

Workplace disability discrimination: guide for members

Experiencing workplace disability discrimination?

What should I do if I think that I have been discriminated against?

- Gather all the written evidence that you have, for example, job adverts, letters, emails and relevant screenshots. Keep a diary of all incidents of less favourable treatment including dates, times, places, the names of any witnesses and your response to the conduct or behaviour.
- Remember that disability discrimination is not always obvious. Indirect discrimination is when an employer has a policy or practice that applies to workers which disadvantages people with a certain disability, compared with people who do not have a disability.
- Discuss your concerns with your workplace rep. Your colleagues may have made similar complaints and you may be advised to tackle the issue with them collectively.
- You or your rep might decide to contact the NEU for further advice. The union will be able to advise what steps you should take. You may be advised to lodge a formal grievance or to lodge a collective

grievance with your colleagues. This may resolve the issue. In rare cases you may be advised to take the matter to an employment tribunal.

What if the discrimination or harassment has made me ill?

- Keep a record of how you believe discriminatory treatment or harassment has affected your health, eg your symptoms and any absences from work. You are advised to see your GP and to let your employer know in writing that the treatment at work is affecting your health. The union can help you write this letter.
- If you believe that the stress of discrimination or harassment at work has led to depression, an anxiety disorder or psychosis, you may be suffering from a recognised psychiatric illness. If so, you should seek immediate advice from the union and from your GP.

What if the employer treats me worse after I have raised the issue?

- Your employer must not subject you to detrimental treatment in retaliation or as punishment for raising a complaint of discrimination. Such treatment is called



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'victimisation' and is prohibited by the Equality Act.

- Speak to your rep, branch or district secretary or the NEU Advice line (advice@neu.org.uk, 0345 811 8111) as a matter of urgency.

What more can I do to protect myself and colleagues from discrimination at work?

- Employers in the education sector have a statutory duty to be proactive in eliminating discrimination and harassment and promoting equality of opportunity for staff and pupils.
- They must assess the impact of their policies and procedures on the people affected by them and take steps to remove any barriers that come to light where it is proportionate to do so. This includes carrying out reasonable adjustments.
- Contact your workplace rep, branch/district secretary or local equality officer if you want to get involved in reviewing the equality impact of policies and procedures in your workplace.
- If your workplace has no rep, speak to your union group about electing one. Put yourself forward. Information on how you can become a rep is available here: neu.org.uk/get-involved



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neu.org.uk/disability-toolkit