Accommodation related to your disability
- **Section 2:** Declaration of disability - Confirmation that you are disclosing your disability
- **Section 3:** Consent to Share - Identification of those individuals or departments with whom you have agreed that this information can be shared (consent to share)

The Reasonable Accommodation Request form can be found in Appendix 2.

Reasonable Accommodations for new staff members

The steps for providing Reasonable Accommodations to you as a newly hired staff member are the same as for an existing staff member.

You may choose to disclose either during the interview process after you have received an employment contract or once you have commenced working.

It is important to note the following:

- If you disclose a disability during the interview process, you cannot be discriminated against based on this. In addition, the assessment of applications from people with disabilities will occur by taking the provision of Reasonable Accommodation into account; this puts you on an equal footing with all other candidates.
- All candidates will be assessed on the same criteria, using a clear job description that identifies the job's core skills and competencies.

- A needs assessment is never part of the recruitment process and will only be used after the offer of a job has been made to you.

Workplace Needs Assessment

As part of the Reasonable Accommodation request process, you may be required to participate in a Workplace Needs Assessment to determine what supports the university needs to put in place for you.

According to AHEAD, a 'Needs Assessment' is a 'structured process which identifies any accommodations/adjustments an employee may require, if any, to undertake all/some core aspects of a job – safely and successfully.' It is a systematic procedure to collect all the relevant information, enabling the university to provide you with the accommodations/ supports you require. A Workplace Needs Assessment is confidential, and all information collected comes under the Data Protection Act, 2018 and related applicable MU Data Protection Policies & procedures, which can be found on the [Maynooth University Data Protection Office Website](#).

If required, there may be a need for consultation with your specialist or organisations specialising in your disability. Any contact with a third party will be conducted in consultation with you alongside your written permission.

Maynooth University will do everything reasonably possible to accommodate your needs. However, if it is impossible to meet your preferred accommodation request, your line manager will work with you to identify whether an alternative option may be feasible. Determining alternative options will include collaboration with you, your line manager, the Equality Officer, and other relevant individuals. HR representatives may be requested to guide how to conduct this process.

Medical Evidence of Disability

It may be necessary for an appointment to be made for you with the MU Occupational Health Physician (OHP). Your line manager (or HR Employee Relations) will arrange this following consultation with you if this is required. This service is mainly utilised if you return after a long-term absence or have acquired a disability.

The university recognises that it is essential to distinguish disability from sickness. However, it is considered that people with disabilities are generally as healthy as people without disabilities, and their absences from work due to sickness are usually like those of other staff members.

Recruitment

Attracting diverse applicants

You are more likely to find the most suitable person if your recruitment processes are designed to attract a wide range of talent and give all candidates, including those with a disability or long-term health condition, the opportunity to demonstrate their abilities and potential.

To attract a wide range of applicants:

- Make it clear in your recruitment literature that your organisation is committed to inclusion and diversity and welcomes applications from people with a disability or long-term health condition
- Advertise your vacancy through a range of media to appeal to a diverse audience and consider using a mix of channels, including those that specifically reach disabled people
- Provide a contact point for people who may have questions about the recruitment process

- Consider offering disabled people an interview if they meet the minimum criteria for the job.

Adjusting your recruitment process

You may need to make adjustments to each stage of the recruitment process to ensure you do not put any candidate at a disadvantage because of their disability or health condition.

You cannot ask questions about an individual's health or disability during the recruitment process. However, as part of the recruitment process, it is important to ask all applicants whether they need any particular adjustments or arrangements for any part of the recruitment or selection process.

Make sure you give every candidate the opportunity to discuss these in advance of an interview or other selection test. You should not make assumptions about what adjustments are needed or are feasible.

Adjustments to your recruitment or selection processes could include:

- Ensuring that the interview room is accessible or appropriately equipped
- Allowing a support worker to attend an interview if required
- Offering communication support if needed

You might want to consider whether you could take an alternative approach to get the best outcome, for example, by asking:

- Do you need to have traditional face-to-face interviews?
- Can you give the option of an interview via video-link or online if it suits the candidate better?

Remember, many adjustments are straightforward and can be implemented easily, at little or no cost.

Statutory Employment Target

The employment target for employees with disabilities is an important statutory duty on public bodies, as set out in Part 5 of the Disability Act 2005. The overriding purpose of this area of legislation is to ensure that people with disabilities get the opportunity to work and make progress in their careers.

Under the [Comprehensive Strategy for People with Disabilities \(2015 – 2024\)](#), the Government has committed to increasing the public service employment target for persons with disabilities on an incremental basis from a minimum of 3% to a minimum of 6% by 2024.

Maynooth University reports annually against this target to the National Disability Authority; the EDI Staff Census 2020/21 was used to provide figures on employees with disabilities for 2021. In 2021, 5.7% of MU employees disclosed a disability. In future, the Employee Self-Service portal will include a mechanism for staff to disclose a disability for monitoring purposes.

Managing Staff with Disabilities

Work-Related Social Activities

Heads of Department and departmental colleagues can support new employees with disabilities to integrate into an organisation by:

- Providing new employees with a buddy or a mentor. The buddy can provide critical social support as the employee adjusts to a new role
- Ensuring that after an employee with a disability has been working in a position for six months, their employer/line manager, with support from the EDI Office, checks that they

- are comfortable participating in social events to help the employee's continued integration into the workplace
- Ensuring that employees with disabilities are included in all work-related social activities, the employee's line manager should monitor this.

Retention

Having an effective framework to retain people with a disability or health condition is crucial – it saves money on recruitment and training and prevents businesses from losing valuable skills and talent. If a team member becomes disabled or if their existing condition worsens, line managers should, as far as possible, treat them in the same way as a new starter who has a disability. But be aware that they may still be coming to terms with their disability and how it is affecting their day-to-day life.

Initially, someone may not want to discuss their disability with their line manager. If this is the case, line managers should make sure there is signposting for the individual to have a confidential discussion with someone else, for example, the Equality Officer or HR Employee Relations Manager.

Returning to work after acquiring a disability/illness

If a person is looking to return to work after a long absence, make it clear you are open to having a discussion with them about making adjustments to help ease them back into work.

These could include, for example:

- A phased return to work, initially working certain days a week or having shorter days for a period of time (and adjusted duties during that time)
- Re-designing a person's job role
- A move to a different role

Making adjustments for new team members

If you're aware that your new team member has a disability or health condition, arrange to talk to them as soon as possible after their appointment to discuss any adjustments they may need in their new job, so these can be put in place before they start. In addition, it might be helpful to confirm the next steps and any agreed adjustments in writing.

As with all employees, you should discuss the job with the new starter on their first day, familiarise them with workplace policies and practices, and outline your expectations. Ensure your new team member has the equipment and adjustments needed to do the job as soon as they start. If anything is not in place, tell the individual what you are still waiting for and when it is expected.

Once the new team member is in position and has a clearer sense of their day-to-day work, it may be worth having a further discussion with them to ensure the agreed adjustments are meeting their needs.

Keep a written record of any agreed adjustments; through the Reasonable Accommodation application form which will be kept on an employee's HR file; this will help you and your team member to review the adjustments made and how well they are working. This record can also be used to pass information to a person's new manager if they move jobs in the future.

Career Development and Progression

There should never be assumptions about someone's ability to perform to a high standard due to a disability or health condition. Developing an inclusive culture means recognising that people with a disability or long-term health condition can thrive at work if they have the appropriate understanding and support.

Access to training and development

Ensure all team members have equal access to training and development and career opportunities. For example, if training is being delivered outside your team member's workplace, check that the training is accessible.

Discussing performance

Remember that performance management should, in essence, be a positive process and focus on the support needed to help everyone perform to the best of their ability. To effectively manage your teams' performance, you should have regular discussions with all your team members on a one-to-one basis. These discussions can be formal meetings focused on the individual's work, providing constructive feedback, and identifying development needs.

However, a more informal approach can be an effective way of giving ongoing feedback and exploring any issues affecting an individual's performance, such as an underlying health condition. In addition, informal conversations can be used to identify possible solutions to overcome any barriers a person is facing and help them perform to the best of their ability.

Discussions or meetings about performance should focus on the employee's work, but asking straightforward, open questions about how they are and whether anything affects their performance can encourage people to open up about any health issues.

Adjustments and improving performance

The performance management process must take complete account of any health condition or disability where there is under-performance on the part of an individual. These should be fully explored and discussed before any formal process is initiated. In addition, the focus of any performance management process should be on improvement and supportive measures to help someone reach their potential.

If underperformance is an issue, you need to discuss potential adjustments or support that could help bridge someone's gap in performance. Possible adjustments could include extra training or supervision, providing a mentor or adjusting someone's responsibilities.

Inclusive Health and Safety Processes

Health and safety issues surrounding employees with disabilities will be dealt with in the context of the [MU Safety Policy Statement](#) and hazard identification and risk assessment. In addition, the MU Health and Safety Office, Line Managers, Equality Officer, and employees with disabilities will coordinate their activities to ensure that all aspects of health and safety in the working environment are carefully considered.

Departments and Offices that are safe and healthy for employees with disabilities are also safe and healthy for all employees, clients, and visitors.

Health and safety measures designed to protect employees with disabilities from harm should not be used to exclude employees with disabilities from the workplace or treat employees with disabilities less favourably. Residual risks identified as part of any risk assessment process should be discussed with the employee in question and resolved or accepted as appropriate.

Where an employee with a disability faces a particular risk, it should not be assumed that this applies to all those with the disability or used to set automatic restrictions regarding their work.

Accessibility of Maynooth University buildings

Maynooth University will continue to work to improve the accessibility of the MU campuses in collaboration with staff and students with disabilities and external organisations. If you have noticed an accessibility issue on campus, please contact the Equality Officer at equality@mu.ie.

Disability Awareness Training

The EDI Office and HR Learning and Development provide employees with training to ensure that they understand that policies and procedures are in place to create a work environment where everyone, especially people with disabilities, feels included and supported.

Maynooth University staff are encouraged to participate in [EDI in HE eLearning](#) course.

Additional Disability Awareness training is available to all staff on the Learning and Development Directory. Relevant sessions include

- Autistic Spectrum Awareness Workshop,
- Breast Cancer Awareness,
- Bias Awareness – How to Mitigate Potential Bias
- Equality, Diversity, Inclusion for Senior Leaders,
- Mental Health Awareness Workshop for Heads,
- with more to be added soon.

By offering this training, Maynooth University aims to provide all employees with the knowledge, the skills, and the confidence to:

- support the development of inclusive policies and processes
- work with colleagues who have disabilities
- provide accessible/universally designed products and services to everyone, including people with disabilities

Depending on their position, certain employees may require more specific training in supporting colleagues with disabilities. Research shows that line managers and Senior Management need training in how to:

- Carry out effective induction processes for people with disabilities
- Manage their team
- Carry out regular reviews to ensure that each team member is progressing and developing in the workplace
- Acknowledge and reward good work performances
- Manage work performances
- Support team members who appear to be having difficulties in their workplace, for example, performing their job to the best of their abilities, coming in late to work frequently, etc.

- Seek advice or guidance from the EDI Office/HR, and know when it is appropriate to do so

Maynooth University will work with internal and external partners to ensure that the training provided on disability is current and meets employees' needs.

Partnerships with disability organisations

Maynooth University has several existing partnerships with disability organisations, primarily focused on research and support for students. In addition, the university will explore potential partnerships for staff support to source guidance on our disability awareness training programmes and gain expert advice on the provision of accommodations.

Maynooth University may also, in future, work with disability organisations to advertise and promote work experience programmes and job opportunities to people with disabilities.

Enable Staff Disability Network

Maynooth University has established an Enable Staff Network to create a space for employees to meet other employees with disabilities and discuss accessibility and disability at Maynooth University. Membership is open to staff members with disabilities (including long-term and chronic illnesses and conditions) and people interested in creating a disability friendly Maynooth University. It is not necessary to disclose a disability to join and participate in this network. For details on how to join please visit the MU EDI webpage - [Disability | Maynooth University](#)

Conclusion

Maynooth University is committed to creating an inclusive environment for staff members with disabilities. This guide provides advice on disclosing a disability and guidance on putting into place Reasonable Accommodation at all stages of an applicant/staff member's engagement with the University. The guide also provides support for line managers on making their practices more inclusive and retaining employees with disabilities as well as the training available to staff in this area.

References and Further Reading

Department of Finance, Equality Unit (2007), [Code of Practice for the Employment of People with a Disability in the Civil Service](#).

Disability Confident (2020) [Recruiting, managing and developing people with a disability or health condition – a practical guide for line managers](#).

Health and Safety Authority (2021) [Employees with Disabilities – an employer’s guide to implementing inclusive health and safety practices for employees with disabilities](#).

National Disability Authority (2018) [Research on good practice in the employment of people with disabilities in the public sector](#).

National Disability Authority (2012) [Retaining employees who acquire a disability: A guide for employers](#).

AHEAD (2009) Demystifying Disability in the Workplace – Practical Guidelines for Managers & Supervisors.

National Disability Authority (n.d.) [Assisting People with Autism in Employment: Guidance for Line Managers and HR Professionals](#).

Appendix 1: Legal Definitions of Disability

The Employment Equality Acts 1998 – 2015

Under the Employment Equality Acts (1998 to 2015) and the Equal Status Act 2000 to 2015), disability is defined very broadly in section 2(1) of the Employment Equality Acts and includes most disabilities.

“Disability” means—

- a. The total or partial absence of a person’s bodily or mental functions, including the absence of a part of a person’s body.
- b. The presence in the body of organisms causing, or likely to cause, chronic disease or illness.
- c. The malfunction, malformation, or disfigurement of a part of a person’s body,
- d. A condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- e. A condition, disease or illness which affects a person’s thought processes, perception of reality, emotions, or judgment or which results in disturbed behaviour, and includes a disability which exists at present, or which previously existed but no longer exists, or which may exist in the future, or which is imputed to a person.

The Employment Equality Acts promote equality, prohibits discrimination (with some exemptions) across nine grounds, prohibits sexual harassment, harassment, and victimisation; requires appropriate measures for people with disabilities in relation to access, participation, and training in employment; and allows positive action measures to ensure full equality in practice across the nine grounds.

The Employment Equality Acts (1998 – 2015) impose specific duties on the university regarding people with disabilities. Under the Act, the university is prohibited from unlawfully discriminating against people with disabilities by failing to provide Reasonable Accommodations. This means that the university must provide Reasonable Accommodations.

The Scope: Aspects of employment that are covered:

- Advertising
- Equal pay
- Access to employment
- Vocational training and work experience
- Terms and conditions of employment
- Promotion or re-grading
- Classification of posts
- Dismissal
- Collective agreements

The Act applies to:

- Full-time, part-time, and temporary employees
- Public and private sector
- Vocational training bodies
- Employment agencies
- Trade unions, professional and trade bodies
- Self-employed contractors
- Partners in partnerships

- State and local authority officeholders

Reasonable Accommodation – Legal Requirements

The requirement to provide Reasonable Accommodations for people with disabilities applies to each stage of employment:

- Recruitment, selection, and appointment
- Training and career development
- Probation, progression, and promotion
- Performance management and
- Any other employment benefits

An employer is obliged to provide Reasonable Accommodation unless the measures would impose a disproportionate burden on the employer.

A. What are appropriate measures?

They are effective and practical measures needed in a particular case to adapt the employer's place of business, including:

- The adaptation of premises and equipment
- Changes to patterns of working time
- Distribution of tasks or
- The provision of training or retraining

The employer is not obliged to provide any treatment, facility, or item that the person might ordinarily or reasonably provide for themselves.

B. What is Disproportionate Burden? (Council Directive 2007/78EU)

In determining whether the measures would impose a disproportionate burden, an account is taken of:

- a) The financial and other costs entailed
- b) The scale and financial resources of the employer's business; and
- c) The possibility of obtaining public funding or other assistance

C. What is Positive Action?

Employers can take steps to ensure full equality in practice between employees on all of the nine discriminatory grounds.

The Equal Status Acts 2000-2018

The Equal Status Acts prohibit discrimination on the same nine grounds as the Employment Equality Acts, but that discrimination is also prohibited in the provision of goods and services, the provision of Accommodation and education.

Who is protected under the Acts?

The Acts apply to anyone who:

- Buys or sells a wide variety of goods
- Uses or provides a wide range of services
- Provides or uses Accommodation (landlords, tenants, hotels and so on)
- Attends or manages a pre-school, school, or other educational establishment

Clubs such as sports clubs are treated slightly differently under the Equal Status Acts.

‘Reasonable Accommodation’ under the Equal Status Act 2000 - 2018

‘Reasonable Accommodation’ means providing adjustments or facilities to make sure that people with a disability can avail of particular goods and services.

Service providers, educational establishments, and all those addressed by the Acts must do all that is reasonable to meet the needs of a person with a disability.

This involves making reasonable changes in what is done and how it is done where, without these changes, it would be very difficult or impossible for a person with a disability to obtain these goods or services (unless it costs more than a nominal cost). A nominal cost will be different for each person or organisation as it depends on the size of the business and its budget.

The State provides grants for the provision of special treatment and facilities. If the service provider/contractor/sub-contractor is in the private sector, there may be an onus on them to avail of these grants, and the cost of the change would be assessed after these grants have been taken into consideration.

The Safety, Health, and Welfare at Work Act 2005 (Section 8 & 10)

Under the Safety, Health and Welfare at Work Act, an individual with a disability is obliged to disclose if their disability presents a health and safety hazard/risk in the workplace— as they have a duty of care to themselves and others

Section 8 (2) (b): imposes an obligation to outline in HR policies behaviour that will not be acceptable and outline what action will be taken where an employee’s behaviour poses a threat to the H&S of other employees.

Section 10: “If an employee referred to in *subsection (1)* becomes aware that he or she is suffering from any disease or physical or mental impairment which, should he or she perform a work activity referred to in *subsection (2)*, would be likely to cause him or her to expose himself or herself or another person to danger or risk of danger, he or she shall immediately notify the employer concerned or a registered medical practitioner nominated by that employer who shall, in turn, notify the employer.”

Appendix 2: Reasonable Accommodation Request Form



Reasonable Accommodation Request Form

Request for Reasonable Accommodation for an employee with a disability

Employee Name:	
Staff Number:	
Department:	
Head of Department:	

Section 1: Reasonable Accommodation

Please confirm that you would like to request a Reasonable Accommodation put in place for your disability:

Yes/No

Section 2: Declaration of Disability

Please provide the following details in the box provided below (you may attach additional pages if needed):

- Description of your disability (detailed medical information is not required).
- The restrictions/difficulties you encounter or may encounter while carrying out your role; and
- Any suggested accommodations that you think may assist you in carrying out your role

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Section 3: Consent to Share Information

Please confirm that you consent to the information provided in this form being shared with the relevant parties (if necessary), as outlined in Maynooth University's Policy on the Employment of People with Disabilities. You will be informed prior to any disclosure of information:

Yes/No

Is a Workplace Needs Assessment needed to identify what Reasonable Accommodations could be implemented? Yes/No

Any other relevant information:

Once you have completed all the above sections, please sign and date the below and submit this form to the EDI Office – equality@mu.ie.

Signature of Employee

Date
