

# Organisations' responses to the Disability Discrimination Act

## 2009 study

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This research explores how organisations are responding to the provisions of the Disability Discrimination Act (DDA) 1995 and 2005. Part 2 of the DDA covers the employment and recruitment of disabled people, and the treatment of disabled elected members by locally electable authorities. Part 3 of the DDA covers the provision of goods, facilities, services and premises to members of the public, public functions provided by public bodies, and larger private members' clubs.

### Method

The research utilises quantitative and qualitative methods, and builds on similar studies carried out in 2003<sup>1</sup> and 2006<sup>2</sup>. The quantitative survey was based on 2,000 telephone interviews and was conducted at establishment level in Great Britain. For analysis purposes, the survey data were weighted to be representative by country, establishment size and Standard Industrial Classification (SIC). The qualitative study consisted of 97 in-depth interviews, mostly at establishment level, covering the five DDA duty groups included in this research:

- employers;
- locally electable authorities;
- goods and service providers;
- public bodies; and
- larger private clubs.

### Awareness and understanding of the DDA Part 2

One-fifth of employers (20 per cent) were able to spontaneously name the DDA and a further 49 per cent were aware of some legislation related to employment but were unable to name it. Just under one-third did not know of any such legislation (30 per cent). Employers interviewed in the qualitative research were often aware of the spirit of the DDA even though some were unable to name it. Overall awareness of Part 2 of the DDA has fallen slightly but significantly since 2006.

The survey found that just under one-third of locally electable authorities knew of the DDA (32 per cent), and a further 19 per cent knew that disability legislation existed.

### Recruiting disabled people

The survey found that the most common change in practice to accommodate disabled job applicants was providing disability awareness information for staff involved in recruitment, followed by checking at interview whether an applicant would need adjustments, if appointed to the job. Making an adjustment to enable applicants to apply or to attend interviews was less common. The employers interviewed in the qualitative research reported that there had been little demand for adjustments to be made at the recruitment stage.

<sup>1</sup> Robert. S, et al. (2004), *Disability in the Workplace: Employers and Service Providers Responses to the DDA in 2003 and Preparation for the 2004 Changes*. DWP Research Report No. 202.

<sup>2</sup> Simm. C, et al. (2007), *Organisations' responses to the Disability Discrimination Act*. DWP Research Report No 410.

## Employing disabled people, and making employment-related adjustments

Thirty per cent of surveyed employers were currently employing a disabled person, and 42 per cent had employed a disabled person in the last ten years. Sixty-one per cent of employers surveyed had made an employment-related adjustment for a disabled employee in the past, or planned to do so. There has been a statistically significant fall since the last survey (the figure was 70 per cent in 2006). Flexible working time or working arrangements were the most commonly reported employment-related adjustments (53 and 50 per cent respectively). Almost half had adapted the work environment, or had provided accessible parking. The qualitative interviews revealed that, in a few cases, employment-related adjustments had been made for new employees, but in most cases they had been made for existing employees, in response to specific needs.

## Locally electable authorities, and making adjustments

The survey found that many locally electable authorities had made adjustments, but the qualitative research revealed that many of the adaptations to premises had been made to benefit employees and service users, although they could also potentially benefit elected members.

## Impact of the DDA Part 2

Some employers cited the existence of the DDA as a driver for making employment-related adjustments (43 per cent) but this was rarely the only reason given. Where no employment-related adjustments had been made, this was usually because the respondent reported that there had been no demand for them, or that the necessary arrangements and adjustments were already in place.

## Awareness and understanding of the DDA Part 3

Spontaneous awareness of Part 3 of the DDA among goods and service providers has declined slightly but significantly since the 2006 survey, although a similar level of general awareness of disability legislation has been retained (59 per cent knew that legislation existed, but only 19 per cent could spontaneously name the DDA). Public bodies were aware of the employment and goods and service provision duties, but few knew of, or understood, the DDA public functions duties. Among private clubs, there was a general appreciation that legislation existed (or probably existed) to protect the rights of disabled people, but few clubs knew more than this.

## Making service-related adjustments for customers, clients and service users

Eighty per cent of all goods and service providers surveyed had made at least one service-related adjustment or planned to do so. This proportion has fallen significantly since the 2006 survey. The most commonly reported adjustment in 2009 (by 59 per cent of goods and service providers) was a change to the physical accessibility of their service, including adaptations to premises, such as ramps, accessible toilets, and providing accessible parking spaces. The qualitative research found that many of these adaptations to premises had taken place as part of a general refurbishment or renovation.

Thirty-four per cent of goods and service providers surveyed had made adjustments to communication methods, and 45 per cent had made changes to the way services were provided. The main reasons for making service-related adjustments were:

- that it was the ‘right thing to do’;
- that it made good business sense;
- to comply with legislation; and
- as a result of corporate social responsibility.

Public bodies had made a wide range of adjustments for their customers, clients and service users. Many private clubs had made adjustments for their members, including physical adaptations to premises when there was a need or request for these, despite knowing little about the legislation.

## Impact of the DDA Part 3

Sixty-six per cent of service providers (including public bodies) in the survey said that they would have made all of the adjustments without the legislation, and a further 17 per cent would have made some, so legislation was rarely the only reason for making adjustments. However, the DDA had helped to drive forward action in this area, particularly regarding making the more costly adaptations to premises.

Private clubs usually saw the adjustments they had made as being common sense and worthwhile, in order to serve their members. The legislation appeared to have had little impact on their activities in this area although there had been a few cases where the DDA had been at least part of the impetus for taking action.

## Awareness of the Equality Act 2010

The quantitative survey found that fewer than three in ten employers were aware of the (then forthcoming) Equality Act (29 per cent). Just over half of the local authorities surveyed had heard of the Equality Act (55 per cent). Awareness of the forthcoming Equality Act was higher among public bodies; almost half of these survey respondents knew of the Act (44 per cent). There was very little awareness of the Equality Act among private clubs.

## Impact of the recession

To date, the recession had not impacted on employers' ability to make adjustments, but some thought that it might do so in the future. Some local authorities said that their provision for disabled elected members would not change, but others

reported that the budget for making adjustments had already been affected. Some goods and service providers had been badly affected by the recession, but many thought that this would not affect their services to disabled customers. A small number of service providers said that the recession might alter what they considered to be 'reasonable' in relation to making adjustments in the future. Public bodies expressed similar views. A few private clubs reported that they were less able to make planned or potential adaptations to their premises, as a result of the recession.

## Advice and information

The majority of employers surveyed had not sought any advice on the employment of disabled people (69 per cent). Most locally electable authorities had sought advice on disability issues, although few had sought specific advice on providing services to their disabled elected members. Private clubs were more likely to have received information on disability issues and relevant legislation, than to have actively sought it.

The full report of these research findings is published by the Department for Work and Pensions (ISBN 978 1 84712 832 4. Research Report 685. September 2010).

You can download the full report free from:  
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