

● **What about fire hazards?**

Risk associated with fire is often a concern for employers when they are thinking of taking on a disabled person. If you have a disability that may present a difficulty during a fire, make certain that the evacuation plan takes into account your particular needs. Discuss these plans with your line manager and ensure that all staff concerned know about the arrangements.

There are also a number of simple adjustments that can help, such as provision of flashing lights as well as auditory devices, establishing a 'buddy' system to ensure wheelchair users get help, named guides for visually impaired people etc.

● **Further details**

Disability Rights Commission (DRC) Helpline

Free advice if you feel you have been treated unfairly.

Open 08:00 to 20:00, Monday to Friday
See back page of this leaflet for details.

See also on the DRC website (www.drc-gb.org/knowyourrights/employment.asp) 'Employment, health and disability – Getting in, staying in and getting on'.

Health and Safety Executive

Information and guidance.
Telephone: 08701 545 500
Textphone: 02920 808 537
Email: hseinformationservices@natbrit.com
Website: www.hse.gov.uk

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<p>If you require this publication in an alternative format and/or language please contact the Helpline to discuss your needs. It is also available on the DRC website: www.drc-gb.org</p> <p>The DRC Language Line service offers an interpretation facility providing information in community languages and is available on the DRC Helpline telephone number 08457 622 633. You can email the DRC Helpline from our website: www.drc-gb.org</p>											
<p>Other leaflets currently available</p> <p>Who has rights under the Disability Discrimination Act 1995 (DDA)? What are reasonable adjustments? Discipline and dismissal Pensions Sick leave, sick pay and medical appointments Redundancy Getting into work – my rights</p>											
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Health and safety



A series of leaflets providing practical advice and information on getting and keeping employment



If you have a disability or a long-term health condition, you are protected both by the Health and Safety at Work Act 1974 and the Disability Discrimination Act 1995 (DDA).

● How does the Health and Safety at Work Act protect me?

Your employer has a duty to 'ensure so far as is reasonably practicable the health, safety and welfare at work of all employees'. This means that they have to carry out a risk assessment of all workers' activities, including the additional risks to certain groups of workers such as disabled people.

If your employer thinks that there is a specific health and safety risk involved in employing you, then, under the DDA, reasonable adjustments need to be considered.

● What can I expect from a risk assessment?

The quality of the risk assessment is critical and your employer may need to use specialist staff. The assessment must:

- focus on you as an individual
- not make assumptions
- consider the facts
- consider the essential elements of your job
- identify the length of time/frequency of any hazardous situations
- get individual specific medical advice
- consult you about how reasonable adjustments can be made
- look at any reasonable adjustment to reduce the risk.

If there is still an 'unacceptable risk', even with adjustments, either to yourself or to others, then the employer has to make a decision about whether to dismiss you. Before doing so, your employer should consider redeploying you to a job you can do, including a more senior one. If this is not possible, then it may be lawful for your employer to dismiss you.

If you are an applicant for employment and your prospective employer wants to offer you a job but has carried out a proper risk assessment which identifies risks to you or to others, reasonable adjustments should be considered. If these would remove the risk, or reduce it to an acceptable level, your appointment should be confirmed.

● What is an 'unacceptable risk'?

The employer needs to conduct a risk/cost benefit analysis to identify what is an acceptable/unacceptable risk, balancing the level of risk against the cost in money, time or trouble in avoiding the risk. This includes the cost, time and inconvenience of dismissing you. If the risk is to others, there are high standards set in law not to expose those people. If the risk is to you, your wishes should be considered in the risk/cost benefit analysis. Your employment may well continue if, after doing everything that's reasonable to reduce the risks to you, your employer is certain that you are aware of the risks and accept them. There must be regular reviews and you must be informed of any changes.