Talking toolkit
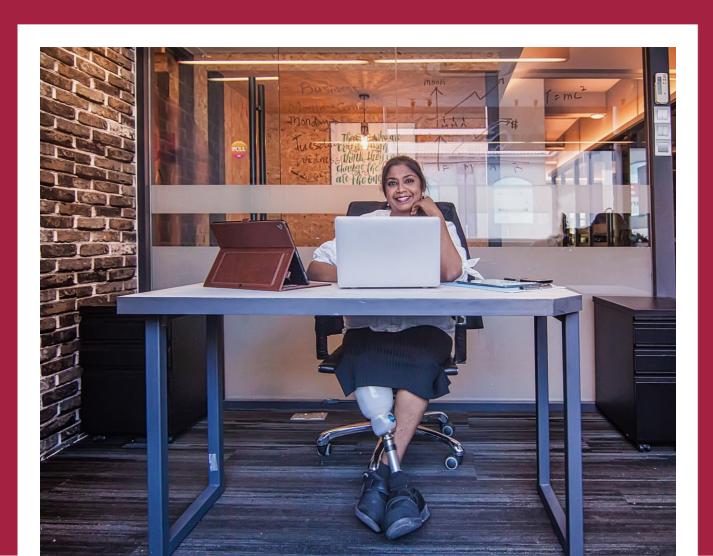
Support disabled workers and workers with long-term health conditions in work

Contents

Introduction

There is a difference in employment rates between disabled and non-disabled people. Many disabled people and people with health conditions who can and want to work are excluded from the workplace.

This talking toolkit is based on a set of principles which represent good practice in supporting disabled workers and workers with long-term health conditions to get into and stay in work.

The principles represent best practice and go beyond what the law requires. Following them will help you to develop a supportive, enabling workplace culture that will benefit all workers.

We will refer to both disabled workers and workers with long-term health conditions as 'workers' in this toolkit.

Investing in worker's health and wellbeing leads to a happier, more productive workforce. This can help you retain talent.

Consider how your workplace can support all workers throughout their employment. Removing obstacles that prevent workers carrying out their duties can help people remain and thrive in their role. This can have significant, positive impacts on an individual and your business.

Advice on specific conditions

This guidance is designed to help support all workers. If you want advice on specific conditions, the [NHS England site](#) has this.

Have practical conversations with workers

This talking toolkit will help you apply the principles and can help you recruit, retain and progress workers. It includes questions you can use to start practical conversations with workers.

To support workers, the templates in the toolkit focus on some of these principles:

- Create a supportive and enabling workplace culture
- Take an inclusive approach to workplace health
- Understand the work barriers that impact on workers
- Make suitable workplace adjustments or modifications
- Support sickness absence and return to work

You do not have to focus on each principle in every discussion with your worker.

You can use questions from different principles for wider conversations with your workers.

Managers, supervisors and owners

There are two other principles which are primarily aimed at organisations and managers, supervisors and owners. We will refer to these as 'managers' in this toolkit. These principles are:

- Develop skills, knowledge and understanding
- Use effective and accessible communication

Adopting the principles can create opportunities for workers and ensure they have the support to thrive at work.

Develop skills, knowledge and understanding

Developing your own and your managers' skills, knowledge and understanding can help support workers. It is important that they have this understanding, as workers often access information about what is available and your organisation's practices through their manager.

A trusting relationship between managers and their workers is important to:

- help workers reach their potential
- keep workers in your business
- support return to work after sickness absence

Managers can often spot changes in behaviour or performance. This may show that a worker needs support. Some situations can be complex and unique to an individual. Managers should have the knowledge to point workers to information on workplace practices.

Training and development
Make sure managers always have access to formal training plans. This will help them develop their skills and knowledge throughout their employment.

Your instruction, information and training for managers should include:

- HR policies/procedures
- health and safety policies/procedures
- disability awareness
- generic management skills
- mental health awareness
- communication skills

Encourage your managers to do continuous professional development. This will help them to keep skills and learn new ones.

Encourage good management behaviours

Encouraging managers to apply good management behaviours, like:

- being open, fair and consistent
- managing conflicts and problems
- providing knowledge, clarity and guidance
- building and sustaining relationships
- supporting development
- challenging and addressing poor behaviour in peers or workers

Talk to your workers regularly. This will help you understand if you need to improve anything at work.

Provide support for managers

You need to make sure managers have appropriate support. Think about how managers can access additional training or advice if they need to. You can provide this internally or externally, or point to free resources online.

- The Disability Confident scheme supports and recognises businesses that are actively inclusive in their recruitment and retention practices. There is a practical guide for managers (www.gov.uk/government/collections/disability-confident-campaign).
- ACAS has a disability at work hub for employers, managers, workers and job applicants (www.acas.org.uk).

Use effective and accessible communication

This can involve:

- making sure information is in an accessible format
- communicating in a timely manner so workers understand their rights and responsibilities
- making sure information is current and practical

Communicating in an effective and accessible way can:

- make workers feel supported, valued and more confident
- support a worker's return to work during sickness absence, when keeping in touch

Provide accessible communications

Your communication on workplace practices needs to be:

- accessible
- clear
- concise
- easy to understand

Consider the format, medium and content of any communications. Make sure it is inclusive for all your workers. For example, think about using:

- British Sign Language
- Easy Read
- audio to text
- sufficient contrast levels between background and text
- formats accessible to screen readers/voice-overs and other assistive technology

Consult worker representatives and any disability groups in your organisation.

Encourage good communication

Encourage open dialogue between managers and workers as part of routine working practices.

Managers should always be sensitive and keep conversations with workers confidential.

Make sure managers only share information when this:

- is agreed in advance with your worker
- complies with data protection requirements

Provide support for managers

You need to make sure managers have appropriate support. Think about how managers can access additional training or advice if they need to. You can provide this internally or externally, or point to free resources online.

GOV.UK has information on accessible communication formats (www.gov.uk/government/publications/inclusive-communication/accessible-communication-formats).

How to use this talking toolkit

Starting a conversation is an important first step towards supporting workers.

Managers can use this toolkit to help them start simple, practical conversations with workers.

The toolkit has five templates for five different conversations, designed to get managers and workers talking about any possible issues.

For each conversation, there is a series of questions the manager can use to start discussions with a worker.

There is no strict format for these conversations, or how managers should conduct them, and the layout of the toolkit is not prescriptive. The conversations could focus on just one topic or cover all five.

The conversations can fit into an existing one-to-one or a new meeting.

The toolkit relies on both managers and workers being open and honest. Managers should listen to what is being said and agree action points with the worker.

Conversation One: Create a supportive and enabling workplace culture

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How your workers should feel:

- They are treated fairly and consistently and are valued
- Workplace policies and procedures support them to do their job well
- They are supported by their employer in an inclusive, diverse, safe and enabled workplace
- They can talk openly about obstacles and barriers in the workplace and are actively encouraged to do so
- They can talk to their manager about how the work setup impacts on their ability to do their job
- Managers demonstrate the right behaviours and actions, applied consistently

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Before you talk with a worker, think about the points listed on this page. Having the right culture in your workplace can support and enable your workforce.

Think about workplace practices, these are the policies, procedures, arrangements and rules you use in your business. Are they inclusive and enabling for workers?

Be a supportive employer

- Make sure workers' health, safety and inclusion is a core management priority.
- A supportive workplace culture can benefit the entire workforce.
- Managers should show the right behaviours and actions and apply them consistently and fairly.
- Have a consistent and proactive approach to all workers' health and wellbeing.
- Work with worker representatives or staff disability networks.
- Managers need the skills to listen and empathise with workers. They need to understand what might affect them both in and outside work.
- Recognises and enable good people management.
- Support both managers and workers to challenge poor behaviours. This includes non-diverse and discriminatory practices.
- Supported managers and workers are more likely to feel safe, comfortable and confident to talk about barriers and obstacles in the workplace that prevent them from thriving in their role.
- Consider potential barriers and obstacles in the design of jobs and the workplace.

Make sure your practices are supportive and enabling

- Make sure any practices in your organisation are clear and accessible, applied consistently, explained to new starters and refreshed with existing workers.
- Respect workers' privacy, confidentiality and dignity in all workplace adjustments and practices.
- Take action to understand, remove or reduce barriers that put disabled workers at a disadvantage.

Sign up for the Disability Confident scheme

You can show your commitment to equality by progressing through the levels of the Disability Confident scheme. This supports employers to make the most of the talents disabled people can bring to your workplace.

The [Disability Confident scheme](#) can help you:

- challenge attitudes towards disability
- increase understanding of disability
- remove barriers to workers
- ensure workers have the opportunities to fulfil their potential and realise their aspirations

Go through the following questions with your worker or team

The conversation you have with your worker or team may highlight you are not doing enough to support and enable workers and prompt you to put better practices in place.

What can we do to support you to reach your full potential?

This could be from senior leaders to colleagues and managers; do they promote a can-do, positive culture?

What opportunities do you have? Do you feel these are the same as for other workers?

Think job advertisements, expressions of interest, professional development, overtime etc.

Do you feel consulted on changes that affect your work? Do you feel any contributions would be taken into consideration?

Think changes to team structures, leaders, working hours, targets etc.

Do you feel able to raise any concerns that you may have in a safe way? Do you feel confident something will be done?

This doesn't have to be your manager or supervisor; think of support groups, colleagues/ peers, networking groups, Employee Assistance Programmes, trade unions. Think about where you are having the conversation and how workers can raise concerns privately.

What improvements do you think could be made to help with any of the concerns you have raised?

Record any actions and agree a date to respond or update.

CIPD guidance on managing and supporting employees with long-term health conditions gives information on managing workers with long-term health conditions (www.cipd.co.uk).

The NICE guidelines on workplace health have advice on workplace culture and practices (www.nice.org.uk)

Conversation Two: Take an inclusive approach to workplace health

How your workers should feel:

- Your practices are inclusive
- Practices are are applied consistently and fairly
- The workplace is safe and engaging
- Your practices help identify, understand and address workplace barriers

Inclusive workplace practices will help you recruit, retain and make the most of the abilities of disabled workers and those with long-term health conditions.

In your business, workplace practices are inclusive:

- policies
- procedures
- arrangements
- rules

Workplace practices which are inclusive can provide business benefits. These include increased productivity, a bigger talent pool, greater creativity and innovation.

Design an inclusive workplace

- Design your workplace so it is inclusive to everyone who accesses it, for example workers and sub-contractors.
- Make sure nobody is at a disadvantage. Everyone should be able to deliver their work effectively, safely and efficiently. Any changes can be appropriate to the size of your business.

Provide accessible workplace practices

- Your workplace practices should be accessible, clear, concise and easy for all of your workers to understand. They should help you to identify, understand and address workplace barriers.
- Apply practices consistently and fairly.
- Modifications can vary, for example an appropriate modification could be disability leave or flexible working.
- Provide timely responses to requests for workplace adjustments. For example, acknowledge them within two weeks.
- Monitor and review workplace practices. This can help ensure you apply them appropriately, proportionately and they remain fit for purpose.

Raise awareness and promote inclusive practices

- Role modelling and disability champions can endorse inclusive practices.
- Raise awareness of internal and external support available through health promotion activities. This could include training on stress management or visibility of your peer support network.

Provide additional advice

- Provide access to competent advice, where your business may need help to develop a solution to a complex situation.
- This could come from the Access to Work scheme, employee advice schemes, HR or an occupational health provider.

Access to Work

Access to Work can help a worker get or stay in work if they have a health condition or disability.

The support they get will depend on their needs. Through Access to Work, they can apply for:

- a grant to help pay for practical support with work
- support with managing mental health at work
- money to pay for communication support at job interviews

Go through the following questions with your worker or team

The conversation you have with your worker or team may highlight you are not doing enough to manage your workplace inclusively and prompt you to put better practices in place.

Do you feel that we apply our workplace practices, such as those on discrimination or inappropriate behaviour, consistently and fairly to all workers? Is there anything we can do better?

Thinking about your job, the workplace and things you do, are there any barriers or obstacles that get in the way or impact on you or colleagues?
If so, tell me about them.

Has anything about your job, workplace or activity changed, which means we need to alter or adjust our workplace practices?

Do you have any concerns about the inclusivity of the workplace? Do you know where you can get help and support if you have a concern or problem at work?

Are you made aware of where to get information on this and who to speak to about different concerns?

What improvements do you think could be made to ensure work does not cause any issues that may impact on workers' health?

This could be in relation to your line manager or your organisation.

Set a date to revisit these proposed changes where appropriate

CIPD guidance on supporting employees with long-term health conditions gives information on managing workers with long-term health conditions.

Access to work can help workers with a physical or mental health conditions get or stay in work.

Conversation Three: Understand the work barriers that impact on workers

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How your workers should feel:

- Supported to thrive in their role and in the workplace
- Trust that you are taking steps to remove obstacles and barriers to work
- Accommodated and supported at all stages of their work life
- Supported to do more, rather than highlighting what they can't do

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Talking to your workers about barriers and obstacles can give you a shared understanding of how these affect all aspects of work. This impact can be on recruitment, onboarding, starting work and throughout someone's work life.

Understanding what could prevent workers fulfilling their role, or removing obstacles, can:

- help you recruit and retain people
- enable workers to thrive in their role and the workplace
- increase existing workers' trust in your organisation
- make workers feel supported to do more, rather than highlighting what they can't do
- improve your knowledge and understanding of how you could run your business and give you different perspectives

Identify barriers to work

Encourage workers and managers to have conversations about barriers, so they understand them. Barriers can include:

- physical, like access into and around a building, videoconferencing without subtitles, IT that doesn't support text reading
- organisational, like having rigid sickness absence policies or performance targets
- attitudinal, such as assumptions and bias-based exclusion from activity
- social, where workers are excluded from an activity because of other people's preconceptions

Find solutions to remove barriers to work

Empower workers to suggest and define solutions which:

- suit their situation
- are tailored to their specific working circumstances, rather than having to accept generic resolutions

Make sure you provide access to suitable advice for workers whose individual situations are complex. For example, you could use the Access to Work Scheme or occupational health services.

Go through the following questions with your worker or team

The conversation you have with your worker or team may highlight when you are not doing enough to understand the barriers they may be facing.

Are there any obstacles or barriers in the workplace that make it more difficult for you to do your job? If so, what can be done to tackle them?

Think broadly about all aspects of the job, physical (eg steps within a building), organisational (eg working practices or work itself), attitudinal (eg assumptions and bias), culture/behaviour, expectations/demands, access to the right equipment or social barriers (eg loss of participation) and what can be done to tackle these?

What are the things we can tackle within our team and what are the areas where we need to seek further advice?

Do you know how to raise a concern about barriers in the workplace? Do you know where you can get help and support if you have a concern or problem at work?

Are you made aware of where to get information on this and who to speak to about different concerns? For example have you been told about available services such as employee assistance or occupational health?

How do you feel it would be tackled if you did raise an issue?

What improvements do you think could be made to make the workplace more accommodating for its workforce?

Think back to the types of barriers.

Set a date to revisit these proposed changes where appropriate.

Conversation Four: Make suitable workplace adjustments or modifications

How your workers should feel:

- The workplace is safe and inclusive
- Comfortable to disclose a health condition or disability
- They are aware of and have access to adjustments or modifications
- They are properly consulted about any adjustments or modifications

Talk to your workers about workplace modifications or adjustments (including reasonable adjustments). This can allow them to perform at their best by removing barriers that are:

- physical
- organisational
- attitudinal
- social

You have a duty to make reasonable adjustments to ensure that services are accessible to disabled people as well as everybody else. If you don't, a worker may be able to make a claim in an Employment Tribunal.

Talk to workers about adjustments

- Workplace adjustments or modifications can help make the workplace safe and comfortable for a worker. These can also help address barriers that stop workers performing at their best.
- Talk to your worker and agree what adjustments or modifications would help them thrive in the workplace.
- Make sure any adjustments are effective and sustainable. This may involve different workplace adjustments for workers with similar impairments.

Choosing the right adjustments

- Provide timely responses to requests for workplace adjustments. For example, acknowledge them within two weeks.
- Usually, it costs less to put a workplace adjustment in place than to recruit and train a new member of staff.

- Most common workplace adjustments are not expensive. For example, you can use alternative work patterns, assistive software, phased return to work or alternative communication formats.

Interim arrangements

- Depending on how long a modification could take, consider interim arrangements. For example, consider disability leave or temporary redeployment into a different role.

Provide additional advice

- You should provide access to suitable advice for workers whose individual situations may be complex. For example, you could use the Access to Work scheme and occupational health services.

Reasonable adjustments passports

- Record agreed workplace modifications or adjustments in a 'passport'. This can help when workers move jobs or change line managers.
- Passports can avoid you duplicating work and make sure adjustments are maintained.

Talk to other workers

- You can explain someone's workplace modifications or adjustments with their consent. This can help other workers understand the reasons for adjustments. This will mean they can support colleagues where appropriate.

Review workplace modifications

When the work activity or workplace changes, review any workplace modifications. A worker may tell you their circumstance have changed. If so, review modifications to make sure they are still fit for purpose.

Go through the following questions with your worker or team

The conversation you have with your worker or team may help you to support and enable workers in your workplace. You can use this in planned one-to-ones, a review or in a focused meeting about development.

Do you have any workplace adjustments or modifications in place? Are they captured in a workplace adjustment passport?

If so, was/were the adjustment(s) agreed with you, were you consulted about possible options and review dates?

If not, do you feel you may need one, to remove any barriers preventing you from reaching your full potential? Do you know how to initiate the process?

Do you feel you are involved in identifying and agreeing what the adjustments might be?

If you feel a decision taken on a request is unreasonable, do you know where to escalate the issue?

Are you aware of support you can get from trade unions, Equality and Human Rights Commission (EHRC) or the Advisory, Conciliation and Arbitration Service (ACAS)?

What improvements do you think could be made to the way this organisation applies workplace adjustment practices to better support you or other workers?

Set a date to revisit these proposed changes where appropriate.

The TUC has guidance on reasonable adjustments disability passports (www.tuc.org.uk).

EHRC has advice on workplace adjustments (www.equalityhumanrights.com).

Acas has guidance on work and employment law advice (www.acas.org.uk).

Access to work (www.gov.uk/access-to-work) can help workers with a physical or mental health conditions get or stay in work.

Conversation Five: Support sickness absence and return to work

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How your workers should feel:

- Supported during sickness absence
- Helped to return to work, with any adjustments they need
- Involved in their return to work plan

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When someone is off work on sickness absence, early intervention reduces the risk of them eventually stopping work altogether. This risk increases the longer a worker has been off sick and you may be liable to pay statutory sick pay.

Returning to work can be a part of a worker's rehabilitation and longer-term health. Tailored support can increase the chances of a worker returning to and remaining in work.

Make contact during sickness absence

When a someone is on sickness absence, make sure:

- an appropriate person contacts them, to check on their wellbeing
- you contact them to help them feel valued and kept in touch with what's happening while they are away from work
- you consider the reason they are off work. Think about appropriate timing, for example consider hospital treatment or appointments
- you contact them in the first four weeks they are off work
- an appropriate person reaches out to the worker to agree the best way to keep in touch if nobody has contacted them early in their absence. This should be someone the worker trusts and has a positive relationship with
- whoever contacts them is supportive, empathetic and focuses on the worker's wellbeing
- you are flexible and agree how often you will communicate. This could be through calls, messages, home visits or visits to the workplace. If a worker sees the contact as too frequent or intrusive, it could seem to be a punitive reaction to the absence

Provide occupational health support

If you can, provide access to occupational health services if needed. Occupational health services can:

- help with workplace assessments and adjustments
- advise on referral to rehabilitation and support services
- advise on returning to work
- help promote good health

If you don't have access to occupational health services

Encourage workers to contact their GP or another healthcare professional, they can refer workers to support services. Healthcare professionals are also responsible for issuing Fit Notes.

Agree a return to work plan

Agree a suitable return to work plan with your worker. You should prepare this before they come back to work, with their input and agreement. Incorporate any relevant advice from healthcare providers and occupational health services.

- Make sure the return to work is sustainable by continuing to make adjustments, for example for fluctuating conditions, adapting sickness absence trigger points when you need to or using disability leave.
- Use phased returns to help a worker gradually come back to work in a supported way. Workers may not need to be back to their normal levels of activity to come back to work. A supported return can help their recovery.
- Review risk assessments for workers if their absence was caused by work-related injury or ill health. You may need additional workplace adjustments.

Go through the following questions with your worker or team

The conversations you have with your worker or team may help you to highlight when you are not doing enough to support sickness absence or a return to work.

You can use them in planned one-to-ones, a review or in a focused meeting about development.

Conversation 1: As part of regular check-ins with workers, or evidence gathering for review of internal practices

Do you understand how our sickness absence procedures affect you? Do you know where to find them?

Are they clear and easy to understand? Are they fair? Can they be tailored to reflect a diverse workforce where necessary?

Does the organisation offer enough support to workers to help reduce or manage ill health in the workplace? If not, what improvements could we make? Have we given you enough support at work and is there anything else we can do for you?

Think about workplace modifications or adjustments, support/networking groups, health promotion opportunities and activities, awareness campaigns, open, inclusive and accepting cultures.

Do you feel our workplace sickness absence procedures would support you appropriately throughout and during any return-to-work periods?

Is there anything we could do to improve our sickness absence procedures?

Think of options for disability leave where appropriate, using phased returns to work, more flexible and supportive practices where appropriate, access to occupational health or assistance programmes (either directly, or via a GP), do we sufficiently support workers with fluctuating conditions?

Set a date to revisit these proposed changes where appropriate.

Go through the following questions with your worker or team

The conversations you have with your worker or team may help you to highlight when you are not doing enough to support sickness absence or a return to work.

You can use them in planned one-to-ones, a review or in a focused meeting about development.

Conversation 2: If an employer has a worker on sickness absence

How would you like to keep in touch with us while you are on sickness absence?

Think about frequency, types of contact, ensure this is appropriate for the workers and can be agreed between both individuals.

Are you getting the right support from us? Could we/I do anything differently? Is there anything we can do to help you during your absence?

Think about options for disability leave where appropriate, using phased returns to work, more flexible and supportive practices where appropriate, access to occupational health or assistance programmes (either directly, or via a GP), do we sufficiently support workers with fluctuating conditions?

When you are ready to come back to work, how can we help with that?

For example, could we consider returning to work on a phased return with reduced workloads, putting in place some workplace adjustments or modifications, could we reduce working hours temporarily, can we agree a return-to-work plan?

Do you think we need to review any workplace adjustments or modifications which make the workplace accessible for you before you return to work?

Did you have adjustments related to your working pattern, workloads or equipment etc., which has made the workplace accessible to you?

What improvements do you think could be made to the sickness absence procedures to better support staff?

Set a date to revisit these proposed changes where appropriate.

The law

The principles describe best practice. They do not explain the law. But there is health and safety law and equalities law that you must follow.

Health and safety law

Under the [Health and safety at Work Act 1974](), it is an employer's duty to protect the health, safety and welfare of their employees and other people who might be affected by their work activities. This means ensuring, as far as reasonably practicable, that workers and others are protected from any risks arising from work activities. There is [straightforward guidance on how to comply with the health and safety law.]()

The [Management of Health and Safety at Work Regulations 1999]() are goalsetting and require employers to put in place arrangements to control health and safety risks. HSE's [web pages for disabled workers]() have more guidance on this.

Equalities law

The [Equality Act 2010]() provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

It covers workers' rights to be treated equally in employment including when applying for jobs, promotion, reasonable adjustments, equal pay, and retirement. [There is detailed guidance for employers and workers.]()

Other employment law

Under the [Employment Rights Act 1996]() all employees have the legal right to request flexible working - not just parents and carers. Employees must have worked for the same employer for at least 26 weeks to be eligible. [There is detailed guidance for employers on handling requests for flexible working.]()

If a worker has a sickness absence, [The Social Security Contributions and Benefits Act 1992]() and [The Statutory Sick Pay (General) Regulations 1982]() will apply. Your employees may be eligible for Statutory Sick Pay (SSP) for up to 28 weeks, providing they meet the eligibility criteria. There is detailed guidance for employers.

Sources of information

ACAS advice on hybrid working (www.acas.org.uk)

Access to work (www.gov.uk/access-to-work)

Disability Confident (www.gov.uk/government/collections/disability-confident-campaign)

Learning and Development - Business Disability Forum (https//businessdisabilityforum.org.uk)

Managing and supporting employees with long-term health conditions | CIPD (www.cipd.co.uk)

Reasonable adjustments disability passports | TUC (www.tuc.org.uk)

Action summary

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk

You can order HSE priced publications at https://books.hse.gov.uk HSE priced publications are also available from bookshops.

This publication is available on the HSE website at www.hse.gov.uk/www.hse.gov.uk/disability/best-practice/talking-toolkit.htm

This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.