

GUIDELINES FOR THE RECRUITMENT OF PEOPLE WITH DISABILITIES UNDER THE PERSONNEL CONTROL MECHANISM

THE PROPOSAL

The existing Personnel Control Mechanism is the accepted method of managing the growth of Government's personnel numbers, however there are growing pressures for additional staff. Partly to alleviate this, and partly to support the employment of people with disabilities, it has been agreed that their recruitment should be outside the constraints of the Personnel Control Mechanism. This will only apply to employees' recruitment after 1 May 1998 and depending on the nature of the disability it will be in order for specific jobs to be tailored to the needs of individuals.

SCOPE OF THE PROPOSAL

For the avoidance of doubt, the guidelines for the recruitment of people with disabilities will apply to all public service posts.

The accepted definition of disability is:

"A disability is a physical or mental impairment which has, or which has had, a substantial and long term adverse effect on a person's ability to carry out normal day-to-day activities".

Further discussion of the meaning and scope of the above may be found in Appendix One.

SOURCE OF APPLICANTS

People may present themselves in one of two ways:

1. Disabled job applicants apply for vacant posts in the normal way, declaring that they have a disability.
2. The Disability Employment Service will make departments aware of clients looking for employment within Government.

APPROVAL PROCESS

The Disability Employment Adviser (DEA) will co-ordinate and monitor the scheme. In order to be eligible, applicants must have a disability or health problem, which affects the kind or amount of work they can do. An effect must be likely to last for 12 months or longer.

- 1, EITHER the DEA is notified when a Department believes it has an applicant to whom the procedure applies OR the Disability Employment Service notifies Government Departments when it has a client looking for employment within Government.
2. The DEA assesses the applicant. If he (or she) is found to have a disability as defined above, the DEA has the authority to give approval for exemption from the Personnel Control Mechanism.
3. The Department interviews the applicant. The procedure comes to an end if the applicant is found to be unsuitable for the job proposed. If the Department wishes to proceed it notifies the DEA.

4. Normal methods of recruitment and management, together with the usual Conditions of Employment (including the normal rate of pay for the post) will be applied thereafter and will be under the control of the individual Department.
5. The DEA will maintain records of people employed under the procedure and will provide a written report to the Personnel Control Sub-Committee twice yearly (January and July). The report will cover the numbers of people employed under the procedure, perceived benefits, difficulties encountered and measures taken to deal with them, and other matters of interest.
6. One of the possible consequences of introducing the above policy on the recruitment of people with disabilities could be a request from Government Departments for increases in their financial targets to pay for specialised equipment and/or physical adjustments to their work places and means of access. The Personnel Control Sub-Committee of the Council of Ministers has agreed that Departments should meet any such costs from within their existing budgets. However, where this would prevent an appointment being made, the Treasury will give consideration to additional funds being made available. In those circumstances the Chief Executive of the Department should discuss the matter with the Chief Financial Officer prior to the Department interviewing the applicant.

Please note: The Department of Trade and Industry has introduced the Special Assistance (Employment and Self-employment) Scheme 1998. This provides generous financial and practical assistance to disadvantaged people in the Island's labour market, particularly to those with disabilities, and both private and public employers are eligible to apply.

APPENDIX ONE: DISABILITY - A WORKING DEFINITION

A disability is a physical or mental impairment which has, or which has had, a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

Impairment covers sensory losses (sight or hearing), physical impairments, and mental impairments.

Substantial means something which is more than minor or trivial. This reflects the general understanding of disability as a limitation which goes beyond the normal differences in ability which exist among people.

A **long-term** effect is one which has lasted for 12 months or longer, or which is likely to last for the rest of a person's life. If the effect ceases, it should be treated as continuing if it lasted for 12 months or longer, and it is more probable than not that it will recur - for example, rheumatoid arthritis (which can go into remission). A condition whose effects are substantial but non-existent (or virtually non-existent) for the overwhelming majority of a person's life would not be included - for example, hay fever.

Normal day-to-day activities are those which are carried out by most people on a regular and frequent basis, i.e. those requiring:

- mobility
- manual dexterity
- physical co-ordination
- continence
- the ability to lift, carry or move everyday objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- the perception of risk of physical danger.

A **learning disability** is covered if it has a substantial and long-term effect on the ability to carry out normal day-to-day activities.

Mental illnesses are covered if they are clinically well recognised. This will include schizophrenia, manic depression and severe or extended depressive psychoses. Mood disorders, mild eccentricities, psychopathic and anti-social disorders, and addictions are excluded.

A **condition whose effects are controlled or corrected, but the impairment is not cured** by medicine, equipment or other means is still covered by this definition - for example, schizophrenia. An exception to this would be a visual impairment which is corrected by wearing ordinary spectacles or contact lenses.

Progressive conditions like multiple sclerosis, cancer, muscular dystrophy and being HIV positive are covered if and when there is any effect on a person's ability to carry out normal day-to-day activities. Being diagnosed as having specific genetic conditions will not be cause for inclusion until a condition expresses itself.