

EXTENSION OF THE DISABILITY DISCRIMINATION ACT (DDA) TO POLICE OFFICERS

INTRODUCTION

1. This report is the fourth in a series of reports which update members on the impact on the Force of the extension of the DDA to police officers.

BACKGROUND

2. The protection of the DDA was extended to Police Officers on 1 October 2004. The Act makes it unlawful to discriminate against an individual on any grounds related to disability. In addition it places an obligation on the Force to make 'reasonable adjustments' to enable disabled police officers to carry out their role effectively and to enable applicants for the role of police officer to compete in the selection process on an equal basis to a non-disabled candidate.
3. Disability is defined as a 'physical or mental impairment with long term substantial effects on ability to carry out normal day to day activities'. Long term means 'at least 12 months' and 'normal day to day activities' are deemed to be those that the majority of people carry out every day opposed to specific activities that a police officer may carry out in the course of their duties.
4. The last update was submitted to the Personnel Committee in July 2005, this report refers to the subsequent 12 month period.

RECRUITMENT

- 5 i. As a result of National direction, in October 2004, the medical assessment was moved to the end of the process to ensure that an applicant's medical condition would not affect any decisions within the assessment process. This has resulted in applicants waiting longer to hear whether their application has been successful. Previously the wait for the medical overlapped with other parts of the selection process where as now it is a pure 'add-on' at the end,
- ii. Reasonable adjustments have been made at assessment centres for a further four candidates who were dyslexic (six in 04/05). As they required more time to read briefs they could not be put in a syndicate with other applicants where exercises are completed within a strict timescale. As syndicates normally consist of four candidates, three places were lost for every dyslexic candidate. Therefore this year twelve places, with associated costs, have been lost which equates to half the numbers of a full morning assessment centre.

STUDENT OFFICERS

- 6 i. This year one dyslexic student officer was provided with reasonable adjustments again utilising the Dyslexia Institute. The officer has since completed his training and has been confirmed in the rank.
- ii. A dyslexic student officer for whom reasonable adjustments were made in 04/05 was still unable to achieve independent patrol despite extensions to his training period. Therefore, although as a student officer he was outside the scope of the Career Break Scheme, a break was approved in order for him to attend a full-time English college course. He is due to return to Force in September to recommence his training.
- iii. The Student Officer Practice Direction has been reviewed to incorporate the requirements of the DDA including that disability be taken into account when considering the possible discharge of a student under Police Regulation 13.

CADETS

7. A cadet for whom reasonable adjustments were applied in 04/05 is due to complete his programme in September 2006 and will be eligible to apply to join the Regular Force.

PROMOTION ASSESSMENT CENTRES

8. Reasonable adjustments were made for one officer at the constable to sergeant assessment centre. The officer who is dyslexic was given extra time for exercises involving reading and writing. No additional costs were incurred and there was no disruption to the process.

POSTINGS ON PROMOTION

9. No adjustments have been necessary in relation to postings on promotion.

RESTRICTED DUTIES

10. At the end of March 2006 28 police officers ie 1% of strength were assigned to restricted duties. Although they are unable to undertake full police duties they may not necessarily be disabled within the DDA. All are assigned to police posts with none over or above establishment. These numbers are known to be some what less than those in neighbouring forces (West Yorkshire 7.49%, Durham 4.42%, Cleveland 7.5%).

OCCUPATIONAL HEALTH

11. i. Referrals to the section to establish if an officer is disabled under the act, particularly in relation to CRTP's (Competency Related Threshold Payments) and SPP's (Special Priority Payments) , are now very rare.
- ii. Although small in number some pre-employment applications are both complex and time consuming, often requiring GP and Consultant reports.

- iii. Dyslexia continues to be one of the main areas of disability encountered particularly amongst new recruits but systems to identify, assess and manage this condition have improved.
- iv. Mental ill health cases require the greatest input because of the potential conflict between operational necessity and police medical standards.
- v. Expertise in the area of disability has grown in the Occupational Health Section as a result of cases handled and the development of employment law cases.

GRIEVANCES AND EMPLOYMENT TRIBUNALS

- 12 i. There have been no grievances this financial year related to disability discrimination.
- ii. 05/06 saw two employment tribunals claims withdrawn following receipt of medical reports, one concerned CRTP the other SPP. In addition one other has also been withdrawn.
- iii. One employment tribunal claim submitted in April 06 remains live.

RECOMMENDATIONS

- 13. It is recommended that Members consider the issues outlined in the report in particular the impact of the DDA in terms of both increased workload and monetary cost.

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Ref: PERS/MSU/SM/WS
Background papers: none