

**Research and Policy Development on Part V of
Disability Act 2005 – Statutory targets on
employment of people with disabilities in the
public sector**

January 2007

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Executive summary

Introduction

This report outlines the results of a National Disability Authority (NDA) research project investigating potential methods for measuring the compliance with the 3% target for the employment of people with disabilities in Public Bodies. The research aimed to:

- Investigate international practice in countries which operate monitoring systems
- Examine the merits of using a self-disclosure system for people with disabilities
- Make proposals for a system of data collection and reporting

The 2005 Disability Act

The 2005 Disability Act puts in place a set of new obligations on Public Body employers and on the NDA in relation to the employment of people with disabilities.

Employers have obligations to:

- Meet the 3% employment target
- Report on an annual basis to the Monitoring Committee of their parent Department in relation to the numbers of people with disabilities in their employment and the measures that they are taking to employ people with disabilities

The NDA have an obligation to compile an annual report from the Monitoring Committees on the employment target and present this to the Minister for Justice, Equality and Law Reform. In addition, they have the power to intervene with Public Bodies in order to promote the employment of people with disabilities.

The Disability Act also sets out a new definition of disability for purposes of defining who should be included in the target. This definition of disability is:

A substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.

It should be noted that this definition differs significantly from previous definitions that may have been used for target monitoring purposes such as that defined in the Equality Act. In particular, a person must have both a significant impairment and an impairment that leads to a restriction in participation. This definition must be used in relation to monitoring the target from the year 2006 onwards.

International practice in relation to quota measurement

The study undertook an examination of the practices of other countries in relation to the monitoring of employment quotas. These countries included European

countries such as Germany and France and also included countries outside of Europe such as Japan. In addition, this part of the study examined the experience of a selection of countries such as the UK, Australia and the US which have monitoring systems but do not operate a legally binding employment quota system.

This part of the study revealed major differences between the Irish and international contexts. Firstly, most other countries that operate quotas do so on the basis of registration systems, i.e. people with disabilities must register with a State Agency in order to benefit from the quota. Only people who are on these registers are counted for purposes of monitoring employment quotas.

Secondly, people who are on these registers must have been medically assessed as having a disability. In this situation, there is no ambiguity with regard to whether specific impairments qualify the person to be counted in connection with employment quotas.

Thirdly, in situations where employers fail to meet the employment quota, many countries operate a system of financial penalties on employers, where they either pay a fine or make contributions to the sheltered employment sector.

By contrast the Irish context does not have a register of disabled people and with regard to the employment target, there is no medical certification required. These characteristics of the Irish context are more similar to those countries that monitor employment rates in the absence of a quota. In these jurisdictions monitoring involves asking employees to identify themselves as being disabled and employers may have to undertake a survey in order to establish the proportion of people with disabilities they employ.

The issue of self-disclosure of disability

While employers are likely to be aware of the disability status of employees where the disability is readily apparent, they are unlikely to have accurate records of the total number of disabled employees they have unless there is some systematic process in place for employees to disclose their disability status. This could either be done anonymously (e.g. through an anonymous survey), or by name. For the purposes of monitoring the target, an advantage of employees naming themselves when they disclose their disability is that it facilitates year-to-year monitoring through tracking whether individual staff are still employed by the body concerned.

The study undertook an examination of the literature in this area and found that self-identification appears to have little effect on the rate of disclosure of people with disabilities. Much more important factors affecting the rate of disclosure include:

- The visibility of a disability
- The conditions under which confidentiality is guaranteed
- The effectiveness of anti-discrimination procedures
- The supportiveness of organisational culture in relation to how people with disabilities are treated
- The grade of the employee and the stability of their employment

Methods of data collection and reporting

Under the 2005 Disability Act, Public Bodies must collect information in relation to the employment target for the years 2006 and beyond. Previous research indicates that a wide range of methods have been used to collect data in the past and that these methods have differed significantly from each other, have not been comparable and have not used the definition of disability provided in the 2005 Disability Act.

For these reasons it is necessary to develop a new method for collecting and reporting data on the employment target. However, it is important to recognise the wide diversity of Public Bodies – they vary in size, the nature of their workforce and in the availability of systems to measure the numbers of people with disabilities in employment. The method to be used takes into account these constraints as well as recognising that the reporting period for 2006 poses special issues due to the short period of time available before reporting is due.

The aim of the methods outlined below is to enable all Public Bodies to monitor the target by means of an Organisational Survey, i.e. where employers are able to examine HR and other records to establish the numbers and changes in the numbers of people with disabilities in employment. However, reaching this aim will involve some intermediate steps. These are outlined below.

Data collection for the year 2006

The data collection process for the year 2006 faces a number of challenges that mean it should be viewed as a special case. Firstly, the definition of disability contained within the 2005 Act is different from those which previously may have been used. Secondly, the data relating to 2006 must be collected and reported upon by the end of March 2007, which leaves only a short time period for implementing the data collection process. For these reasons, a special data collection method has been designed for collecting the 2006 data.

There are two ways in which data can be collected in relation to 2006. These are:

Examination of existing records - Organisations with existing, good quality HR and other records may adjust these in line with the new definition and report these figures. Organisations that adopt this approach must ensure that all ethical issues arising from the use of data have been appropriately addressed. In particular, compliance with the ethical principles of confidentiality, informed consent, respect for the dignity of the respondents and beneficence i.e. the process should not lead to any harm to any respondent. Employees should be informed that they have been listed on record as having a disability and that they have been included in figures on target compliance. Further, they must be asked to validate their disability status according to Disability Act 2005 criteria.

Employee survey - Organisations without existing records or where records have not been appropriately updated should carry out an employee survey. The NDA could provide guidance on the form, content and methodology of such a survey. For example, the short form questionnaire (detailed in the report) can be used. Organisations can use the opportunity provided by the employee survey to update and refine their personnel records to ensure that they are prepared for Stage 2 i.e. the organisational survey.

It is also essential that effort is invested in building system capacity to comply with the requirements of the Disability Act. In parallel with gathering data on 2006, a focus must be maintained on improving the organisational survey that will eventually form the core of the monitoring system and assisting organisations to install the necessary system elements to support valid reporting of results. A

number of ancillary activities should be undertaken to ensure the success of the implementation of the monitoring system in subsequent years. These are:

- The development and implementation of an awareness campaign for employers and employees
- The provision of training to those responsible for operating the monitoring system
- The provision of back-up support to those operating the monitoring system and to the Monitoring Committees
- The development/implementation of supportive policies and practices at the level of Public Bodies
- The preparation and publication of Guidelines on the criteria for inclusion under the Disability Act

Data collection in subsequent years

In subsequent years it is intended to establish a system that allows for consistent and reliable data on employment levels to be collected. This also involves using two methods of data collection. The first (the Employee Survey) involves undertaking a survey of all employees in order to establish their disability status. This will provide baseline data for reporting in subsequent years. It is envisaged that the first such survey would take place at the end of 2007, and every census year thereafter (2011, 2015). The second involves ongoing monitoring of HR processes to establish changes in the number of people with disabilities that are employed (the Organisational Survey).

In the implementation phase, an organisational survey will act as the basis for the monitoring system. The main objectives of the implementation phase are to undertake organisational benchmarking, begin to establish trends in performance, encourage the sharing of good practice and make recommendations to organisations as to how they might improve their performance. In essence the implementation phase represents the first stage of a continuous improvement cycle.

The Employee Survey – Public Bodies need to conduct a survey of all staff in 2007 in order to establish an accurate baseline of the employment rate of people with disabilities. This baseline survey will then be used as a benchmark against which trends and improvement can be mapped. It will also serve to raise awareness amongst employees about the importance of participating in the monitoring process. It is advisable that this survey is carried out on a periodic basis. Data from employee surveys can help improve recording and reporting systems, provide an opportunity to explore additional related issues and can act as a source of validation for existing data sources.

The Organisational Survey – Public Bodies need to install appropriate systems for responding to disability as it arises during the employment process. Specifically, they should systematically record the disability status of applicants, candidates and employees from the beginning of the recruitment process, through the training, development and promotion processes and during the job retention and reintegration processes.

To secure and maintain the confidence of employees in disclosing disability, disclosure should be clearly linked to provision of organisational supports (such as

workplace accommodations) to staff with disabilities. Procedures and policies should also be in place to ensure disclosure does not (nor is it seen to) give rise to negative consequences for any employee.

1 Chapter 1. Introduction

Since the late 1970s, there has been an official target for 3% of the staff of public bodies to be people with disabilities. The 2005 Disability Act put this target on a statutory footing, and gave the National Disability Authority (NDA) responsibility for monitoring and encouraging compliance. Part 5 of the Act sets out the roles and responsibilities of Government Departments, Public Bodies and the NDA in the monitoring process.

The Act requires each Minister to establish a monitoring committee for their area of responsibility. These sectoral monitoring committees will present a report to the NDA and to their relevant Minister by 30 June each year, based on information received from the public bodies under their remit in relation to the employment of people with disabilities. To this end, each public body must prepare a report and present it to the relevant monitoring committee by 31 March of each year.

By 30 November each year, the NDA must report to the Minister of Justice Equality and Law Reform and other Ministers on compliance with the target by each public body, and on any specific actions taken to achieve compliance.

The current project is being undertaken to support the NDA in guiding public bodies in relation to the collection of the relevant information.

1.1 Aims of this project

The project aims to develop the following outputs:

- A data collection tool to provide information on the numbers of people with disabilities employed within public sector organisations. Ideally, this tool should also gather information on type of impairment and a range of other demographic information to enable employers to characterise more accurately the employment situation of employees with disabilities
- A set of guidelines in relation to the disclosure of disability for persons with disabilities
- A set of guidelines for employers which details their obligations in relation to providing this information and the methods that should be used in collecting the data
- A set of guidelines or recommendations in relation to data collection generally and to the specific tool.

These outputs will be developed in an iterative manner with pilots or field tests being undertaken for evaluation and amendment of the data collection tool.

A further important aim of the project is to enable the NDA to provide effective advice in relation to monitoring the employment target.

1.2 Methodology of the project

The first part of the research produced drafts of the main data collection tools and associated guidelines for the project based on the literature review, the review of international best practice, the provisions of the 2005 Act and the NDA

Observation Team (which included some members from public bodies). This involved:

- Desk-based review of relevant literature in the area, focusing particularly on grey or official literature that addresses the issues of targets and associated guidelines
- Contact with selected experts in the field from countries that currently operate a quota system, and obtaining relevant information on how these issues are dealt with in their countries
- Consultation with representatives of the main stakeholder groups.

The next stage of the research piloted the data collection tools and associated guidance in three public service settings. The results of the pilot study were then used to amend the tools and guidance on the basis of information obtained.

Two further sources of information were used to amend the draft tools. The project obtained legal advice in relation to two pieces of legislation - the Disability Act and the Data Protection Act. In addition, the contractors were involved in supporting a set of three consultation seminars with representatives from the public bodies who would have to implement the target monitoring system. (This was not part of the contracted work of the project). Information from these seminars was also used to inform the development of the final version of the tools and guidance.

1.3 Main themes from the research

A number of important issues arising from the research are dealt with in this report. These include:

- *Interpretation of the definition of disability in the 2005 Act:* the differences between this definition and those used previously present a challenge to public bodies and the statutory agencies involved in the monitoring process in terms of interpretation and re-education.
- *The diversity of public bodies:* there are likely to be considerable practical problems in the implementation of the monitoring system arising from the diverse nature of public bodies. Variations in size, complexity, the availability and quality of records, the nature of previous practice and responsibility for human resource management, mean that a flexible and phased approach to the implementation of the monitoring system will need to be adopted.
- *The importance of building safeguards into the system:* concerns around confidentiality and the outcomes of disclosure need to be reflected in the design and operation of the system.
- *The need for a phased rollout programme:* the diversity of organisations, and the uneven distribution of the resources needed to implement the system, should be reflected in a flexible approach to implementing the monitoring system nationwide.
- *The case for 2006 reporting:* a range of practical considerations should be taken into account to enable the reporting of information with regard to 2006. These include the innovative nature of the requirements of the 2005 Act, the changes in definition of disability and the relatively short time period available for reporting. These considerations emphasise the need to

develop both a short-term and longer-term approach to the implementation of the monitoring system.

The recommendations in Chapter 6 and the tools and guidance outlined in Chapter 7 seek to reconcile the complex demands of legal requirements, practical considerations and the innovative nature of the Irish initiative in a way that sets out a clear development path for the implementation of the monitoring system. In addition, they also seek to provide an integrated response to these demands that meets the requirements and practicalities of all of the stakeholders concerned.

1.4 Structure of the report

The outputs from the project were originally conceived as consisting of three reports:

- Report on good practice on disclosure
- Report on the data collection and reporting tools and associated guidance
- Report on the pilot studies

However, these reports have been consolidated into a single report at this time, due to the interdependence between the various elements and to avoid repetition. However, the distinction between these reports has been maintained in the current report, which is divided into three sections.

In the first section, *Review of best practice in monitoring*, the outputs from the desk-based research and the communications with international experts are presented in two chapters. Chapter 2 presents a review of monitoring practice internationally, while Chapter 3 presents the findings from the literature review of best practice in relation to disclosure.

Section Two of the report, *Development of tools for monitoring the quota*, describes the development of the tools and guidance. In Chapter 4, the main issues affecting the design of the tools and guidance are presented. These include both theoretical considerations and the Irish legal context. Chapter 5 describes the process of and findings from the field trials of the tools and associated guidance. Finally in this section, Chapter 6 presents key recommendations in regard to the monitoring process, the design of the tools, and the type and nature of guidance that will be needed to implement the monitoring system.

In the final section, *Tools and guidance for monitoring the quota*, the tools and guidance are presented in Chapter 7 as follows:

- Guidance for data collection in 2006
- Employee questionnaire guidance
- Organisational survey guidance

In addition, a number of tools to support the data collection process are provided in the Appendix. These are:

- Long form employee survey questionnaire
- Short form employee questionnaire
- Frequently asked questions

Chapter 2: International practice in quota monitoring

There are two basic systems in operation internationally: quota systems which are largely linked into arrangements whereby people are medically assessed and registered as disabled, and systems which monitor the impact of equality legislation through surveying the disability status of employees.

2.1 Systems based on mandatory quotas

In many countries, policy is based on a mandatory employment quota, usually written down in specific legislation on employing or promoting the employment of people with disabilities. According to such legislation, employers are obliged to have a certain proportion of people with disabilities among their staff and only registered people with disabilities fulfilling the eligibility criteria can count towards this quota.

This system of registration is independent from actual work status and, while it is in principle only used to determine eligibility for the quota regulation, it can also determine entitlement to other benefits or services.

A system of registration and compensation remains the most widely used element of employment policy for people with disabilities. Much of its success results from the fact that employer penalties or compensatory payments are directly used to finance employment promotion programmes. This has the effect of stimulating the employment of people with disabilities, either directly (through the quota) or indirectly (through funded employment programmes).

In such a system, disclosure of a disability is mandatory and integral to the registration process. It is therefore not a decision that needs to be made for the purposes of monitoring outcomes.

2.1.1 The German Quota System

The German quota system is underpinned by an "equalisation" motive, which operates on the principle that all employers should contribute to the economic integration of people with a disability. Employers are obliged to examine vacancies in their organisation for the possibility of employing a disabled person, and to provide preferential selection and support for training.

Under the Equal Opportunities for Disabled People Act (2002), all employers (public and private) with a workforce of 20 or more are required to fill 5% of their jobs with severely disabled employees. However, employers are not obliged to create additional jobs for these employees, or to replace one with another. Any employer who does not comply with the quota has to pay a monthly penalty for each unfilled place (€105 if over 3%, €180 if 2-3%, €260 if under 2%). Severely disabled people also enjoy special protection against dismissal from their employment.

In fact, most employers do not comply with the workforce quota and have to pay the monthly penalty. In 2000, according to the *Bundesagentur für Arbeit*, the average employment quota of severely disabled people was only 3.7%.

2.1.2 The Austrian Quota System

The Disabled Persons Employment Act of 1989 increased the eligible categories of people with disabilities to cover all employees aged between 15 and 64, regardless of the cause of their disability. All public and private sector employees are subject to a quota of 4%. Where an organisation employs more than five people with disabilities, they may elect a representative to represent their interests and to oversee compliance with the law.

When measuring quota compliance, certain categories count as double:

- Wheelchair users
- Workers who are blind
- Those aged less than 19 or more than 55
- Workers over 50 years old with 70% disability.

This is intended as an incentive to hire younger and older people with disabilities.

A compulsory "equalisation levy" of €200 per month for each place not filled is administered by the Federal Minister of Labour and Social Affairs, in consultation with an Advisory Board made up of employers, workers, disabled persons' organisations and the Ministry of Finance. Employers who exceed the quota receive a payment for each extra person.

Under the 1989 Act, disability is defined as *the effect of impairment based on a psychologically, physiologically or anatomically abnormal condition that has a duration of more than 6 months, or is expected to last more than 6 months*. To be counted towards the quota, a person must be registered as having an assessed level of disability of at least 50%. A medical doctor certifies the degree of disability and assigns points for each impairment or illness.

Registered disability status is lost once a person becomes entitled to a permanent disability benefit. This runs counter to the idea of registered disability status being independent from employment status.

In 2002, 64% of all quota places were filled but only 25% of employers had filled their quota. The Federal Ministry of Social Security and Generations monitors compliance with the quota. Results are disseminated in the Social Report of the Federal Ministry of Social Security and Generations, classified by sex, age and employment status.

2.1.3 The Polish Quota System

The Law on Occupational and Social Rehabilitation and Employment of Disabled Persons (1997) introduced a mandatory quota for registered people with disabilities of 6% for private employers with 25 or more employees and just 2% for the public sector.

Under the Act, "Legal disability" is restricted to persons with a valid certification of disability issued by an authorised body (for persons aged 16 and over). This includes double and triple counting for certain categories and is based on medical certification.

A levy of 40% of the average monthly wage is payable for each place not filled. This levy is used to provide a wage subsidy of half the average wage per

employee with a disability, but this has tended to be used by employers to cut their own costs and keep the wages of disabled workers very low.

There is limited data available on compliance but it appears that it runs at around 33%. Statistics on the employment of disabled workers are published every two years. Fines for non-compliance are higher than in other quota countries but were introduced only relatively recently.

2.1.4 The Italian Quota System

Law No. 426/68 (1968), partly modified by No. 68/99 (1999), provides for an employment quota system in the public and private sectors for people registered as disabled, together with major employer obligations.

More recent regulations for the Right to Work of Disabled People (2000) set the quota at 7% for organisations with 50 or more workers, but with a sliding scale of one place for 15-35 employees and two places for 36-50 employees.

Considerable sanctions were recently introduced for failure to comply with the quota. These are up to ten times higher than in other compensation systems, but are mitigated to some extent by giving employers greater discretion over recruitment of people with disabilities.

Before the 1999 legislation, compliance was around 50%, and there are no available statistics yet on compliance levels under the new regulations.

2.1.5 The Quota in Spain

The 1982 Act on Social Integration of Handicapped Persons regulates the integration of people with disabilities in employment. It has subsequently been developed by royal decrees, including laying down a mandatory employment quota for people with disabilities at 2% for all public organisations and for those private organisations with 50 or more employees.

Disciplinary measures are foreseen, but have never been enacted, although failure to fulfil the quota is seen as a serious offence. Recently, more control has been introduced via an obligation to report the number of employees with disabilities, with systematic verification by labour inspection bodies.

Recent data suggests low levels of compliance: around 30% in the public sector and 25% for private organisations. However, organisations complying with the quota enjoy preferential treatment in contracts with the public administration.

2.1.6 The Quota in Japan

Japan's quota scheme dates back to 1960 and was made mandatory in 1976. The quota varies according to the sector of employment:

Private sector (with 63+ employees)	1.6%
Semi-government	1.9%
Public sector: Clerical	2.0%
Non-clerical	1.9%

Certain occupations such as massage and acupuncture have quotas as high as 70% for people with visual impairment. A 1992 revision of the Law for Employment Promotion allows a person with a severe disability to fulfil the legal quota requirement by working 20-30 hours a week.

A worker with a serious physical or intellectual disability may be counted as two units for the purpose of calculating the employment rate (or may be employed part-time and therefore count as one towards the quota).

A survey of organisations (*Survey on the Employment Situation of Persons with Disabilities*) is carried out annually by the Ministry of Health, Labour and Welfare. Those covered are people of working age in companies with 5 or more employees in the private sector only. Under the Law on Employment Promotion of Persons with Disabilities, employers with disabilities are defined in three ways:

- Those who have been given an identification booklet or have been recognised as being physically disabled by a designated physician.
- Those who have been recognized as intellectually disabled by a Child Guidance Centre, a Mental Health and Welfare Centre, or a specialist in mental health.
- Those who suffer from schizophrenia, manic-depressive disorder or epilepsy, who have been given an identification booklet and whose condition has been so stable that they are able to work.

Employers with 300 or more employees who fail to reach the quota may be ordered to formulate a programme for increasing the number of disabled workers, and are subject to a levy for each person-month below their quota. These funds are collected and disbursed by the Japan Association for the Employment of the Disabled (JAED).

2.1.7 The revised French Quota System

In 1987 the Employment of Disabled Workers Act introduced a quota whereby companies with 20 or more employees must have at least 6% of their personnel as disabled workers, either through direct employment, sub-contracting to a sheltered workshop, or implementing a programme specifically for disabled workers.

New legislation, in 2005, reinforced the role of L'Association Nationale pour la Gestion du Fonds pour l'Insertion Professionnelle des Personnes Handicapees (AGEFIPH) with regard to those enterprises who do not fulfil their obligations. If employers do not meet the obligations of the quota system, they can do so by contributing to a fund for the vocational integration of people with disabilities. Under the 2005 legislation, the annual contribution has been increased to 600 times the minimum hourly rate per job not filled, depending on the size of the organisation, and this contribution is tripled to 1500 times the minimum hourly rate for enterprises which have failed to meet the quota for 3 years.

AGEFIPH claims to achieve its quota objectives by a combination of sanction and incentive: employers avoid paying the levy as far as possible and are persuaded to recruit and retain people with disabilities through the prospect of financial support. The stated aim is to maximise employment rather than to maximise revenue. Evidence suggests that many employers prefer to pay the contribution rather than consider employing a person with a disability.

AGEFIPH is a private association working with the private sector, and up to 2005, only private employers had to pay a financial contribution if they did not meet the quota. From 1st January 2006, public and state functions have also had to declare how many people with disabilities they employ and the severity of each disability. Where the quota has not been met, a contribution is made to a different fund (le Fonds pour l'Insertion Professionnelle dans la Fonction Publique), which is also redistributed to improve the working conditions of people with disabilities.

Article 2 of the 2005 Act defines disability as: *all limitation in activity or restriction in participation in social life by reason of a substantial, durable or definitive alteration in one or several physical, sensory, mental, cognitive or psychological functions, or of a disabling illness.* A weighting system operates so that workers with a severe disability count as more than one individual when calculating whether the quota is being met.

Because of the incremental way in which the quota has been extended to cover further groups of beneficiaries over the years, there is no single method of determining who should be included. As well as the historical categories of war veterans and those incapacitated by industrial accident or disease, there are workers recognised as disabled by the Technical Commission for Professional Rehabilitation (COTOREP) and those entitled to invalidity pension under the insurance scheme if their capacity to work is reduced by at least two-thirds. This was extended in 2005 to new categories of disability: holders of "la Carte d'invalidite" and holders of L'Allocation aux Adultes Handicapés (AAH). No minimum duration of disability is specified.

Those included under the quota are classified by sex, age, employment status, occupation and categories under the Law. They are also classified by size of establishment, sector, economic activity and administrative category.

2.1.8 A new approach in The Netherlands

Since 1st January 2006, there is no longer a mandatory quota but a target of 2-5% in the public and private sectors, to be achieved voluntarily over a number of years. Under this voluntary scheme, people for whom adaptations have been made at work, or who need adaptations in order to take up a job, may be included under the quota, placing the emphasis on abilities rather than deficits, and extending the scope of quota eligibility.

The Re-integration of Disabled Workers Act, which came into force in July 1998, aims to prevent labour market outflow of disabled employees and regulates employer responsibilities. However, the Act makes employer contributions to the disability program a function of the number of past employees who claimed benefits. This has negatively affected recruitment of people with disabilities as it offers an incentive for employers to screen out workers they perceive as likely to receive benefits in the future.

The 1998 Act includes the legal authority to re-impose a mandatory quota system as an ultimate solution.

2.2 Systems that monitor the impact of equality legislation

In an attempt to move away from mandatory quotas based on medical certification, some countries have recently modified their employment policies to include elements of anti-discrimination or other legislation.

In some instances new regulations have been adopted that fall short of a mandatory quota, or existing quotas have been relaxed, restricted or modified to voluntary targets. Similarly, the payment of fines for non-compliance may be replaced by non-financial elements and positive discrimination action.

In addition, policies that take a uniform approach across all types of organisations may result in poor levels of compliance, and some more recent and innovative legislation has given greater responsibility to organisations themselves, including that of monitoring their own success or otherwise in the recruitment, accommodation and promotion of people with disabilities.

Actual “true” knowledge of a person’s health status and its impact on work capacity is difficult for employers to determine without medical certification. However, basing data on “insider” information and personnel records facilitates the inclusion of employees who become disabled whilst they are in employment.

2.2.1 The Australian Public Service (APS)

Figures on the employment of people with a disability are drawn from the Australian Public Service Employment Database, which relies on data from the HR systems of different agencies. However, the reporting of data on disability by APS employees to their agencies is voluntary and, as such, the APSED data can only be an approximation of the incidence of disability across the APS.

To ensure consistent data collection, and to allow meaningful comparison of that data across the APS as a whole, agencies collect details of the disability status of their employees, by asking the following two questions:

1. Do you have a disability?
2. Do you have an ongoing disability that requires a work-related adjustment?

Incorporating both questions allows agencies to differentiate between the numbers of staff who identify themselves as having a disability and the numbers whose disability requires reasonable adjustments to be made to the workplace. The first question is included to encourage those people with disabilities who do not require immediate adjustment or accommodation to self-report. The APS allows each agency to identify the steps they need to take to support their employees who have disabilities.

It is important to note that, for the purpose of data collection, all APS agencies use the definition from the *Australian Bureau of Statistics Disability, Ageing and Carers: Summary of Findings 2003*¹

To encourage employees to disclose any disability, agencies not only ask for this information when the employee is first engaged, but also regularly offer

¹ A person has a disability if they report that they have a limitation, restriction or impairment, which has lasted, or is likely to last, for at least 6 months and restricts everyday activities.

employees the opportunity to update their status. All employees who report a disability are followed up to ensure their reasonable adjustment needs are identified and that they are familiar with the support arrangements available to them.

Data indicates that the proportion of ongoing APS staff with disabilities has fallen since the introduction of voluntary reporting by employees, and steps are being taken to increase the proportion of those who choose to disclose their disability status.

2.2.2 Monitoring the US Federal Workforce

The Americans with Disabilities Act of 1990 prohibits discrimination against qualified individuals with disabilities in all aspects of the employment process (in organisations with at least 15 employees) and encourages affirmative action. Within the Federal Service, executive orders support the specific employment of people with disabilities.

Employees are asked to complete Standard Form 256 *Self-Identification of Handicap* that includes the following options

- I do not wish to identify my handicap (Note: Your personnel officer may use this code if, in his or her judgment, you used an incorrect code)
- I do not have a handicap
- I have a handicap but it is not listed below (in a detailed list of physical disabilities).

The *Demographic Profile of the Federal Workforce* is published every two years, and provides detailed statistical information on the Federal civilian workforce as well as *technical notes* on how the data has been gathered. The results are classified by gender, type of disability and occupation category and listed by federal agency.

The definition of disability used in the Americans with Disabilities Act is *a physical or mental impairment that substantially limits one or more of the major life activities*. This has been blamed for an apparent drop in employment levels reported since the Act is designed as civil rights legislation, and this is likely to reduce the predictive validity of the definition.

2.2.3 Monitoring the UK Civil Service

The Cabinet Office has a target to ensure that the Civil Service becomes more open and diverse, including an agreed target that 3.2% of the Senior Civil Service should be people with disabilities. This is double the representation identified in 1998, and it is stressed that this is a target rather than a quota. The Government set targets to address under-representation of key groups at the most senior levels of the Civil Service, because the number of people with disabilities at the top of the service will provide the most visible signal of change.

In late 2003, the Cabinet Office carried out an evaluation of progress and identified issues affecting diversity data collection and quality that hinder robust measurement. In particular, data on ethnicity and disability in the Senior Civil

Service is reliant on voluntary self-classification. The coverage of data had been improving but much depended on employees supplying good data.

A Disability Working Group was set up and facilitated by the Cabinet Office to examine:

- the culture within Departments which resulted in concern being expressed by staff regarding disclosure and their treatment within the workplace
- a Code of Practice to clearly establish 'strict confidentiality' guidelines on data gathering and its use to review reasonable adjustment equipment and non-financial adjustments
- to produce quality and reliable data to be reviewed and used as a basis to produce equal opportunity policies – Departments were required to supply information against 40 or so different categories of disability
- to promote and encourage disclosure on a self-classification basis to increase recording of the proportion of disabled civil servants
- legislative requirements on monitoring and data protection

Disability monitoring in the Civil Service involves Departments asking all staff to complete voluntary self-classification questionnaires. The Permanent Secretary of each Department is responsible for supplying data to the Cabinet Office every six months in three categories: "yes", declared "no", and undeclared. The information collected is supplied to the Cabinet Office Personnel Statistics team, who publish *Civil Services staffing statistics*, with trends in the representation of disability as an Appendix.

2.2.4 Monitoring the Scottish Executive

The Scottish Executive monitors disability among its employees, based on self-declaration using the Disability Discrimination Act definition (see below). The monitoring process is conducted quarterly with an annual exercise to highlight the importance of employees feeling comfortable to disclose their disability.

Through the Executive's Diversity Strategy, *Positive about You*, launched in November 2000, steps were taken to raise the profile of disability in the organisation, and to increase the confidence of disabled employees. A dedicated post was created to support disabled staff and to assist with making reasonable adjustments to help them work effectively. This includes providing practical support, including awareness training for colleagues of disabled staff; specialist software and hardware, and a wide range of other specialist equipment, from pens to lumbar support chairs.

The profile of disability was further raised through a staff network on disability, including a programme of disability-specific seminars for the European Year of People with Disabilities in 2003, and disability is regularly featured in the staff newsletter. In 2004, the Executive expanded their outreach programme to include prospective staff with disabilities, holding a development week to raise the profile of the Executive as an employer and to enhance the skills of disabled applicants.

These disability awareness initiatives have resulted in a steady increase in the numbers of employees willing to disclose a disability. Another innovative step has been to ask about disability through a diversity-monitoring tool, along with questions on national identity and ethnicity.

2.2.5 Public Sector Monitoring in the UK

The 2005 Disability Discrimination Act strengthened and widened existing legislation by placing a duty on all public bodies to promote positive attitudes to disability. Part of this is the introduction of the Disability Equality Duty (DED), intended to ensure that the 45,000 bodies across Great Britain pay "due regard" to the promotion of equality for people with disabilities in every area of their work.

From December 2006, all public sector bodies will be required to gather evidence on the numbers of people who consider themselves to be disabled as set out under the Disability Discrimination Act:

- a long-standing physical or mental condition or disability that has lasted or is likely to last at least 12 months **and**
- this condition or disability has a substantial adverse effect on their ability to carry out normal day-to-day activities.

The Disability Rights Commission has published guidance for public sector organisations to help them gather the required data, including impairment specific monitoring and the identification of individual barriers.

2.3 Indicators for target monitoring in Ireland

The Irish situation is unusual in that it is striving to combine a statutory target based on a complex legal definition with more innovative aspects such as anti-discrimination policies and voluntary self-disclosure of disabilities in the workplace. Relevant examples of good practice can therefore be found in both types of system described above.

2.3.1 Inclusion under the quota

Most countries with statutory employment quotas depend on registered disability status and the concept of "legal disability" to determine inclusion. Thus employees hold medical certificates and identity cards, labelling them as disabled independent of employment. In these systems, a medical doctor assesses the degree of disability and quantifies each impairment or illness, for example in Austria, inclusion under the employment quota depends on assessed disability of at least 50%.

France, Austria and Poland operate weighting systems, with certain categories counting as double (and some treble in Poland). Similarly, in Japan severely disabled employees can work part-time and count as full-time under the quota.

Since 1999, Ireland no longer has a system of registration for people with disabilities, and the statutory target introduced under the 2005 Disability Act is based on a complex definition to be interpreted and implemented by each public sector organisation.

The emphasis on substantial restriction in the Irish definition is not unique. Other countries such as France, Australia and the USA have recently based legal definitions on limitation and restriction in everyday activities. This reduces the number of employees eligible under the quota, and has been blamed in the US for an apparent drop in the employment levels of people with disabilities.

Where a legal definition is used to establish inclusion, an element of persistence of disability may pertain, as evidenced by “enduring” in the Irish definition. This indicates a minimum timeframe, maybe of 6 months (as in the Australian Public Service), or even 12 months (as in the Scottish Executive).

2.3.2 Disclosure of a disability

Under systems of registration and medical certification, this is not an issue since individuals have already been identified as having a disability independent of their employment. In systems with voluntary disclosure, specific action may be necessary to encourage self-reporting, and some examples of good practice in this regard could be relevant to the Irish situation.

One example is the code of practice introduced by the UK Civil Service to establish strict confidentiality guidelines on data gathering and its use to review reasonable adjustments. Another is the Scottish Executive’s outreach programme for prospective staff with disabilities that aims to raise its profile as an employer and to enhance the skills of disabled applicants. A third example is the Disability Equality Duty introduced to all UK public sector bodies, and the guidance published by Disability Rights Commission to help organisations gather data and identify individual barriers.

2.3.3 Monitoring compliance

In countries with a system of registration, compliance can be monitored through annual organisational surveys and the use of existing records, particularly of people for whom adaptations have been made or who need adaptations to take up a job. However, in these countries the levels of compliance reported rarely exceed 30%. Even in systems where penalties have been massively increased, many employers still prefer to pay compensation than take action to improve their performance

More recently, employee surveys have been carried out both for statistical purposes (as in the US Federal Workforce) or to identify the needs of individuals through self-disclosure. In the Australian Public Service, employees are asked to report a disability when first employed, and are given regular opportunities to update their status thereafter. Those who disclose a disability are followed up to ensure that reasonable adjustment needs are identified, and that they are familiar with support arrangements available.

Some public service sectors, such as the US Federal Workforce, give employees the opportunity to identify disability type. Others such as the UK Civil Service regard the grade of a disabled employee as important, since quota compliance among the top grades is seen as a key indicator of change. One way of monitoring disability status is to survey employees as part of more general diversity monitoring, as has been carried out by the Scottish Executive.

However, in public sectors using employee surveys, such as Australia and the USA, the number of people with disabilities reported as being employed has fallen since the introduction of voluntary reporting.

Chapter 3: Review of literature on disclosure

Chapter 3 provides a detailed review of the literature on the ways in which self-disclosure can be encouraged, and provides some evidence that asking respondents to identify themselves need not impact negatively on response rates, if it is sensitively handled.

3.1 Disclosure Defined

Due to a variety of interrelated factors, disclosure of a disability in the workplace 'requires careful definition' (Ellison et al: 12). In the discipline of vocational rehabilitation, disclosure refers to 'the deliberate informing of someone in the workplace about one's disability' (Ellison et al, 2003:3). Reasons cited for non-disclosure or what Allen and Carlson (2003) refer to as 'concealment' (p19) are varied. As Wilton (2006) highlights 'Disclosure is frequently cited as a concern, and anxiety about the potential for discrimination and dismissal coupled with concerns about loss or renegotiation of identity lead people to conceal conditions where possible' (p24). In summary, disclosure of a disability is generally viewed as resulting in negative implications (Allen and Carlson, 2003, Ellison et al, 2003).

The literature reviewed in this section includes experiences of people with a variety of disabilities. Included are psychiatric illnesses (Daigin et al, 2003, Ellison et al 2003 and Goldberg and Kileen 2005), mental health issues (Allen and Carlson, 2003) and learning difficulties (Madaus et al, 2002). Although the literature is based within different contexts, it is interesting to note that similar themes emerge from the various studies conducted. In other words the literature exploring these issues originates from different countries and refers to a variety of disabilities. Consequently participants who are the focus of studies are encompassed within different policy, legislative and social settings.

Although the various studies take place within different social contexts, it becomes clear that similar themes emerge from the various studies conducted. The key themes emerging throughout the literature are examined next.

3.2 Disclosure versus Concealment

Several issues are raised on this topic most of which are predominantly cyclical and interconnected. If a person decides to disclose their disability to their employer, a primary concern is the decision of when to disclose their disability. The timing of disclosure ranges from the time of application and the interview stage, to when employment has been secured. The timing of disclosure is a consideration for those who choose to disclose (Ellison et al, 2003).

The decision to disclose may also be influenced by the type of disability (Madaus et al, 2002, Allen and Carlson, 2003, Wilton, 2006). Where a disability is not visible 'the issue of disclosure can be more complex' (Wilton, 2006:26). If a disability is visible, disclosure will be necessary from the interview stage, but if a disability is not visible, disclosure may not be revealed until after a job has been secured (Goldberg et al, 2005).

In the case of mental illness, any decision to disclose this will be especially difficult. Spirito et al (2003) examined the specific concerns of people with psychiatric disabilities when they considered disclosure to an employer, and found

that using psychiatric labels for individual mental issues was an additional barrier to disclosure. In the UK, a survey carried out by the Mind Out for Mental Health campaign found that 74% of job applicants with mental health problems did not disclose their condition in application forms, and 52% of those employed concealed mental ill-health for fear of losing their job. Similarly, in an Irish survey on Mental Health and Employment, conducted by Workway in 2005, two-thirds of the total sample had felt unable to disclose at the interview stage, and 41% of those in employment had not disclosed to anyone in their workplace.

For those who acquire a disability while working in an establishment, employers may provide accommodation more easily. Wilton (2006) highlights that this could be as employers will more readily provide accommodation to employees with whom they have already established a working relationship.

The literature also reveals several other issues about disclosure for those with conditions that are non-evident (Wilton, 2006). Firstly, the decision to disclose may be influenced by the persons attitude towards their disability and whether they view it as a barrier to employment i.e. their perception of their ability to perform their duties despite their disability. In other words if a person feels their disability has no impact on their ability to function in the workplace, they may feel it is not necessary to disclose their disability to employers (Madaus et al, 2002).

Secondly, there is evidence to suggest that the type of work environment including position in employment and employer-employee relationships may also impact on disclosure decisions. Employees who have established good relationships with superiors may feel more at ease to disclose (Wilton, 2006).

Similarly, the culture of an organisation may also impact on disclosure decisions. Those organisations with supported employment and/or positive discrimination measures could impact positively on disclosure decisions (Goldberg and Kileen, 2005, Ellison et al, 2003). The culture of an organisation may also influence the nature of disclosure, as an employee may not necessarily choose to disclose to their employers. Alternatively disclosure may be made to a work colleague(s) in a casual manner rather than through formal channels. In this instance the exact details of a disability may not be disclosed, which the literature classifies as 'partial disclosure' (Ellison et al, 2003).

Previous studies indicate that those in higher-grade positions (i.e. managerial/professional) have fewer regrets about disclosing their disability (Ellison et al, 2003). Wilton (2006) points out that this could be as workers in higher level positions feel more in control over their jobs and 'feel better able to disclose as a result' (p27). In direct contrast the stability of employment may also influence disclosure decisions and those with least control (i.e. non unionised/temporary) may feel the least comfortable about disclosing.

Wilton (2006) highlights how labour market segmentation theorists differentiate between the core and peripheral employment sectors of the economy. The core is viewed as more stable employment with better benefits. In direct contrast, the periphery is where employment is viewed as unstable with less pay. Wilton notes how economic restructuring has blurred the boundaries between the core and periphery and has increased the proportion of workers in temporary/part time employment. As a result, the greater economic climate may also impact on people's decisions to disclose (Wilton, 2006).

Finally, on the subject of the criteria that may influence whether people choose to disclose or not, it must be noted that legislative provision established in

respective countries does not come into effect unless disclosure is made. Thus knowledge of legislative provision may impact on a person's decision to disclose (Ellison et al, 2003, Allen and Carlson, 2003, Goldberg and Killeen, 2005,).

Having addressed some of the issues that may influence a person's decision to disclose, the next section deals with some of the reasons people fear disclosure. The perceived risks and consequences associated with disclosure are outlined and some possible effects of non-disclosure are summarised.

3.3 Perceived Risks and Consequences of Disclosure

Several common themes emerge from the various studies conducted. In general previous research reveals that people fear disclosure of a disability as it may impact negatively on their career progression. This fear is anticipated through several aspects of employment.

Firstly, evidence suggests that people fear they may face dismissal from employment and disclosure may impact negatively on employment (Dalgin et al, Wilton, 2006, Allen and Carlson, 2003, Madaus et al, 2005).

Secondly, it is feared that disclosure of a disability may impact negatively on promotional opportunities (Dalgin et al, Allen and Carlson, 2003, Ellison et al, 2003, Madaus et al, 2002).

Finally, previous studies suggest that people believe there is a stigma and lack of understanding attached to having a disability and they fear they will ultimately be treated differently upon revealing their disability (Dalgin et al, 2003, Wilton, 2006, Allen and Carlson, 2003, Ellison et al, 2003, Madaus et al, 2005). It is perceived that disclosure may result in closer supervision and perhaps isolation from co-workers.

Additionally, research reveals that some believe they have to prove themselves worthy to work in some organisations (Goldberg and Killeen, 2005). As a result, disclosure could induce 'a need to work harder than others to prove one's worth' (Dalgin et al, 2003:308). As a consequence to the above-mentioned perceptions of the ways disclosure may impact on a career, what occurs, as Goldberg and Killeen (2005) highlight, is that it may 'affect their future decision making with regard to employment and disclosure' (p477).

3.4 Consequences of non-disclosure

Over time, the literature reveals several repercussions that may occur as a result of non-disclosure and subsequently failing to request accommodation. Wilton (2006) notes that 'physical pain, exhaustion and anxiety about being discovered can take their toll' (p31). This situation can worsen if workers are required to take on additional duties or change position within an organisation, which may directly impact upon their impairments.

Similarly, non-disclosure requires a variety of strategies to prevent colleagues and employers discovering a disability (Goldberg and Killeen, 2005, Wilton, 2006). A participant in Wilton's (2006) article admitted 'I used to put cotton wool in my pill box so they wouldn't rattle because someone's bound to say, "what's that rattling?" It sounds ridiculous but you know, and if you were going to see a doctor you would say you are going to the dentist [...] it's awful to say it, but you have to use strategies because of the way people view it [psychiatric illness]'

(Wilton, 2006:32). Finally, strategies used to cope with non-disclosure often result in added stress in the workplace and increased fatigue for employees (Wilton, 2006).

Ellison et al (2003) conclude that 'taken together the findings converge into a larger picture that confidence in the job, capacity to regulate one's condition on the job, having learned how to manage one's illness, knowledge of (disability legislation) and feeling socially connected emerge as meaningful factors across the three disclosure outcomes studied' (p12). Thus, as noted earlier a range of interconnected and cyclical factors may influence a persons decision to disclose a disability in the workplace.

Having reviewed the main issues arising on the decision to disclose, in relation to data collection there is another aspect that is essential to highlight. There is a variety of literature that addresses whether anonymity in data collection impacts on response rates. This is the subject of the next section. As each piece of empirical research reviewed deals with a different subject matter the literature is presented in the format of case studies.

3.5 Evidence of its impact in monitoring disability

A selective, narrative literature review was conducted by McColl et al (2001) to identify current best practice with respect to the design and conduct of questionnaire surveys, including theories of respondent behaviour, expert opinion and high-quality evidence from experimental studies.

Many factors may combine to influence the decision of a recipient of a questionnaire to respond. Potential respondents must have both the means to complete the questionnaire and the will to do so; the perceived costs of responding must not exceed its benefits.

Perceived saliency is a very important influence on response rates, as is the number of contacts made with the potential respondents. Some researchers advocate pre-notification and almost all experts recommend the use of reminders (this is supported by evidence from primary studies). Other factors include making a self-interest appeal to respondents and the use of incentives.

In conclusion McColl et al (2001) deem that anonymity has not been demonstrated to have any consistent effects on the rate or quality of response.

Asch et al (1997) examine the response rates to mail surveys published in medical journals. The purpose of this study was to characterise response rates for 178 mail surveys published in medical journals in 1991, to determine how they varied; and to evaluate the contribution of several techniques for enhancing response rates.

The mean response rate was found to be approximately 60%, but this varied according to subject studied and techniques used. Written or telephone reminders are associated with response rates about 13% higher than those that do not use these techniques.

Other techniques, such as anonymity, are not associated with higher response rates.

O'Malley et al (2000) conducted a study presenting a comparison of reporting of drug use and related attitudes and beliefs by national samples of eighth and tenth

grade students under two different modes of administration conditions: confidential and anonymous. The results show that there were clearly *no differences between the conditions* in tenth graders' reports of drug use and related attitudes and beliefs. With eighth graders, the results show, at most, only a very modest mode of administration effect and quite possibly no effect at all.

The fact that household surveys of adolescents typically produce lower reported rates of drug use than do school-based surveys also suggests that the degree of anonymity may be important (Rootman and Smart, 1985). *It may be that anonymity makes a difference only in some circumstances.* For example, younger children may not fully understand confidentiality assurances, and thus, anonymity may be more important in such cases.

Campbell and Waters (1990) study derived from a series of postal surveys on AIDS knowledge conducted on six different dates in 1986-87 with samples of 300 respondents (total sample 1800) drawn from Southampton electoral rolls. The sample was randomly divided in two, each group being sent the same questionnaire. One group was told that the replies were anonymous, the other that they were not. The latter group were sent reminders.

The response rate of the two groups was very similar: 49% for the anonymous questionnaire and 51% for the identified questionnaires (this was subsequently boosted to 72% by the reminders).

There is no evidence here that anonymity improves response to postal questionnaires, but the use of reminders (to identified respondents) may do so.

King (1970) examined anonymous versus identifiable questionnaires in drug usage surveys. For this the entire undergraduate population of Dartmouth College was surveyed in January 1968 about usage of marijuana and LSD using two forms identical except for the presence or absence of a conspicuous identifying code number.

The anonymous questionnaires yielded a higher percentage of both returns and admission of use of drugs. However, the difference between the anonymous and the identifiable questionnaires was not significant at even the .05 level.

These findings cast doubt upon the validity of the 'obvious' notion that an identifiable questionnaire will in all instances yield a significantly smaller percentage of returns. There are a number of situational variables that play a determining role in affecting the percentage of returns in identifiable versus anonymous questionnaire and not all of them are 'obvious'.

In addition to the nature of the relationship between the institution and the questionnaire recipients, there are considerations involving ethics and the willingness of the researcher to assume responsibility for protecting the respondents. Deciding to use an identifiable questionnaire depends in part on an accurate assessment of the actual situation in which the researcher is functioning vis-à-vis the civil authorities.

Singer (1978) examined informed consent and the consequences for response rate and response quality in social surveys. This study was designed to measure the impact of three informed consent variables on response rate and response quality in social survey research. These variables were (a) provision of information about the survey ahead of time, (b) the assurance of confidentiality, and (c) the request for and timing of a signature to document consent.

For this purpose a national probability sample of 2,084 potential respondents was sent a questionnaire consisting of a large number of potentially sensitive areas such as drinking, marijuana use, sexual behaviour and mental health, in addition to more conventional questions about leisure activities.

Of the three variables investigated, only the request for a signature had a significant effect on the probability of responding. 71% of those not asked for a signature responded, compared with 64% of those asked to sign beforehand, and 65% of those asked to sign afterwards.

This would suggest that asking for a signature has a sensitizing effect on potential respondents.

Finally, Fuller (1974) examined the effect of anonymity on return rate and response bias in a mail survey. A study was conducted to assess the effect of anonymity and identification on the responses of naval officers and enlisted men to a mail survey. The questionnaire used was the Navy Personnel Survey, a structured questionnaire administered periodically to collect attitude and opinion data from Navy-wide samples.

Two equivalent groups of officers and two equivalent groups of enlisted men were randomly selected. One group of 6,500 officers and one group of 16,250 enlisted men were asked to identify themselves on their answer sheets, the other groups were asked not to identify themselves in any way.

The officers with identified answer sheets were more likely to respond (51%) than were those who were not identified (40%). Among the enlisted men, the returns were more similar and reversed (36% of those identified and 39% of those unidentified).

Two suggested explanations are offered for the lower return rate of the anonymous officer group: (a) that an unintended consequence of anonymity may be a reduction in the perceived value of a specific individual's responses and (b) that officers tend to feel some pressure to respond and anonymity reduces perceived pressure and therefore reduces the response rate.

3.6 Promoting safe disclosure

As already illustrated some people with disabilities feel that a stigma exists at work for people with a disability. This common perception deems that disclosure of a disability can result in negative implications. It is perceived that disclosure may affect career progression, perhaps inducing dismissal. Disclosure is also believed to lead to closer supervision as well as having to prove one's worth to an organisation by working harder than fellow colleagues. Consequently, the question arises about how people with disabilities can feel more secure about disclosing a disability in the workplace.

Ultimately, the culture of an organisation would appear to play an imperative role (Goldberg and Killeen, 2005, Ellison et al, 2003). As Wilton points out 'a key question arising [...] is how to foster workplaces that are supportive of disclosure and accommodation' (Wilton, 2006: 35). Accordingly, striving for a situation where people with disabilities feel safe/secure enough in their working environment may lead them to disclose their disability if they choose to do so.

Suggestions in the literature focus on increasing individual's awareness of their entitlements. As Goldberg and Killeen (2005) highlight, 'this group of people

would benefit from education concerning disclosure options, such as selective disclosure and strategically timed disclosure' (Goldberg and Killeen, 2005:493).

This could be achieved by providing supports to people with disabilities entering the workforce such as job coaches (Wilton, 2006). A job coach could in turn assist people put a 'disclosure plan' in place (Allen and Carlson, 2003: 28). A disclosure plan 'may include details of who will disclose, to whom, when, where, why and what will be disclosed' (Allen and Carlson, 2003:28).

Increasing awareness of current legislation, including the need for public sector employers to report annually on measures taken to promote and support employment of persons with disabilities, is one way of linking disclosure to positive action in the workplace. An employer's duty to accommodate generally exists only for *needs that are known* (Wilton, 2006) so it is in the interests of all concerned that these needs should be known and recorded as accurately as possible.

3.7 Summary and conclusions

A primary concern of people with disabilities is the decision of whether to disclose their disability at work. Where a disability is not visible, the decision to disclose can be more complex, and may not need to be addressed until after a job has been secured. There is evidence to suggest that work environment and organisational culture both influence the extent of disclosure and to whom it is made in the first instance. A first step might be partial disclosure in a casual manner to a colleague, rather than through formal channels. Studies indicate that those in higher-grade positions and/or in more stable employment have fewer regrets about disclosing a disability. The economic climate and legislative protection are also key factors.

Research shows that people with disabilities fear particular consequences of disclosure: a change in the way they are perceived by others; reduced chances of promotion; closer supervision; and a need to work harder than others to prove their worth. For the individual, the consequences of non-disclosure (and any consequent lack of accommodation) are likely to be physical pain, exhaustion and anxiety about possible discovery. For the employer, this individual cannot (and should not) be included under any disability target.

Many factors may combine to influence any decision to respond to a questionnaire: the means to respond and the will to do so; the perceived cost of responding against its benefits; the use of pre-notification and reminders; and an appeal to self-interest or the use of incentives. Evidence suggests that anonymity has not been demonstrated to any consistent effect on the quality or rate of response to surveys dealing with sensitive issues, and casts doubt on the idea that an identifying method of data collection will in all instances yield a significantly smaller proportion of returns.

It has even been suggested that an unintended consequence of anonymity may be a reduction in perceived value, and therefore less motivation (pressure) to participate. However, a key consideration is the willingness of the data collection and processing agency to assume responsibility for protecting the informed consent of respondents and the confidential nature of the information.

Chapter 4. Designing a monitoring system for the public sector target in Ireland

This chapter provides an overview of current practices in reporting on disability and employment as described in previous publications; sets out the criteria against which an ideal monitoring process should be evaluated; identifies the challenges that stand in the way of achieving, at least in the short term, best practice; and proposes a number of options, each of which has advantages and disadvantages. The effort and resources required to implement a number of options is estimated. The aim is to provide the basis for making recommendations for installing an effective monitoring system to support the target monitoring process in public bodies.

4.1 Current practices

In Ireland a “targeted” quota system was introduced in 1977 to the public sector only. However this quota system was never enforced, and can only be seen as a target to which public bodies might or might not adhere. Conroy and Fanagan (2001) note that a quota that is not enforced represents a kind of moral obligation for employers and therefore tends to be relatively ineffective.

In Ireland the Department of Finance has had responsibility for monitoring the 3% target in the Civil Service, whilst responsibility for monitoring compliance with the target in the public service rests with the Department of Justice, Equality and Law Reform. Up to now, each public body has completed a form outlining the number of employees with disabilities, but public bodies have tended to use broad and varying definitions of disability so, in effect, public sector organisations are calculating the percentage of employees with disabilities in different ways.

4.1.1 Current data sources

Organisations are currently using a wide range of sources to compile their data on the proportion of employees with disabilities. The most commonly used sources of information are:

- Personnel records
- Personnel administration systems
- Personal knowledge
- Registration with the former National Rehabilitation Board
- Medical records
- Sick leave records
- Reports from the Chief Medical Officer
- Personal information
- Inputs by managers
- Recruitment and entry forms
- Participation in special competitions
- Continuing updating of lists

Other variations in the collection of data for the 3% target among different public bodies are due to the system of gathering information, where estimates have to be used in organisations with large numbers of employees dispersed across branches of activity and geographical locations. Conroy & Fanagan advise caution in making comparisons between employers in terms of effective recruitment of people with disabilities on the basis of these returns. The right to individual

privacy is a factor in reducing enquiries as to whether an employee has a disability or chronic health condition. Some employees do not wish to disclose their disability, as they believe by doing so they will reduce their promotion opportunities or hold them up to ridicule or prejudice.

In addition, since the end of the National Rehabilitation Board's registration of disabilities, individuals are effectively self-declaring their disability in relation to employment in the Civil Service and the public service. At present there is no systematic method whereby a staff member can confidentially disclose their disability other than voluntarily (Cox, 2005). Conroy and Fanagan believe that this will certainly lead to significant under-reporting of disability.

In terms of medical screening of people with disabilities entering the Civil Service, information from individual candidates who have undergone medical assessment is not transferred to the departments where they will work, unless there is a specific health and safety issue. There is a legal requirement to maintain total confidentiality in relation to a person's medical history or current condition, and a declaration form is used with limited information. This leaves the issue open as to who is ultimately to decide on appropriate levels of information disclosure. Conroy & Fanagan (2001) believe that some employees with a disability should be a special risk category for evacuation procedures and included in the safety statement. Research carried out by Cox (2005) found that the workplace needs of a person are decidedly difficult to meet if there is no enhanced system of disclosure.

4.1.2 Compilation and maintenance of records on people with a disability in Ireland

As part of a study carried out by Murphy et al in 2002, a survey was undertaken of personnel officers (or their equivalent) in all thirty Civil Service personnel departments and offices. The objective of the survey was to obtain factual information on:

- The current number of people with a disability in each department
- How this data was collected and recorded, both at departmental level and in relation to the 3% target.

From the information obtained through this study, the authors were able to produce a table outlining the total number of people with disabilities employed in each Government Department, and each personnel officer surveyed was asked to provide information on how the data was compiled. Most replied that when people with a disability entered or left their department, this information was captured on personnel systems and records. The list for the Department of Finance was compiled from this.

When asked who was responsible for compiling data on people with disabilities, most respondents specified the human resources or personnel department. A Disability Liaison Officer was also involved in some cases.

4.1.3 Data storage

There are various methods of storing data about employees with disabilities. Some departments use an electronic personnel administration system or similar database, others record data manually on personnel files, and there is no consistent method of data capture or compilation of information.

There is also a lack of consistency between personnel departments in terms of how often the information is updated, some updating annually and others doing so in response to the entry or exit of employees.

In the study by Murphy et al, 25 responses were received about data collection methods used in personnel departments. Of these, ten were positive about the process of recording. Two others stated that the current process was adequate for new entrants, but problematic for existing staff or persons who have acquired a disability. In total, nine were critical of the current process on the grounds that the data collection processes were "ad hoc" and that the system was neither comprehensive enough nor sufficiently formalised or structured to capture the information required.

The following comments were made:

- It depends on personal knowledge and methods of entry about individuals
- It may not accurately reflect the number of people with a disability
- The system does not capture all covered by the definition
- People with a disability may not wish to be classified as disabled
- Official figures on disabled employees are less than they should be

Another group of personnel officers were critical for other reasons. One pointed to the fact that individuals may not be aware that they are listed as having a disability. This led to the suggestion that there should be more consultation about the target, to encourage self-disclosure.

In addition, the Public Appointments Service was criticised for not informing personnel departments about the nature of an individual's disability. This information would ensure that line managers were aware of the nature and type of disability concerned, and of any special needs arising. However it was acknowledged that some individuals might object to such sensitive information being held on a database.

A number of recommendations were made for improving the data collection process. These included:

- A short questionnaire/form should be issued to staff in a climate whereby people with a disability could feel encouraged to self-disclose in the full assurance that the information was important for monitoring purposes only.
- The Public Appointments Service and the Chief Medical Officer should inform personnel departments about the nature of an employee's disability.
- There is a need to be more specific and have practical guidelines involving the Chief Medical Officer so that if a medical certificate stated X, then a person absent for YY days should be recorded as a person with a disability.
- Further information should be available on specific illnesses/disabilities to ensure that fewer persons were classified as "other" or "unknown".

- Information should be passed on to other departments concerning staff with a disability upon transfer.

4.1.4 Recruitment of people with a disability

The Public Appointments Service is responsible for the recruitment of people with a disability. Kelly (1997) observed that in many countries the need to provide work for significant numbers of disabled veterans, following the world wars, led to the development of special employment measures earlier than was the case in Ireland. Progress in this regard within Ireland can primarily be traced to the 1970s.

There are two ways in which people with a disability may enter the civil service. The first route is through standard open competitions, and all advertisements now indicate that applications from people with a disability are particularly encouraged. The second route is through special recruitment competitions, although none of these has taken place since 1999.

While the entry and standards necessary to pass these tests are identical to those necessary in open competition, all individuals applying are asked to state on the application form whether they have any special requirements in relation to taking the tests, such as specialist equipment or facilities. Every endeavour is made to accommodate such requests.

In the past, the Public Appointments Service has informed the relevant personnel department where an individual has entered through a competition confined to people with disabilities. If this is the case, the individual is deemed to have openly declared their disability, and the personnel department is then in a position to contact them prior to taking up their new position to determine whether they have any special requirements in the workplace. However, the situation of people with disabilities who have been successful in open competitions can be more problematic, since a personnel department may not become aware of a new employee's disability until they start work.

4.2 Criteria for effective monitoring

This section describes the issues and challenges that face the design and implementation of an effective system of monitoring and getting the balance right between protecting individual privacy and collecting accurate numbers. There are a number of considerations to be taken into account in designing any survey procedure. These criteria are briefly described below.

Validity - *The proportion of disabled employees reported should reflect the actual number of employees with disabilities and their employment status*

Of particular importance is ensuring that the data collected is *accurate* (can be estimated within a certain level of confidence), *objective* (not subject to extraneous influences that are not directly relevant to the issues that are the focus of the survey and *relevant* (the data collected actually reflects the issues being studied).

The main concern in relation to validity in the current survey is the extent to which respondents who report a disability are actually eligible to be included under the definition underpinning the Public Sector target. This concern could be tested in a validation study, but this would require a substantial investment in a controlled study in which follow up face-to-face interviews are held with a random selection of respondents. This is feasible but resource intensive. Other than this, it is possible to test under-reporting by correlating response rates to other data sources. Over-reporting is difficult to test.

Reliability - *Monitoring mechanisms should produce results that are consistent across time to identify trends*

It is essential that the operational procedures for carrying out the survey be implemented consistently over successive years. This includes identifying a point in time at which data will be gathered and reported.

Practicality - *The results of diverse organisations should be comparable for use in benchmarking*

It is critical to address logistical concerns such as bottlenecks in data input or processing. There is a payoff between *centralising all processing*, which reduces the chance of error and strengthens quality control capability, and *distributing the processing*, which spreads the load but requires greater vigilance and more stringent procedures at the local sites.

Under the 2005 Act, each public body is legally obliged to report on its own performance in regard to the 3% target. To achieve comparability between agencies, it is critical that these organisations have easy access to a central help desk and to a well-structured operational manual; the simpler the procedures, the more likely that data collection processes will run smoothly and produce useful information.

Ethical Approach - *The personal details of employees must be protected, especially where self-declaration of a disability has been encouraged*

There are a number of ethical issues that need to be addressed in designing any data collection and reporting procedure. At the forefront of these is the issue of confidentiality. Specific attention needs to be paid to procedures that ensure that data collection does not inadvertently lead to the identification of someone who does not wish their disability to be revealed. The risk of this is greater in smaller organisations, both in terms of the detail that can be reported and the procedures for the processing of survey forms. In order to strengthen confidentiality procedures, both proper training of those operating the system and signed confidentiality agreements are required.

While anonymous surveys are easier to implement from the perspective of confidentiality, they also need to be carefully proofed from an ethical perspective. If a self-declaration procedure is being used, then it is very important that informed consent is obtained from respondents. This requires a very clear statement of the purpose for which the data is being collected, and a request for a signed acknowledgment of understanding of the purpose. Obviously, it is equally important to design and monitor procedures to ensure that the data is properly protected from improper use.

Other ethical principles that apply to the collection, storage and reporting of data include respect, dignity and beneficence for the respondents. It is therefore necessary to have in place a confidential support line for respondents who wish to share concerns raised by the survey, and to identify any possible Health and Safety or other risks in advance. Any such issues, where they arise, may need to be brought to the attention of the person responsible for Human Resources in the organisation, without divulging the identity of the individual.

Finally, these ethical issues exist within a legal framework set out in the Data Protection and Freedom of Information Acts. From this perspective any commitments to respondents must be compatible with current legal and regulatory requirements.

Fit for Purpose – *The data collected must provide the information required*

There is a tendency when designing data gathering instruments to collect information that is desirable, rather than essential to the core purpose of the survey. On the other hand, it is frustrating having collected the data to discover that some important detail of information has not been collected.

There is a balance to be reached that can be judged by a 'fit for purpose' assessment of the instrument. For example, whether or not an anonymous questionnaire can be fit for purpose depends on the extent to which trends from one survey to another are important. If respondents do not provide an identifier, trends in recruitment and promotion and staff turnover are more difficult to track. An anonymous questionnaire will certainly require more items in order to achieve the same objectives as a self-report approach, such as greater detail on type of disability and detailed reasonable accommodation requirements. One resolution to many of these issues is to utilise other data sources to track these issues if required.

Consistency - *The results of diverse organisations should be comparable for use in benchmarking*

The design and development of implementation procedures should be consistently benchmarked against the criterion of replicability. A particular risk to being able to replicate a survey arises from the design of the items. If it emerges that a particular item needs to be changed between one administration and the next, substantial problems of interpretation arise. This often leads to the perpetuation of imperfect items being used over extended periods of time. In an initial phase of a data collection process, it is highly likely that changes will be required after the first implementation. Nevertheless, a focus on the durability of both procedures and content in the initial design is extremely important.

Efficiency and cost-effectiveness - *A balance must be achieved between the effort required for successful monitoring and the effectiveness of the mechanism*

Setting up systems, reassuring employees, then collecting and analysing results can absorb resources and energy, and there is already a huge burden on public sector organisations to be competitive, particularly those in competition with private organisations. There needs to be joined-up thinking from the top of these organisations that incorporates such elements of competitiveness and social responsibility.

4.3. The main challenges to achieving the 'ideal' system:

There are many issues that will need to be resolved in designing, developing and implementing an effective monitoring system. Some of these arise from the need for any new system to be substituted for current practice or overlaid on existing structures. In this regard, particular attention must be paid to transitional measures, the building of system capacity and the raising of awareness of the new mechanisms. Other issues relate to methodological problems inherent in each option, which impact in a variety of ways on the accuracy, consistency, interpretability and utility of results. There are also practical concerns associated with each approach in terms of feasibility and resource intensity.

A common understanding of the Disability Act definition of disability

A major challenge will be assessing whether individual employees qualify for inclusion under the Disability Act definition: *Disability, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment*

It would be desirable, over the medium term, to invest effort refining the concepts underpinning this definition. The key distinctions that need to be clarified are what constitutes an '*enduring*' impairment and what is the meaning of a '*substantial restriction*' in the capacity of a person. There are two parts to this process of clarification. Firstly, a consensus needs to be reached as to the essential characteristics associated with each term. This could be achieved through expert consultation or through academic research. Secondly, given that the primary source of monitoring data will be self-reported, either to an employer or in a survey, it will be essential that the framing of questions and guidance facilitate accurate judgements on the part of respondents.

For the purposes of the pilot, the term *enduring condition* has been taken to mean one that has lasted, or is expected to last, six months or more. This includes long-lasting impairments such as multiple sclerosis or schizophrenia that may only cause problems from time to time. It does not include temporary incapacity because of a broken leg or arm

The term *substantial restriction* is described as a condition that has a considerable impact on carrying out work tasks or interferes significantly with participation in social life or in leisure activities such as watching TV, going to a concert or a match. This does not include minor problems that do not interfere with participation in everyday life, such as mild diabetes or wearing glasses.

Many problems associated with effective use of the new definition arise from the use up to now of a broader definition from the Employment Equality Act 1998, which makes no reference to substantial restriction in capacity to participate. Moreover, the fact that the data will be generated by some form of questionnaire requiring a personal judgement on the part of employees, when disclosing to their employer or completing a questionnaire, emphasises the need for clarity and common understanding around the definition of disability.

Frequency of monitoring

Disability is dynamic rather than static, and the quality of disability data therefore decays over time. Under the 2005 Disability Act, there is an obligation on public bodies to collect data on an annual basis, but it may not be possible for all organisations to carry out a full employee survey every year. This can be resolved by specifying a number of relevant impact indicators on which public sector organisations are required to report annually, such as the number of people with disabilities interviewed, recruited, trained, promoted, returned to work, retired and exiting the workplace.

Tracking

Changes in the level of compliance must be explained in order to identify best practice and potential problems. If a survey is carried out every two years and a company is assessed as having an increase of employees with disabilities from 1% to 1.5%, it would be important to be able to establish whether this increase was as a result of positive recruitment action on the part of the employer or on proactive return to work strategies for employees who were not recruited as disabled but had acquired a disabling condition.

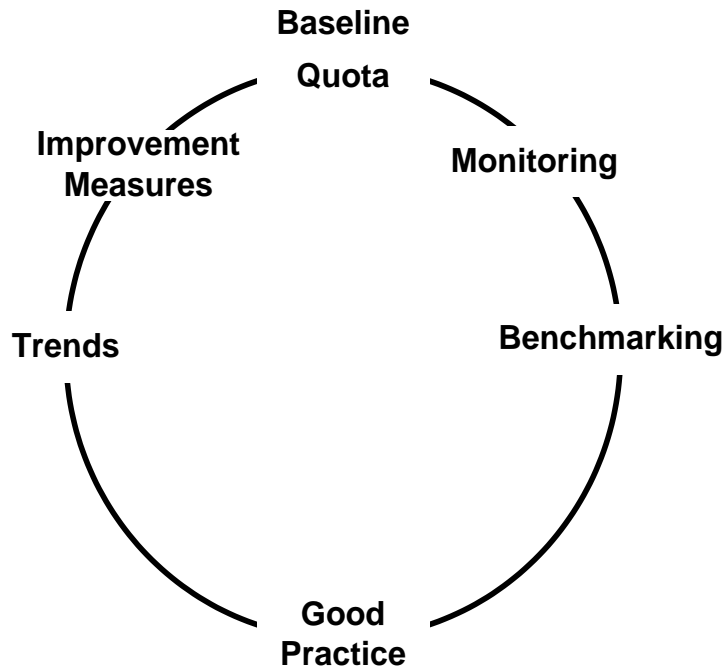
It is also conceivable that all the respondents who completed the first survey have left the organisation and that the turnover of disabled staff is 150%. While this is an unlikely scenario, it demonstrates the importance of being able to interpret trends, and to track progress from one survey period to another.

Linking to continuous improvement

It is important to stay focused on the intended outputs of the target monitoring process i.e. continually improving the policy and practice of public sector organisations in relation to the recruitment and employment of people with disabilities. It is unlikely that any organisation will argue against the overall goal. Thus, when planning the phased implementation of the monitoring system and in promoting it to public sector organisations the concept of continuous improvement must be at the forefront.

A pre-requisite for an effective monitoring system is that it is firmly based on an agreed baseline measure representing current practice. This probably represents the greatest challenge to the implementation plan. If the baseline is set unrealistically high, subsequent estimates will at least initially seem to indicate a lack of improvement in the process. If, on the other hand, the initial baseline estimations under-represent the number of people with disabilities, then subsequent gains may not be linked to genuine continuous improvement but simply to different ways of collecting data. In an ideal system, the role of monitoring is to provide a cyclical indication of the impact of any measures that have been implemented within a particular period. The cycle of continuous improvement is illustrated in figure 4.1.

Figure 4.1: Monitoring as a process linked to continuous improvement



Once an agreed baseline has been set, the monitoring process provides estimates against the baseline of current performance. It also provides a comparison of the performance of different organisations in terms of the measures implemented and the extent to which they have improved or reduced against the baseline. It is through this process of 'benchmarking' that good practice can be identified. Monitoring also provides individual organisations and the system as a whole with the results to plot trends.

The implementation of continuous improvement measures should be based on evidence of what works, and also on what constitutes good practice. While this description of the cycle of continuous improvement is based on sound principles, its effective operation within the current context faces a number of practical, methodological and interpretive challenges. These are elaborated more fully in the next section.

4.4 Key Challenges and Potential Responses

The minimum requirement for public bodies to fulfil their reporting duties under Part 5 of the Disability Act is an estimate of the number of employees with disabilities in each organisation. This appears at first glance to be relatively straightforward, but there are a number of individual, organisational and system issues that need to be resolved in order for a monitoring system to operate effectively in this way. Some of these issues, and some report formats that the NDA may specify, are described below.

What should be measured?

This issue concerns the exclusion and inclusion criteria to be applied to the population of employees, and revolves around the meaning of the term 'employee'. Of particular concern in this regard is whether this includes occasional workers, those who are working on temporary contracts, outsourced worker, and those who are on the payroll but long-term absentees. The approach to these issues is a matter of convention and it is essential that all organisations follow the same protocols in reporting their data. An issue for the NDA, however, is the basis upon which these protocols are developed.

Should individuals or full-time equivalents be used as the appropriate metric?

This issue is inextricably linked to the question of who should be included in the monitoring process. It is also strongly impacted on by the choice of data source for the monitoring process. Once again, this is a matter of convention but the choice of metric will make a substantial difference to the way in which certain organisations will collect data. While this is not a concern for those bodies with a relatively stable workforce, organisations that recruit occasional employees on a periodic basis for relatively short durations, such as education or health care providers, would certainly have very different results on the basis of full-time equivalents rather than a head count.

Should monitoring be carried out at a particular point in time or over a 12-month period?

Another convention that relates to data collection is the time period over which monitoring should take place. One alternative is to specify a particular day, week or month within the year during which the data on employment of people with disabilities is compiled by all organisations. Clearly, this will have an impact on those organisations with seasonal variations in employment patterns.

The provision of annual data that include staff turnover figures as well as recruitment, re-integration and leavers has the potential to provide a far more elaborate information base for examining the strategies and approaches adopted by organisations and identifying those that work. However, if public bodies are required to track the disability status of staff joining for brief periods, this represents a significantly larger reporting requirement.

Why should a person with a disability co-operate with the process?

It is also important to view the current project from the point of view of current and future employees with disabilities within these organisations. For example, it is legitimate to ask what would motivate an employee to participate in the monitoring process, particularly if there is no immediately apparent benefit to them. In the event that an individual has competed in a special competition, or has requested and received a reasonable accommodation, this is not an issue.

These arguments include the greater good of the overall process in terms of making public bodies more accountable in terms of recruitment and employment procedures for people with disabilities, but ultimately it is the culture of the local organisation and how it regards diversity and disability that will have the most direct effect on participation rates. It is unlikely that the local ethos and culture

within organisations can be changed to any great extent in the short term, and thus the phasing-in of monitoring procedures needs to take this into account.

One possible response to the issue of individual participation in the monitoring process might be to implement an awareness campaign specifically targeted at employees, highlighting their rights under current legislation and requesting them to play their part in ensuring that Part 5 of the Disability Act is implemented. The timing of this campaign, and whether it should be implemented through the HR function or directly to staff, needs to be explored and the methods and procedures must be widely agreed and tested prior to such an initiative.

How can a match be made between existing data and what is now required?

It is important to clarify the link between data currently reported and that required under the new arrangements. This is particularly important for organisations that have been meticulous in keeping and reporting data under the previous arrangements. It is crucial that the inclusion of this data is properly specified in the transfer to any new system. It is very possible that the current data held by public bodies in relation to employees with disabilities has no relevance, given the change in the definition. However, a certain amount of caution should be adopted in rejecting all current information.

If this were to be adopted as an initial transitional position, then those organisations that have been monitoring in a systematic way could, in the first instance, approach those employees who have been included previously in reports and ascertain whether they also meet the other criterion of the new definition, that is, do they experience a substantial restriction in their capacity to carry on a profession, business or occupation or to participate in social or cultural life in the State?

Whatever approach is considered, it is essential that both the practicalities and methodological implications be taken into account. In this regard it is important to acknowledge that every approach will have strong points and drawbacks, and the final decision must be based on establishing a satisfactory balance between these.

Have current information management systems the capacity to produce the data required?

Even a cursory overview of the current data collection approaches currently used by public bodies will serve to confirm the view that there is little or no comparability in either the type of data or the procedures for collection. This raises a wider issue than the target monitoring process itself. In some other jurisdictions where questionnaire approaches have been adopted, the data collected can be easily slotted into a standard employment database. This facilitates the production of a range of statistics including a breakdown of data by age, gender, ethnicity, job role and a range of other variables.

In Ireland, not only do public bodies differ in terms of how they manage their HR records, but also some have little or no control over the recruitment process provided by the Public Appointments Service. The overall impact of these limitations is that the data collection tool to be utilised, regardless of whether it is targeted at the individual or the organisation, will have to be self-contained in terms of the information gathered. This is likely to require a more complex format

than is required in some other jurisdictions. It is also the case that a phased approach to data collection will be required in order to achieve over time a more valid and reliable estimate than is likely to be possible in the immediate future.

How can the performance of diverse public bodies be compared?

Public bodies vary widely along many dimensions, some of which may be relevant to the target monitoring process and others relevant to the benchmarking and continuous improvement process. One obvious dimension is the size of an organisation. Clearly it is easier to collect data in a smaller organisation. However, in smaller organisations it is possible that employees with disabilities will be less inclined to self-declare. Other dimensions include the extent to which an organisation is dispersed across multiple sites, the sector within which the organisation operates, the extent to which an organisation is constrained by employment embargos, whether an organisation has 'safety critical' positions, and the degree to which the organisation has control over its own return to work policies.

While some of these dimensions may not be relevant to the data gathering process, others are likely to impact on response rates, and should be taken into account in the design and implementation of any new system.

Which data sources should be used in generating monitoring information?

The core dilemma facing the development of an effective monitoring mechanism is the source of the data to be used in generating the information required to produce the report. From a purely procedural point of view, all that is required is to produce an estimate of the proportion of employees with disabilities in each of the public bodies concerned. This could be achieved by using a single data point either based on an organisational survey or employee questionnaire.

An organisational survey would operate in a similar way to the process that exists at present. A key concern in this approach is to ensure that organisations only count those employees who are eligible under the specified definition of disability. The difficulties with this approach have been described elsewhere and include difficulties in terms of validity, reliability, interpretation and comparison. It is unlikely that such an approach would suffice to provide the required information for the NDA in supporting and advising public bodies.

The other possible single source is an employee survey that would require a questionnaire to be distributed to all public sector employees, asking them to indicate whether they have a disability. The format of the questionnaire would need to ensure that the responses of individuals are linked to the definition of disability governing the monitoring process.

While the adoption of this approach would generate its own challenges in term of effort and practicality, the interpretation of the data obtained is subject to the existing conventions of data analysis, estimation and interpretation, and as such could be considered to provide a more valid and reliable estimation of the required proportion. However, the implementation of such a survey also carries with it a range of other issues that are likely to influence the results including response rates, workload, resources and the basis for estimation.

An alternative approach would be to utilise multiple data points, whereby data gathering procedures can be designed to collect a more elaborate set of data that can be utilised to draw inferences, particularly about key points in the recruitment and employment process including recruitment, reintegration, annual performance reviews, training, promotions, transfers, and exits. As in the case of a single data point, information can be collected through an organisational survey or employee questionnaire, although the more complex format may have a negative impact on response rates if a questionnaire is used.

One major issue with this approach is the way in which survey and process generated data is interpreted and compared. One particular concern is the estimate of the proportion of employees with disabilities that should be used for the purposes of judging compliance with the target. For example, a public body might report a proportion of 3% based on administrative records, while an employee survey might only provide an estimate of 2%. The complexities in drawing conclusions in such a circumstance are substantial.

The concerns and complexities associated with putting in place an effective monitoring mechanism arise from three main sources. The first of these relates to the readiness of public bodies to provide the information required for NDA reporting responsibilities. The second relates to the need to make a transition from previous definitions of disability to the one that must govern this monitoring process. This will require not only the design and development of an appropriate format of data collection, but also an investment in raising awareness, to enhance understanding on the part of all those involved.

Both of these challenges can be seen as being temporary concerns that can be overcome over time, once a well-designed monitoring mechanism is put in place. The third major challenge, however, is the development and implementation of such a mechanism. The following section sets out the options available and the strengths and weaknesses of each.

4.5 Monitoring mechanisms

There are many ways in which the options available can be classified in order to explore the advantages and disadvantages of each approach. For the purposes of this evaluation, the possibilities have been divided into two options i.e. organisational surveys and employee questionnaires. Within each category there is a range of choices available and a number of challenges to be overcome. The option of using administrative sources without resorting to an organisational survey is not a possibility in Ireland at the present time, given the absence of an overall HR database for public sector employees.

Another key concern in choosing an appropriate mechanism is the frequency with which monitoring needs to be carried out. In this regard, annual figures need to be produced by the public bodies, and thus monitoring must take place on an annual basis. This will have an impact on the extent to which approaches involving very high levels of effort can be adopted, regardless of the advantages in terms of estimation and interpretation. There will effectively be a 'pay off' between the outputs of the monitoring process and the amount of time and resources available. One resolution to this problem might be to carry out more resource and time intensive methods less often, and to use the outputs to calibrate the information gathered on an annual basis. For example, an organisational survey might be used every year, while an employee questionnaire might only be carried out every three to five years.

Obviously one of the deciding factors in this regard is whether employee questionnaires can provide better quality data than well structured and consistently implemented organisational surveys based on accurate administrative records in organisations, where the culture and ethos support self-declaration on the part of their employees with disabilities. These conditions will only be met over time and as a result of investment in systems, awareness raising and training.

4.5.1 Organisational surveys

An organisational survey can be aimed at gathering data from administrative records within each organisation or at simply developing a questionnaire format to be completed by a responsible person in each organisation without specifying the sources.

The specification of the administrative data to be reported in an organisational survey can help to increase the consistency of the information gleaned although it is not at all clear that all public bodies have either the capacity or the systems to provide this information without substantial effort. There are also structural issues that stand in the way of this approach. For example, some of the organisations concerned do not actually undertake their own recruitment and others do not have a HR function. Nevertheless, if this option is adopted in the medium term, the following information should specify the number of people with disabilities:

- Currently employed as a proportion of the total workforce
- Recruited
- Re-integrated / retained
- Attending training and development activities
- Requesting and being provided with reasonable accommodation
- Promoted
- Exiting employment.

Alternatively, the organisational survey can simply request organisations to provide the information required for monitoring without indicating the sources of the data. This is probably a viable short-term option, but in the longer term the inconsistencies and lack of quality control inherent in this approach make it a less than attractive option.

One advantage of carrying out an organisational survey is that the data requested can cover a 12-month period, and will capture temporary and occasional employees in those organisations where this is a regular occurrence. It assists those organisations with seasonal variations in employment figures to reflect the overall proportion, rather than a picture on a certain date that could well under-represent the actual number of people with disabilities employed.

Table 4.1 provides an estimate of the amount of time needed to undertake data collection via multiple data sources. For the purposes of his estimation the following data sources have been included:

- Recruitment
- Promotion
- Performance management
- Retirement/exit
- Requests for accommodation

- Health and Safety
- Absence management.

The problem with most of these data sources is that employees may not experience any of these processes on a regular basis, thus limiting the reliability of these data sources in any year.

The estimates in Table 4.1 are based on the following assumptions:

- There are 300,000 employees working within the Public Bodies
- Organisations recruit at a rate of 5% per annum
- Organisations promote at a rate of 5% per annum
- Performance management interviews occur on an annual basis for all employees
- Retirements/exits from the workforce occur at the rate of 5% per annum
- The remaining 3 data sources encounter 1% of employees per year
- While disclosure of disability is voluntary, all of these data sources would not be anonymous
- 8% of employees interfacing with these management processes disclose a disability
- It takes 1 hour per case to process the data at each of these data sources.
- 2 days will be needed for data integration and transmission at 450 organisations

Table 4.1: Time estimates for undertaking an organisational survey

Data source	Days per person	Number of persons	Total
Recruitment	0.01	15000	150
Promotion	0.01	15000	150
Performance management	0.01	300000	3000
Retirement/exit	0.01	15000	150
Requests for accommodation	0.01	3000	30
Health and safety	0.01	3000	30
Absence management	0.01	3000	30
Data integration	2	450 Public Bodies	900
Total			4440

It is important to emphasise that the underlying assumption in calculating these figures is that organisations have the systems and functions in place to readily access the required information. Obviously, in those organisations where this is not the case a more substantial effort will be required. It may even be the case that an employee survey would require less effort in such an organisation.

4.5.2 Employee surveys

To carry out a survey of around 300,000 employees would require extensive effort, resources and time. An alternative might be to adopt a replacement random sample approach, in which only a cohort of employees are sampled on each occasion. This is obviously a much more economic approach, and has the advantage that the statistics generated can be subjected to stringent controls in determining the error in reporting, and in estimating the confidence with which estimates can be interpreted.

The main drawback of this approach is that there are 570 public bodies that vary significantly in size and along other parameters. Each organisation can be considered to be a cell itself and thus it would be very difficult to ensure a representative sample in each organisation. This would be a particular problem if other demographic factors were to be included, such as age, gender and length of service. Another difficulty presented by the randomised approach lies in the need for reporting on the target to reflect the performance of each public body. Thus there is a very strong case for a total population approach, if an employee survey is to be considered.

A total population survey also comes with its own constraints. These include factors that impact on analysis and interpretation, as well as issues of resources and feasibility. At the core of the interpretative problem are response rates. It is highly unlikely that everyone surveyed will actually return a questionnaire. A relative modest but acceptable response rate is about 30%, and this is likely to be substantially higher than what can be expected in the current process. However, even at this level there are still problems of estimation and interpretation, as it is difficult to infer what influences people to respond. This is particularly problematic if response rates are influenced by systematic variables. It is highly likely in the current case that people with certain kinds of disabilities, such as mental health problems, will be less likely to respond. Whatever the overall response rate, and the reasons for this, the non-response rate must always be taken into account in interpreting the results of the survey.

Whether the survey is anonymous or requires self-declaration is one methodological aspect that may well have an impact on response rates. This issue has been explored in depth previously and the pilot implementation carried out as part of this study also provides some insight into its impact. Response rates also create interpretative dilemmas if they differ between organisations. For example, it is not unlikely that the response rate from one organisation could be 30% and the proportion of respondents with disabilities from this organisation is 2%, whereas another organisation might have 4% of respondents with disabilities with a response rate of only 10%. A similar difficulty in interpretation arises if response rates vary substantially from year to year.

Another factor likely to influence response rates is the location from which the survey is distributed. The use of local points of distribution could have a positive effect because encouragement to respond can be part of the method. However, the advantages of local distribution must be balanced with any risk to confidentiality. The central distribution and processing of responses provides excellent safeguards in term of confidentiality, particularly if the survey is anonymous, but has substantial limitations when it comes to interpretation of the data.

The options available are set out below as Table 4.2.

Table 4.2. Scenarios for data collection in employee surveys

Scenario	Description
1a	Anonymous questionnaire, locally distributed, collected and processed
1b	Anonymous questionnaire locally distributed but collected and processed off-site
2a	Confidential questionnaire locally distributed, collected and processed
2b	Confidential questionnaire locally distributed but collected and processed off-site
3	Use of other data collection points for information collection, e.g. recruitment, promotion, performance management, requests for accommodation, health and safety, absence management

Option 1a: Anonymous questionnaire, locally distributed, collected and processed

The *advantages* associated with carrying out a locally distributed and processed anonymous survey include the likelihood that there will be better control over response rates, and probably a higher level of response. The relevance of the survey to the individual organisation may seem greater, as will the contribution made to planning and development at local level. One advantage of this option is that it reduces workload at the centre.

There are a number of *disadvantages* with this option that more than counterbalance the advantages. It is difficult to implement effective quality control procedures in this option, and this may impact on the quality of the information collected and have downstream effects on the capacity to make valid comparisons and benchmark between organisations. Local distribution and processing also create a risk to confidentiality and increase the probability of inadvertent disclosure amongst colleagues. The local option also imposes a substantial workload on those responsible in organisations, many of whom lack the knowledge and expertise to ensure that the process is carried out correctly. This will have implications on the standardisation of the approach across organisations.

In addition to the procedural issues that arise with this option, there are also a number of *disadvantages* in terms of its impact on practice. Because responses are anonymous, the results of the survey cannot be used to assist in targeting interventions or in tracking changes other than in terms of overall figures, nor in mapping accommodations requested and implemented. The impact on organisational culture is also weak, given that the whole process is within the control of local personnel.

Option 1b: Anonymous questionnaire locally distributed but collected and processed off-site

Important *advantages* in off-site processing of questionnaires include the protection of confidentiality and the reduced risk of inadvertent disclosure. There will also be greater control over quality, particularly in terms of inputting and processing data. The reduced workload at local level will be likely to enhance co-operation on the part of local personnel. If distribution continues to be local and responses are anonymous, there is likely to be an enhanced level of response. Processing the questionnaire off-site can also ensure that those involved have the

appropriate expertise and the approach is properly standardised. The contribution to planning and development can also be maintained, if results are shared with those responsible for the target at an organisational level in terms that make sense locally.

A key *disadvantage* of off-site processing is the loss of control over collecting completed questionnaires, which will impact on the management of response rates. It will also impact on the quality of communications with respondents. Given the anonymous nature of the information, the quality of the information gathered will be adequate for general interpretation but will not contribute to more elaborate conclusions. The possibility of disclosure is also unlikely, unless individuals have a compelling reason for making themselves known. This also has implications for the extent to which the results can be used for targeting interventions, tracking changes over time and mapping accommodations.

Option 2a: Confidential questionnaire locally distributed, collected and processed

The use of voluntary self-declaration combined with local distribution and processing, can be an *advantage* both in the targeting of interventions and the capacity of the approach to map accommodations. This is primarily because the quality of information gathered provides an opportunity to explore patterns of response and contribute to planning and development. Local responsibility also means that communications are likely to be better and control over the response rate greater. Inevitably the use of self-declaration means that the probability of disclosure will be enhanced, although there will be a number of respondents who still choose not to disclose. Given the use of a standard instrument the reliability of the data gathered will be enhanced.

One possible *disadvantage* of the use of self-declaration (although the evidence is equivocal) is a reduction in the level of response. It also opens up the possibility that two types of data will be produced, i.e. responses from those who have disclosed and data from those that have not. These will have to be dealt with differently in reporting and interpreting results. The local processing of questionnaires will have implications for quality control and will increase the workload of those responsible for the survey at organisational level, many of whom will not have the knowledge or expertise required to ensure a standardised approach. It also increases the risks to confidentiality at the worksite. The impact on the culture of organisations of this approach may well be particularly weak, given that control of the whole procedure has been delegated to local functions.

Option 2b: Confidential questionnaire locally distributed but collected and processed off-site

One of the major *advantages* in combining voluntary self-declaration with the off-site processing of data is the contribution it can make to planning and development. This arises from the quality of information gathered, the capacity to manage quality control procedures, the enhanced probability of disclosure that will result, the availability of appropriate knowledge and expertise, and the ability to ensure a standardised approach across diverse organisations. Off-site processing of data also reduces risks to confidentiality at the workplace level. Being able to explore response patterns across organisations allows for the targeting of interventions, more focused initiatives aimed at influencing specific organisations, tracking the reasons for changes over time and gaining an insight into how reasonable accommodations are being provided.

However a *disadvantage* of this approach is a loss of control over response rates and communication with employees at organisational level, possibly resulting in lower response rates. Another disadvantage is that two types of data will be produced, i.e. from those who declare a disability and those who choose not to, with the associated interpretive and reporting difficulties that will arise. The effort and resource requirement of this approach for the off-site processing organisation will be very substantial.

Option 3: Use of other data collection points for information collection

One of the main advantages of adopting an approach based on the use of data sources other than a survey is that each organisation will over time adopt policies, procedures and practices that will ease the burden of reporting. As such, it will result in these procedures becoming embedded in the organisation, and in time this should provide a higher quality of information. The implementation of such procedures will also result in gradual development of the knowledge and expertise required at a local level to operate the system. This approach will have a direct impact on the targeting of interventions, the tracking of changes over time, the mapping of accommodations and will ultimately make a significant contribution to policy and planning at both organisational and national levels.

Effort estimates for monitoring with an employee survey

The effort involved in using different monitoring methods for estimating the levels of employment amongst people with disabilities in public bodies is likely to be a deciding factor in the eventual approach adopted.

Estimating the effort involved has been done on the basis of experience of undertaking large-scale surveys. In addition, assumptions have been made about the numbers of questionnaires that may be returned for each of the options using survey methods. The monitoring scenarios are laid out in Appendix A.

There are a number of assumptions underlying the effort estimates made below for the first two scenarios (and variations) that involve undertaking surveys:

- The number of questionnaires to be issued is 30,000
- The number of organisations involved in administering the survey is 300 (even though there are more than 500 agencies, it is assumed that data transcription will be performed in larger units to preserve anonymity)
- The numbers of people with disabilities in employment is between 2% and 8% of those in employment
- All people with disabilities will respond to the survey (this ensures an estimate of the maximum amount of time needed to process the survey)
- All organisations use the same method of survey implementation, i.e. a postal survey using internal mail procedures
- Double data entry is performed manually into spreadsheet templates.

Table 4.3: Survey activities

Survey preparation	<ul style="list-style-type: none">• Communication• Establishing questionnaire delivery procedures• Establishing questionnaire collection procedures• Establishing a help desk
Survey implementation	<ul style="list-style-type: none">• Questionnaire packing• Questionnaire delivery• Back-up questionnaire delivery• Running a help desk• Issuing reminders• Questionnaire collection
Data transcription	<ul style="list-style-type: none">• Data entry• Data processing
Data storage	<ul style="list-style-type: none">• Storage of data
Feedback	<ul style="list-style-type: none">• Feedback of survey results

The estimates below make no assumption concerning which agencies, or functions within organisations, will expend this effort. It is likely that effort will be expended locally within organisations, especially with regard to setting up and implementing the survey, and also more centrally for the data transcription activity.

The estimates contained in Table 4.4 relate to a 50% response rate to the survey. It is clear that the main effort in implementing the survey is concerned with survey preparation and implementation. These activities account for 77% of effort where there is a 50% response rate. Data transcription activities account for about 27% of effort.

Overall, the amount of effort needed to undertake the survey is relatively small. In the case of a 50% response rate, it represents an investment of only 0.025 days per employee or 0.01% of working time for the 300,000 people working in this sector (assuming 200 working days per year). Thus the main issue is not the effort required to carry out the survey but rather the way in which the effort is distributed throughout the system.

Table 4.4: Effort estimates for monitoring activities via survey

		Days	Total
Survey preparation	Communication	3	900
	Establishing questionnaire delivery procedures	0.5	150
	Establishing questionnaire collection procedures	0.5	150
	Establishing a help desk	1.5	450
Survey implementation	Questionnaire packing	2	600
	Questionnaire delivery	3	900
	Back-up questionnaire delivery	0.5	150
	Running a help desk	2	600
	Issuing reminders	3	900
	Questionnaire collection	1	300
Data transcription	Data entry	6.5	1950
	Data processing	0.5	150
Data storage	Storage of data	0.25	75
Feedback	Feedback of survey results	1	300
	Total		7575
	Total per organisation		25.25

4.6 Legal Compliance

In addition to the Disability Act 2005, there are other legal requirements that must be met in the design, development and implementation of a monitoring system. It is imperative that the format, content and methodology utilised must comply with existing legislative requirements and, as part of the current research, legal advice has been obtained in relation to four specific issues:

- Do the proposed questions on disability reflect the definition of disability as set out in Part 1 of the Disability Act 2005?
- Are there any reasons why it would be unlawful to ask any of the questions in the proposed questionnaire? If so, on what grounds?
- What would be the legal issues if the existing arrangements for identifying people with disabilities were to be continued?
- What are the legal issues for collating and storing data, within each organisation or by the Monitoring Committee in each Government Department?

From the perspective of the Disability Act, it is important that the questions concerning disability accurately reflect the definition as specified in the Act. In particular, the ways in which questions about 'enduring' impairment and

'substantial restriction' are framed must be clearly reflective of the text of the Act. The guidance provided to respondents and employers must also unambiguously elaborate the text of the definition within the Act.

When legal opinion was sought as to whether the content and format of the questions relating to disability in the piloted questionnaire were in alignment with the definition in the Disability Act, there was a view that the current format and content tend to broaden the definition in the Act.

Two aspects were specifically queried:

1. Concern was expressed that an impairment lasting six months may not be sufficient to qualify as an enduring impairment under the definition.
2. The specification of 'watching TV' may trivialise the concept of a substantial restriction in the capacity of a person to participate in social or cultural life. It was acknowledged that there could well be alternative arguments in favour of the inclusion of this content in the questionnaire but there was strong advice that what is actually required is a code or guideline issued by the responsible authority i.e. the Department of Justice, Equality and Law Reform or its agency the NDA which clearly lays out what is included and excluded in the definition.

It is also essential that the monitoring process should comply with other relevant legal instruments, in particular the Data Protection Act and employment legislation. Where the collection and use of sensitive data in relation to individuals is concerned, care must be taken in the processing and storage of that information. Specifically, the individual must know why the data is being collected, what it is being used for and to whom it will be made available.

The data collection process can be legitimised if the explicit consent of the individual is obtained. In the absence of explicit consent, if the data being used for the exercise is consistent with the rights of the individual under employment legislation, the process can be legitimised. No other issues were raised in relation to the legality of the questions, nor were there any additional concerns in relation to the collation or storage of the information, so long as appropriate data security procedures are operated and the data is used only for the purposes for which it was collected.

Finally, a specific issue was raised in relation to the use of knowledge about an individual with a disability who has not responded to the survey in reporting on the target. With regard to the use of data without the explicit permission of the individual the same rules as outlined above apply in relation to employment law. However, given the difficulties that could ensue from adopting this approach, both in terms of the risk of legal action on the part of the individual and in terms of deciding where this is appropriate within such a wide diversity of organisations and circumstances, it would be safer to obtain explicit consent.

Chapter 5. Report on pilot studies

Pilot studies aimed at exploring the issues and implications of running an employee survey were undertaken as part of this project.

This section provides details on the development of the questionnaire; the piloting of three types of questionnaires (two detailed survey questionnaires, one anonymous and the other confidential, and an anonymous postcard survey); and the tools developed to support employers in conducting this type of survey.

The findings focus on the challenges that running an employee survey presented for employers; the results of using the various different questionnaire types; feedback from respondents on the questionnaire; and feedback from staff engaged in running the pilot studies on the support materials provided.

5.1 Approach

A project team met several times to decide on the different methodological and data collection methods and issues around gathering information on the statutory disability Target for Public Sector bodies set under the Disability Act 2005. This team was made up of members of the NDA team, members of the Equality Unit of the Department of Finance (the equality legislation and policy unit for all government departments) and the consultants to the project.

At an early stage a pilot questionnaire was developed as the main data collection instrument. This questionnaire was circulated for consultation with a number of different groups prior to running the pilot survey. While this consultation was taking place, other elements of the pilot study were developed to support the roll-out of the survey amongst employers (Employers' Guidance, Frequently Asked Questions and Data Entry Template). More detail on these aspects is provided in the body of this chapter.

5.1.1 Questionnaire design

A pre-pilot questionnaire was developed which asked about:

- Type of disability
- Substantial restriction in participation in social, cultural and work life
- Provision of accommodations/adjustments in the workplace
- Disability status when employee started working first, and at recruitment by present employer
- Career development
- Demographic information.

All questions around the disability status of respondents were guided by the definition of disability under the Disability Act 2005. The term 'enduring' was taken to mean one which has lasted or is expected to last six months or more, and 'substantial restriction' was taken to mean that it must be a condition which could substantially restrict a person's capacity to participate in work, in social life or leisure activities such as watching TV, going to a concert or a match.

5.1.2 Pre-pilot phase

(a) Classification as disabled

In the pre-pilot questionnaire, two questions were asked to assess disability status. The first was the question used in the 2006 Census, where respondents were asked to disclose whether they had:

- Blindness, deafness or a severe speech, vision or hearing impairment
- A condition that substantially limits one or more basic activities such as walking, climbing stairs, reaching, lifting or carrying
- A learning or intellectual disability
- A psychological or emotional condition
- Other, including chronic illness.

The second asked respondents to indicate whether they had a 'substantial restriction in capacity to participate in work, social or cultural life'.

The questionnaire was designed to be returned by all staff, but only to be completed in full by staff with a disability. In order to identify this group, these first two questions were designed as a filter to the remainder of the questionnaire. If respondents answered 'yes' to both the 'type of disability' and the 'restriction in capacity' questions, they were classified as disabled under the definition in the Act. However, if the respondent answered 'no' to one or both of the questions they were not classified as disabled. All respondents were asked to return the questionnaire, whether they had a disability or not, to assist in working out the proportion of staff with disabilities.

(b) Pre-pilot consultation

A number of organisations and individuals were invited to provide feedback on the first draft of the questionnaire in a pre-pilot consultation. The questionnaire and a feedback sheet were circulated to a large Government Department, a health service provider and a very large public sector body who were asked to forward it to a number of staff with disabilities for their comments. It was presented for discussion at a meeting of the Disability Liaison Officers Network and at a meeting of the Disability Committee of ICTU. It was also sent to IBEC, to a number of representative organisations and to other individuals with disabilities. Feedback was invited on the content, comprehensibility and usability of the questionnaire. In all, 38 responses were received. Overall feedback indicated that the questionnaire was easy to understand and to complete. There were a few suggestions regarding layout, and some issues relating to specific questions. Substantive comments were made in relation to issues concerning the filter question that classified people as having a disability.

(c) Feedback from pre-pilot study

Questions identifying people with disabilities

Respondents commented on the subjectivity of the second question on restriction in capacity, with some saying that what one person might perceive as restrictive, someone else with the same level and type of disability might not. Others suggested that some people might not want to believe that their disability or long-term condition impacts on their lives even though it may seem this way to co-workers. If both questions need to be answered for someone to be included in the count of people with disabilities, there is a risk of losing a disabled person

who does not perceive their disability as a barrier. A few respondents felt they were working and holding down a job, which meant they were not restricted, and others suggested that an employment survey should focus on the items and issues related to the work of the person with disabilities, and not on the more general social and cultural aspects of their lives.

Questions about barriers in the workplace

Respondents commented that the survey looked for information on provision of assistance to manage their job and on career progression, but did not tackle the many of the attitudinal and other barriers in the workplace. For example, suggestions were made about including questions on attitudes and misconceptions of managers and colleagues about the abilities of staff with disabilities, about discrimination, stigma, and satisfaction with how people with disabilities felt that they were treated at work.

Electronic version of questionnaire

For ease of completion, respondents suggested making the questionnaire available electronically to respondents. They also raised concerns about the accessibility of the questionnaire, and indicated that visually impaired people should receive accessible versions automatically.

Information, publicity and cultural change

A couple of participants indicated that the survey should aim to promote cultural change, to inform people about accommodations and work-related adjustments. It was suggested that by sending the survey to all staff, it would help remove stigma and create awareness, which would in turn help with cultural change. One participant suggested that information could be disseminated by producing a booklet on the Disability Act, similar to the one produced by the Equality Authority. Another suggested that a low response rate could be boosted by good publicity prior to the survey, good management of the survey, and reminders.

Explain who is getting this data and how it will be used

Comments were made about providing a better explanation of the purpose of the target, where this information is going, and how it will be used. To encourage better return rates, respondents suggested that the reason 'why' the information is being collected should be re-iterated at the start of the questionnaire, as well as being presented in the letter inviting people to participate.

Amendments and additional questions

There were several comments about the layout of the questionnaire and of specific questions, suggestions for changes to questions to make issues clearer, inserting additional questions and providing instructions e.g. 'tick the boxes'. It was suggested that questions could be added about whether a person left work due to a disability, whether people feel discriminated against because of their disability and whether they perceive their disability as a barrier to further career progression.

Other suggestions

Respondents suggested that, for consistency, the wording of the Act i.e. physical, sensory, mental health and intellectual impairment, be used in the question to assess type of disability. Others suggested that information on the demographic

profile of individuals could be perceived as sensitive, and suggested that explanations of why this information is important and how it will be used should be added to the questionnaire.

A number of respondents were uncertain about which disabilities or conditions could be counted in. Lastly several respondents made reference to ensuring confidentiality. One suggestion of how this could be reinforced was to place a header on each page saying 'this information is for statistical purposes only.' Others were concerned about the confidentiality of electronic returns from visually impaired people.

(d) Amendments to the pilot questionnaire

Based on feedback from the pre-pilot study and discussions amongst the project team, a number of amendments were made to the version of the questionnaire to be used in the pilot study.

The main issue for both the project team and many of the respondents to the pre-pilot survey centred on the filter questions designed to capture the definition of disability according to the Act. It was agreed that the question from the 2006 Census was not a good reflection of the definition of disability under the Act and it was decided that the four main areas of disability listed in the Act i.e. physical, sensory, mental health and intellectual would be used in the question to classify and elicit types of disability.

It was also agreed, both from the pre-pilot feedback and discussions amongst the project team, that combining the question on disability status and the one on substantial restriction to identify people as disabled, risked losing people who classify themselves as disabled, but do not perceive their disability as a barrier. A decision was made to use both questions in the survey, but only to use the question on type of disability to establish whether people should fill in the questionnaire.

Final amendments to the questionnaire included a change in the definitional questions, changes to a number of questions and to the layout of the questionnaire, provision of better instructions and explanations of why certain data was being gathered.

5.2 The Pilot Study

The aim of the pilot study was to provide information, instruments and guidance to employers to enable them to conduct a survey of their own employees. A range of tools was developed to support this task. As well as providing the questionnaire to employers, a guidance document (Employer Guidance) was developed to provide employers with detailed instructions on how to run a survey. A set of Frequently Asked Questions and a Data Entry Template were also developed.

The development of these tools had to reflect the many logistical issues that might be involved in the future real-time study. In this regard, a number of factors were pertinent including the data collection structures set out under the Act; the large variation in size of public sector bodies; whether to collect data centrally, locally or through some combination of these; whether to collect self-disclosed information on disability via anonymous or confidential methods; and which data collection instruments to use (see Chapter 4).

5.2.1 Data collection structure

The 2005 Act sets out the reporting requirements for statutory figures on the Target from Public Sector bodies, and also outlines the structures charged with providing this information to the National Disability Authority.

Under the Act, each Government Department will have a Monitoring Committee. These committees will be responsible for collating the information of public sector bodies and agencies under their remit, and for submitting this data to the National Disability Authority. The NDA will collate the information and report it to the Minister for Justice, Equality and Law Reform. The legal responsibility to collect the data lies with the individual state body.

5.2.2 Data collection options

Given the wide range in size of public sector bodies and the issues of preservation of confidentiality, the different options in data collection methods need to be explored to with a view to identifying at what point (in terms of size of an organisation) the information would be better gathered and collated by the parent Government Department or some other larger public sector body under the same reporting structure. It is anticipated that information can be locally collected for small organisations but would have to be processed at a higher, central level whereas for larger organisations data can be gathered and processed locally as the confidentiality issue is less likely to occur.

5.2.3 Anonymous versus Confidential Self-disclosure

One of the main issues involved in gathering data on self-disclosure of disability is about whether to gather the data by anonymous or confidential methods. Since no previous answers to this question in relation to the issue of people with disabilities in employment could be identified, it was agreed that to identify the merits of one type of data gathering over another, both an anonymous and a confidential questionnaire would be issued to two different organisational units at one of the pilot sites. The anonymous questionnaire had no identifying information and the confidential one had an option to provide a signature, a name and/or the organisational unit.

5.2.4 Data collection options for 2007

During discussions about the final questionnaire for the pilot, the project group also reviewed the data collection and reporting requirements for Year 1 (reporting by 31st March 2007 on the 2006 figures). Given the short time frame, a discussion ensued on the appropriateness of using a questionnaire in this first data-gathering phase, and alternatives for data collection were discussed.

One such option was to use a postcard that simply gathered information on disability type, provision of accommodation/adjustment and, if the respondent was absent from the workplace, the reason for that absence. The project team agreed to pilot a postcard questionnaire in one organisational unit at one of the pilot sites, accompanied by a brochure explaining the purpose of the data gathering exercise. This postcard had a set of questions on one side and a slogan 'Count me in' on the other. This slogan was chosen because it gave an inclusive message, was short, personalised and said exactly what was being done. The

brochure had information on the Act, why information on disability was being collected, examples of work-related adjustments and types of disability.

5.3 Undertaking the study

5.3.1 The pilot sites

It was agreed that running the pilot study in a number of different types of public sector bodies reflecting the range of organisational size and complexity of the public sector would be a useful exercise in trying to determine logistical and other issues which might arise in a real study.

Three sites were selected by the NDA to participate in the pilot, a Government Department, a small Public Sector Agency reporting to a Government Department, and a large Health Service Organisation with a number of different organisational units on one site.

5.3.2 Tools to support employers

To support the organisations taking part in the survey, it was necessary to provide them with:

- A questionnaire
- Employer Guidance
- Frequently Asked Questions
- A Data Entry Template

The questionnaire

The pre-pilot questionnaire was amended to reflect many of the suggestions from the feedback (see Appendix B). A new feedback sheet was also developed, to be used by pilot survey respondents. This asked for the following feedback:

- Whether the explanation on the first page and in the letter was helpful in understanding why this information is being collected
- Whether the questionnaire was easy to understand
- Whether the questionnaire was easy to complete
- Additional comments on questionnaire or on employment of people with disabilities
- Any situation where they would not disclose a disability at work

Employer Guidance

The Employer Guidance was developed to provide comprehensive details on how to run a survey. This guidance provided a brief overview of the Act, and why this information was being collected. It then gave details of the four stages of carrying out a survey and collecting the data:

1. Establishing a survey team and planning the survey
2. Survey preparation
3. Survey implementation
4. Data recording and transfer

Frequently Asked Questions

The Employer Guidance included a section on Frequently Asked Questions to help employers to answer queries from employees during the questionnaire administration stage. This provided sample answers to questions about whether a disability could be included in the survey, and also about issues relating to the completion and return of questionnaires.

Data Entry Template

A data entry template was produced as a spreadsheet, which only allowed specified numerical values (relating to specific questions) to be entered.

5.3.3 Seminar on how to conduct the study

Prior to conducting the pilot study, personnel from the three sites involved in the pilot study were invited to attend an information afternoon at the NDA offices. The Employer Guidance, the Questionnaire and the Data Entry Template were presented to this group, and they were asked to raise any issues that occurred to them in relation to the tools or conducting the survey.

5.3.4 Going into the field

Delays were experienced in getting the pilot study into the field. There were many issues to be decided before going into the field, such as choice of filter questions and issues of data protection and legal advice.

Data Protection

Prior to sending the questionnaire to pilot sites, it was forwarded to the Office of the Data Protection Commissioner for comment. They indicated that where participation is voluntary and anonymous there are no data protection issues. Where disclosure of sensitive data is involved, there should not be a problem if participation is voluntary.

The Pilot Surveys

The pilot studies were scheduled to start during the first week of October 2006 in Sites 1 and 2, and in late October in Site 3. However, all sites experienced delays, and the pilot studies took place on a phased basis (see Table 5.1) at the three sites according to each site's readiness to go into the field, once the questionnaire and other issues had been resolved. At site 3 the pilot did not start until 20 November 2006 due to a number of local issues (more details are provided below).

Table 5.1 Pilot Study Schedule

	Site 1	Site 2	Site 3
Publicity about survey	Week of 18 October	Week of 18 October	Week of 30 October
Issue questionnaires	25 October	27 October	6 November *
Issues reminders	1 November	3 November	13 November *
Return data	8 November	10 November	17 November *

* Due to difficulties experienced at this site, questionnaires went out on 20 November with return date of 27 November 2006

Distribution method used

Table 5.2 shows the survey distribution method used for each of the sites. Since Site 1 was a very small organisation, the questionnaire was distributed locally and then collected and processed off site to preserve confidentiality. Site 2 was a large organisation and the data was distributed, collected, and processed locally. At site 3 there were three data gathering options tested. However, due to the resource constraints of this organisation, these were all distributed locally and collected and processed off site.

Table 5.2 Distribution methods for pilot sites

Distribution method	Data gathering options	Site 1	Site 2	Site 3
Locally distributed centrally collected	Anonymous	X		X
Locally distributed centrally collected	Confidential			X
Locally distributed centrally collected	Postcard			X
Locally distributed, locally collected	Anonymous		X	

Roll-out of the Survey at Pilot Sites

The Questionnaire, Feedback Sheet, Employer Guidance and Data Entry Template were forwarded electronically to Sites 1 and 2 by the consultancy company. They were also provided with information and suggestions about publicity messages to convey prior to issue the questionnaires at their respective sites.

At Site 1, publicity about the survey was provided to staff via email, and also in person by the individual conducting the survey since this was a very small organisation. The anonymous survey along with the feedback sheet, a letter explaining the purpose of the study, and a Freepost envelope addressed to the consultancy company were packaged and distributed to all staff. All employees were encouraged to return their completed questionnaires, in a sealed Freepost envelope to the person who distributed them. The individual responsible for the survey issued reminders to staff in the form of a personal communication and also via email. He collected the completed questionnaires and when envelopes were received from all staff members he returned these to the consultancy company for data entry.

At Site 2, publicity about the survey was provided to all staff via email. About a week later, the anonymous questionnaire, along with the feedback sheets were printed by the local survey team, for distribution to all employees. A pack containing the questionnaire and feedback sheet, accompanied by a letter explaining why the survey was being undertaken and a pre-addressed envelope (addressed to the Disability Liaison Officer) for the return of the questionnaire was distributed via the internal mail system. A week later all employees were emailed a reminder to complete and return the questionnaire, attaching the FAQ sheet and an electronic copy of the questionnaire to download and return if required. In this organisation, the survey staff signed a confidentiality agreement (see Appendix C). When all questionnaires had been returned, feedback sheets were separated from questionnaires and given to the consultancy company who processed the data.

An accessible version of the questionnaire was made available for visually impaired people via email. Concerns were immediately raised about the confidentiality of using email as a method of distribution as it does not allow for non-identifiable returns.

At site 3, difficulties were anticipated with questionnaire administration due to resource constraints and the fact that they had recently conducted an in-house staff opinion survey of all employees. The consultancy company agreed to provide the administrative support required for this site to stay involved in the pilot phase, as it provided the opportunity to explore a range of different data gathering options. This was a very large site and it was agreed that only a subset of the organisational units available would be used to test the different questionnaire options (anonymous, confidential and postcard). Three of the smaller organisational units were selected for inclusion in the study. Publicity for the survey was undertaken by the communications officer at this site and was in the form of emails, posters and intranet postings.

Site 3 provided the consultancy company with the names and work addresses for employees working in these three organisational units from personnel records. The questionnaire and feedback sheets were printed, and packaged in an envelope, together with a letter explaining the purpose of the study and a Freepost return envelope addressed to the consultancy company. One set of questionnaires was anonymous, where the respondent only indicated if they consented to the information provided being used in reports about disability, but did not provide his/her name. The second set of questionnaires was confidential, and the respondent was asked to consent by providing his/her name, signing the questionnaire and or providing the name of his/her organisation unit. These options were all optional since they are identifiers and respondents may wish to remain anonymous. The third set of questionnaires consisted of a postcard survey, accompanied by a brochure which provided information on the Disability Act 2005, reason for collecting information on disability status of employees, definition of disability and examples included under different types of disability. Also in the pack for this organisational unit were a feedback sheet, a letter inviting respondents to participate and Freepost return envelope addressed to the consultancy company.

Packages addressed to staff at the three organisational units were brought to the site for distribution through the in-house mail service. Complications arose in organising the distribution of survey packages through the internal mail system. These were eventually distributed through other channels and staff. While most staff received the packages, a number of staff did not.

Delays in seeking alternative methods of distribution delayed distribution of the questionnaires until 20 November, some two weeks after the return deadline specified on the questionnaire. Communications were made to staff via email, intranet and posters to inform them that the deadline had been extended to 27 November, and to encourage them to respond.

5.4 Findings

The purpose of this report is not to provide detailed information on the findings from pilot questionnaires, rather to examine the data gathering process, to provide insight into the logistical issues regarding these data collection methods, to learn about the concerns of respondents from the feedback sheets, and to amend the final questionnaire and Employer Guidance in the light of this information.

In order to identify issues that might influence the future of using these methods to monitor the number of people with disabilities in employment, it was important to examine some of the data in more detail. Findings on response rates, on the

questions used to classify people as disabled, and on the difference between the three methods of data collection are discussed below.

5.4.1 Response rates

Table 5.3 below provides information about response rates from pilot studies.

Site 1 achieved a 100% response rate, which can be attributed to the size of the organisation (<30 employees) and the personal approach used to inform staff about the survey and to distribute and collect the questionnaires.

At Site 2, 600 of the organisation’s staff received a questionnaire via the internal mail system. This organisation achieved a response rate of 63%, which can be considered very high for this type of survey.

Response rates for the different types of questionnaires undertaken at Site 3 are not accurate, as there is uncertainty about whether some staff received the questionnaire at all. Therefore, the figures in Table 5.3 below can be regarded as an underestimate of the response rate. It can also be seen that there was no real difference in the response rates from the confidential and anonymous surveys; however, the postcard survey achieved a response rate over 50% higher than the other two methods. While these figures need to be treated with caution due to the uncertainties about numbers who received the each of the questionnaire types and the low return rates at this site, they can still be taken to illustrate that the postcard method tended to be returned more frequently than the other two methods.

Table 5.3 Response rates from pilot studies

	Number of staff who got questionnaires	Response rates (%)	Response rate (n)
Site 1	<30	100%	<30*
Site 2	600	63%	378
Site 3 confidential	235	10%**	24
Site 3 anonymous	385	11%**	42
Site 3 postcard	280	16%**	45

* Exact numbers of respondents are not reported in order to protect the identity of the organisation.

**A number of staff identified to participate did not receive questionnaires, so this is an underestimate of response rates.

5.4.2 Disability type and Participation restriction

Responses to the two questions, one on ‘type of disability’ and the other ‘restrictions in participation’ were examined to assess whether those people who indicated that they had a disability also indicated that they had a restriction in participation. Results for this question are treated collectively for all three sites (see Figure 5.1 below). Of those who said that they had a disability, only 29% indicated that they considered that their disability caused them a substantial restriction in participation. Also, of the respondents who indicated that they had a disability 16% chose not to disclose the nature of their disability (see Figure 5.2 below). Interestingly, all those who chose not to declare their disability answered on the anonymous questionnaire forms.

Figure 5.1: Percentage of those who had a disability who also indicated that they had a restriction in participation.

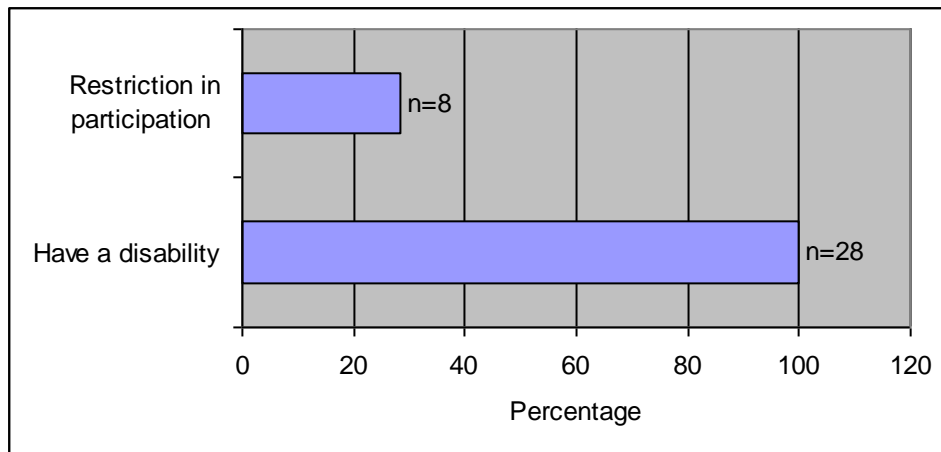
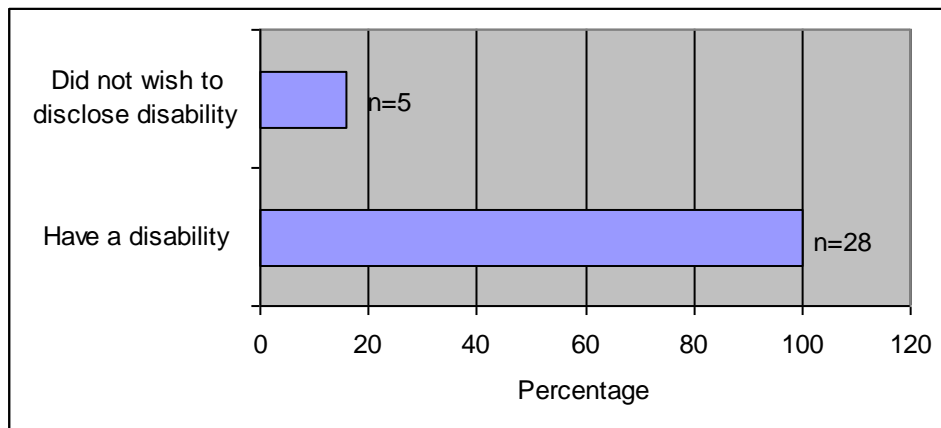


Figure 5.2: Percentage of those who did not choose to disclose type of disability



5.4.3 Anonymous versus confidential

At Site 3, one organisational unit received an anonymous version of the questionnaire and another received a confidential version. At the end of the questionnaire, respondents were asked to indicate their consent to use the information they had provided in monitoring the target established under the Disability Act to promote the employment of people with disabilities in the public sector. On the anonymous version of the questionnaire their consent was determined by answering 'yes or no' to the consent statement. On the confidential questionnaire, respondents were asked to consent by signing their name (this was optional), providing their name in block capitals (also optional) and or providing the name of their directorate.

Figure 5.3: Percentage of respondents who signed or indicated consent

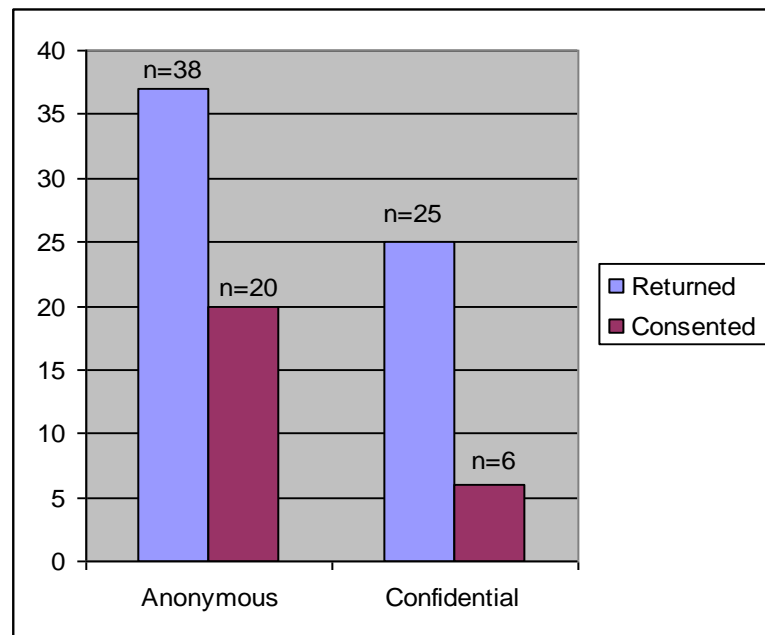


Figure 5.3 shows that just more than half of those who received the anonymous questionnaire indicated that they consented to the information they provided being included in monitoring reports, whereas a little more than 20% signed their name on the confidential questionnaire. These figures need to be treated with caution, as the response rates were very low at this site and also because many respondents did not complete the consent form. This suggests that perhaps they did not understand about completion of this section.

5.4.4 Feedback

All respondents were asked to provide feedback on the questionnaire. They were asked:

- Was the explanation on the first page and in the letter helpful in understanding why this information is being collected?
- Was the questionnaire easy to understand?
- Was it easy to complete?
- Additional comments on questionnaire or on employment of people with disabilities
- Situation where respondent would not disclose his/her disability at work

Helpfulness of explanation

The majority of respondents felt that the information was clear. Where comments were made, they related to clarifying why the research was being undertaken, who it was for, and what would be done with the information. Suggestions were made that on the front page it should be re-iterated why the information is being collected and for what purpose and / or that the aims and objectives could be specified. A statement could be made to highlight the positive aspects of information being collected. Also in this section, queries were raised about whether the survey was being undertaken to improve services, to understand how staff with disabilities are accommodated, to improve the situation for them, or for some other reason.

Understanding the questionnaire

Most respondents felt that the questionnaire was easy to understand. Where issues arose, they were mainly where those who did not have a disability failed to understand that they did not need to complete questions 3-18. A few respondents indicated that in order to encourage people without disabilities to complete the questionnaire, they should be provided with reasons why they should complete it.

Some respondents found Question 1 on types of disability cluttered and suggested that this should be separated into two questions: *Do you have a disability?* (Yes or No) followed by a question on type of disability. There were also suggestions that the response format throughout Question 1 should be consistent i.e. 'Yes or No' for all parts of the question. With regard to Question 10, *Years of service with your present employer* and Question 16, *Have you changed jobs in your organisation since you have had your disability*, respondents queried whether these questions referred to the period since they were employed in a Public Sector Body or since they started in their current position.

Completing the questionnaire

Most respondents indicated that the survey was easy to complete. Where comments were made, they mostly concerned the layout of the questionnaire and clarification in instructions for questionnaire completion. Suggestions were made that instructions on using a '√' should be added to indicate the response. Some respondents found the form to be cluttered and that the italics were not easy to read.

Additional comments

When asked for additional comments on the questionnaire, or on the employment of people with disabilities, respondents gave a range of answers. These have been categorised below.

Definition of disability - A number of points were raised in relation to the Act and the definition of substantial and significant difficulties. Some respondents found the Act to be unclear. Others indicated that 'substantial' is a subjective rather than objective term. Some staff with disabilities may not see themselves as disabled, but find themselves pigeon-holed due to organisational/ cultural attitudes. Could there be a distinction on between how the disability / impairment impacts on work or professional life and on social life / life in general?

Confidentiality - A couple of respondents mentioned that employers should not be linked in any way to the survey, and another that anonymity is critical for disclosure of mental illness. Someone suggested that a combination of data could render a person identifiable and another suggested that if there are no names on questionnaire, is it necessary to say that all information will be treated in strictest confidence?

Changes to questions - There were many suggestions for changes to questions, some of which have been covered above. Several suggestions were made in relation to additional questions. Many of these suggestions were seeking to add attitudinal rather than factual information. In relation to the question on Grade, there were suggestions that all grades up to the highest ones should be included on the form and that grade structures would need to be tailored to each

organisation. There were some suggestions about informing the employer about an employee's disability e.g. ask whether employees had informed their employer about their disability, when this had happened (at recruitment, on application for promotion, etc), and whether there is a process for raising this issue in confidential way in their workplace.

A few people indicated that they would like to see questions about discrimination and equality of opportunities at work, such as whether someone been forced to move jobs because of disability, and a question on equality of training and development opportunities. Others suggested that they would like to see questions about how disabled people perceived their treatment by colleagues. Some suggested that the questionnaire could be used to ask for ideas about improving the work situation for people with disabilities, and one respondent commented that they had been taken back to work after more than a year's sick leave due to a mental health condition, but the questionnaire did not provide an opportunity to disclose this information.

Collecting data from people without disabilities - A number of respondents suggested that demographic information should be collected from all respondents, as it would provide for meaningful comparisons to be made on all information. Someone suggested that it might be of value to know everyone's grade as this may show that those with a disability fail to progress. Another individual considered that people without disability should be asked whether they had ever worked with someone who had disability and whether they wished to comment about that person's needs.

Disability types and examples - There were numerous queries about what types of disability were included under the specific definition. There were queries as to whether dyslexia, arthritis, asthma and Crohn's disease were considered under the Act. Other respondents suggested that more examples of types of disability should be made available, and that general definitions and examples of mental / intellectual disabilities, similar to the ones for physical disabilities should be produced.

Awareness - Respondents made a number of comments about disability awareness and training. There were a few suggestions about training co-workers in how to deal with situations that might arise from a colleague's disability. A couple of respondents stated that it was important that the public sector leads the way in terms of employment of people with disabilities, and that more could be done on their career progression. One respondent commented that once people with disabilities are employed, there is a responsibility to ensure that they are supported and encouraged to achieve their full potential.

Getting the full picture - Suggestions were made that, in order to gain a full picture of the employment of people with disabilities, it would be important to ask supervisors about their experiences of working with and managing these employees. This, combined with the employee survey, would give insightful information about how this issue is viewed from all sides. Suggestions were also made that it would be useful to gather the opinions of staff / co-workers working alongside people with disabilities to identify their experiences.

The ability of people with disabilities at work - A range of opinions was expressed about the abilities of people with disability in the workplace, and many of these were negative, for example, one respondent believed that sometimes people can not perform all tasks within a grade and it is more costly to employ them; another that equal employment for people with disabilities is ideal but, in truth, some work activities and the ability to carry them out will preclude people with

disabilities from doing the work fully; and a third anticipated that if he found himself in a wheelchair in the morning, he felt this would be seen as a hindrance to his current job.

However, one respondent commented that he had supervised a person with a disability for some months and had found it to be a positive experience, and another believed that not enough is being done to allow complete access to employment for those with disabilities.

Situations where respondent would not disclose a disability at work

More than one-third of all respondents commented on this section. Several indicated that if the questionnaire was anonymous, they didn't see any reason not to disclose. However, most believed that they would not disclose a disability, especially a mental health condition, if they felt it would hinder their career progression. In a few cases, respondents indicated that they would not disclose if there were any identifying information, or ways of identifying individuals from the information provided.

Reasons given for not disclosing by those who mentioned mental health issues covered both interpersonal and job-related reasons. Those who did not specify the type of disability gave mainly job-related reasons.

Interpersonal reasons - In relation to mental health issues, some staff would only like superior staff to know about their disability, others would only tell colleagues and a third group stated that they would not tell any fellow workers. Among the reasons given for not disclosing either to colleagues or managers were the stigma associated with mental illness; a fear that other staff members might be too careful not to say anything offensive or patronising; uncertainty about how a specific disability or condition would be regarded or understood; concern that support might not be available; and fear about management maintaining confidentiality at all times.

Job-related reasons - Those respondents who did not refer specifically to any type of disability for this question, said that they were mainly concerned with the impact that disclosure would have on their career progression, or possible repercussions on employment status,

A large number of people said that they would not disclose their mental health issues for fear of a negative impact on their career progression, and a few commented that they felt that they had not been selected for promotion due to mental health issues. Another reason given for not disclosing mental health issues was the fear that it would lead to negative expectations about that person's performance.

Feedback specifically in relation to the postcard

A few comments were made about the layout of the postcard. It was suggested a larger font size and more spacing between sentences would be better. A number of people indicated that they really liked the slogan, and that it made a good point, whereas one person said that they did not understand what the slogan meant. With regard to the brochure, there were comments suggesting that the print setup could be better (there were far too many hyphenated words).

When asked about completing a postcard questionnaire instead of a longer, more detailed questionnaire, a large number of respondents said that they liked the postcard, it was concise and easy to complete and would be more likely to be

completed. However, some respondents indicated that by using the postcard not enough relevant and detailed information would be collected.

5.5 Feedback from Employers

This section provides details on the feedback from the employers who conducted the pilot studies in their organisations.

The Employer Guidance was developed to support organisations in running an Employee survey. It is written in such a manner that even organisations that have never undertaken a similar task should be able to conduct the survey by following its phased approach:

- Phase 1 Establishing a survey team and planning the survey
 - Recommended for organisations over 100 employers

- Phase 2 Survey preparation
 - Informing staff
 - Preparing the survey

- Phase 3 Survey implementation
 - Questionnaire delivery procedures
 - Reminders
 - Back-up questionnaire delivery
 - Questionnaire collection procedures
 - Help desk

- Phase 4 Data recording and transfer
 - Data collation
 - Employer Questionnaire completion
 - Data transfer
 - Data storage
 - Feedback

Two of the three sites used the Employer Guidance as their main support when conducting the pilot studies. Both sites considered it very useful in providing them with sufficient detail to conduct the pilot studies. As outlined above, Site 3 ran into a number of administrative problems, and only used the Guidance for part of the first phase of the study, leaving the remaining phases to the consultancy company.

5.5.1 Establishing a survey team and planning the survey (Phase 1)

At Site 1, due to the size of the organisation, one person managed the survey. In the larger organisations (Sites 2 and 3) staff found it useful to set up a survey team to help co-ordinate the activities of running the survey. This was made up of different staff depending on the organisation. Site 2 was a large organisation on one site. At this site the survey team was made up of two members of the HR department who jointly managed all aspects of the survey. At Site 3 the survey team was made up of a number of individuals from a range of departments including the Diversity Officer, the Communications Officer, a HR person and the Occupational Health Physician.

5.5.2 Survey preparation (Phase 2)

This phase involved informing staff about the survey and preparing for the survey by getting all the names and addresses of staff and printing up all the relevant materials for distribution i.e. questionnaire, letter, address labels. It also involved the setting up of a 'Help Desk' to provide phone and email support to staff with queries about the questionnaire, the purpose of the survey or the different types of disabilities that could be included.

Prior to sending out the questionnaire, the survey was publicised in all three organisations. At Site 1, publicity was by email and through talking to staff about the survey. At Site 2 the main method used was an email to all staff informing them that the survey was going to take place, why it was being undertaken and to provide information about when to expect to receive and return questionnaires.

Site 3 is on one location but is made up of a number of independent organisational units, each with its own management structure, so publicity was a much more complex task. The Communications Officer used a variety of methods of communication to make all employees aware of the survey, including direct email, the local intranet, posters, and a "cascade" system of providing information (where managers receive an email bulletin and are responsible for informing staff under their management).

At Site 1 and Site 2 it is certain that all staff received a communication about the survey except for some Site 2 staff who were long-term absent from work and who were known to be terminally or very seriously ill. At this Site a decision had been taken to survey those on long-term absence, where appropriate. At Site 3, due to time constraints and consequent lack of planning, it is not certain whether all employees received a communication, but certainly most did.

None of the organisations had any difficulty in obtaining names and addresses. Site 2 had queries in relation to sending the survey to staff on secondment to or from other departments. They wished to clarify to which department these staff would respond in future years.

Printing the questionnaire and accompanying letters posed no problems for those sites that undertook to do their own printing. Having undertaken the printing for Site 3, the consultancy company conducting the study was able to estimate the cost of doing this.

5.5.3 Survey implementation (Phase 3)

Questionnaire delivery procedures

Questionnaire delivery was very straightforward at Sites 1 and 2. Site 1 is very small and confined to one building, so this was an easy task. At Site 2 the internal postal staff were responsible for the distribution of questionnaire packages, and to ensure that distribution went well, the survey team informed them in advance to expect the questionnaire. The issues in relation to questionnaire delivery at Site 3 have already been highlighted.

Reminders and back-up questionnaire delivery

Reminders were issued electronically at all three sites. Site 1 employees were reminded personally, and at Site 2 the Frequently Asked Questions and an electronic version of the questionnaire were attached to the email. At Site 3, in

addition to issuing reminders electronically by email, electronic cascade methods and intranet, posters were placed on notice boards in staff canteens, offices and other visible locations throughout the three sub-sites. At this site the Frequently Asked Questions were posted on the Intranet.

Questionnaire collection

At Site 1 questionnaires were returned to the Human Resources person responsible for the survey, in a sealed envelope addressed to the consultancy company. When all returned envelopes had been collected they were forwarded to the consultancy company.

At Site 2 questionnaires were issued with a return envelope addressed to the local Disability Liaison Officer, and were returned using the internal mail system of the organisation. For staff absent from the workplace, a pre-paid return envelope was included in the pack.

Questionnaires from Site 3 were returned to the consultancy company using pre-paid return envelopes.

Help desk

At each of the three sites the person(s) with overall responsibility for the survey undertook to provide a Help Desk service. The purpose of this service was to provide support to staff with queries, either about the survey or about issues related to answering the questionnaire. All three sites reported that very few people contacted the Help Desk (a total of 15 calls in all three organisations). Where help was sought, it was mainly to find out if a particularly disability qualified under the definition in the Act, to receive another copy of the questionnaire, or in two cases to comment on the questionnaire. Site 3 received additional queries in relation to the deadline for returning questionnaires as it had finally been distributed to staff after the original return date.

5.5.4 Data recording and transfer (Phase 4)

In the pilot study, it was decided that, in order to minimise the resource implications of this stage, data would only be entered for those who reported having a disability. Site 2 was the only site with in-house responsibility for data entry. The consultancy company undertook data entry for Site 1 due to confidentiality issues related to size, and for Site 3 due to resource constraints at the time of the survey.

The same data entry procedure was used to record data from all three sites. Questionnaires were manually sorted into those who reported having a disability and those who did not. The latter group were manually counted and the number recorded. The number of those who indicated they were long-term absent was also recorded. Data on staff reporting a disability was then entered into the template. At this point the evaluation sheets were detached from the questionnaires at Site 2 and returned to the consultancy company, along with the completed entry form for Site 2.

Since the aim of the pilot project was to test the process of conducting the survey, rather than to provide detailed reports on the findings at each site, the process ended here.

5.6 Employer questionnaire

During the early stages of the project, the employer questionnaire was envisaged as two-fold. Firstly, it was to be used to gather feedback from employers engaged in the pilot study on their experiences of running the pilot, and secondly it would be used for these employers to complete what was effectively an Organisational Survey. As the project progressed and plans for data gathering for 2006 were agreed, the Organisational Survey was developed and tested separately. Therefore, for the purposes of this report, the focus of the employer survey is on getting feedback on the running the survey and on the tools.

Employer feedback was gathered by meeting or telephoning the people responsible for running the survey in each of the organisations, and discussing (a) their experiences running the present survey and (b) what they felt could be changed to improve the survey in the future.

Sites 1 and 2 identified no major issues with running the survey as outlined in the Employers Guidance and found the process very straightforward. Distribution also went smoothly in Site 2 despite a recent staff change. An important point in the success of managing the printing and distribution was that relevant staff were contacted and informed of the expected workload well in advance of having to undertake these activities. This meant that they were ready and willing to undertake tasks allocated to them.

Personnel at Site 2 indicated that the survey preparation stage (printing and packaging questionnaires, letters and return envelopes) for a large organisation would be very labour-intensive and, since all staff in this organisation had access to email, they would have preferred to issue the survey electronically. They also would have liked more time to introduce the survey, as there are a number of visually impaired staff at this site and, while accessible versions of the questionnaire were available for these staff, there was no time to establish email survey procedures with a designated mailbox for returned questionnaires to establish electronic confidentiality.

Many of the issues associated with running the survey at Site 3 have been described above. At this site, the survey personnel identified a number of problems, especially related to the planning process. The proposed timeframe for was very tight and did not allow for the planning period necessary in such a multi-unit organisation. This is a very large organisation (with around 4000 employees) with eight independent units, each with its own organisational and management structure. In addition, a wide range of different types of staff are employed at this site including a number of professional groups, clerical and administrative staff, and a range of other support staff. The organisation is very diverse and with more than 30 different nationalities working at the site. Language literacy, particularly for those in lower level positions is a problem. Survey personnel at this site indicated that if they were to run such a survey again, they would have integrated it into their staff survey instead of issuing two surveys within five weeks. They also indicated that if the survey could be administered electronically it would save on resources, but they acknowledged that, while all staff have access to IT either through direct email or via intranet booths with PIN numbers, many staff do not use these.

Another significant issue at this site was one of survey fatigue. This organisation receives many external surveys targeted at different professional and other staff groups, and had also undertaken its first organisation-wide opinion survey just before the present survey was issued to them. The maximum response rate for these on-going surveys is around 30%, so an additional concern was one of low

response rate. Many of the staff at this site work in very intense situations, there are staff shortages, staff work shifts and weekends, and these issues are likely to impact on their attitude and response to surveys.

Survey staff at this site also raised the issue of resources and were keen to know who would provide the financial resources involved in survey preparation and distribution, as this was a major difficulty for this site during the pilot.

Distribution issues were also a problem at this site due to staff shortages in the mailroom and lack of advanced warning to allow planned distribution. It was suggested that one way to reduce the distribution difficulties was to issue the survey to staff with their payslips. The point was made that payslip distribution is not uniform, with some staff receiving them by post to their homes or worksite and others collecting theirs on an irregular basis. Another suggestion was that questionnaire packages could be handed out in the canteen and at other strategic points over a couple of days. This would introduce a personal element to the survey process, which has been associated with higher return rates at this site in the past. Survey staff at this site also suggested that, in parallel with getting information from the survey, personnel systems should be improved and information on disability recorded at various points, such as recruitment, transfer and promotion. This site does not currently gather information on disability.

In conclusion, the main concerns for Site 3 were the timeframe allocated to the survey, resolving resource issues, and concerns about poor response rates. Survey staff at this site indicated that they would need a much longer lead-in timeframe (up to 2/3 months) to ensure that the survey was run effectively. This time could be used to set up a survey team representing staff, unions, management, Human Resources, equality and occupational health personnel in developing communications strategies and producing the tools required to administer the survey.

Issuing the questionnaire to staff who are long-term absent

At Site 1, only one member of staff was long-term absent on maternity leave. The questionnaire was posted to this staff member with a Freepost return envelope addressed to the consultancy company. Survey staff at Site 2 had a number of concerns about issuing the questionnaire to those who were long-term absent. It was felt that this was a very sensitive area for a number of reasons. In some cases staff were long-term absent due to terminal illnesses and it was considered inappropriate as well as highly insensitive to issue them a questionnaire, in other cases it was felt that it might be perceived by long-term absent staff that the organisation was suggesting they were disabled because of their absence. This organisation issued questionnaires to long-term absentees on a case-by-case basis after carefully investigating reported reasons for absence. With only those staff who were long-term absent for reasons of terminal illness were not issued with a questionnaire. At Site 3, due to other difficulties with survey administration, the survey was not issued to any long-term absent employees.

5.7 Conclusions

The pilot survey ran smoothly in two of the three sites, and the survey teams at these sites were able to manage all aspects of the survey using the Employer Guidance and with a small amount of support from the consultancy organisation.

At the third site, a range of difficulties were encountered in running the survey. To overcome these, survey staff at this site advised a well-planned survey exercise with a long lead-in time, particularly as the organisation has multiple organisational units and management structures.

Survey staff at all three sites suggested an electronic survey to reduce the resource implications of printing, packaging, distribution and data entry. In any such electronic survey, two major issues would need to be resolved: whether staff at all sites would have internet/intranet access to complete the questionnaire, and the issue of confidentiality.

Response rates at Site 1 and Site 2 were high (100% and 63% respectively). At Site 1 the high response rate was due to the small size of the organisation and the personal approach used in conducting the survey. High response rates at Site 2 may be due to the fact that this site was a Government Department with a culture of responding to queries of a statutory nature within a specified timeframe. Where response rates were less than 100%, estimation can provide a method for resolving the proportion of persons with disability from the overall number of respondents, however, where response rates are very low it may not be sufficient.

At both Sites 2 and 3 there were a number of non-respondents to the survey. At Site 2 even with a committed team leading the survey and sufficient resources to conduct it 37% of staff did not respond. There is no way of knowing if the non-respondents are staff with disabilities or not. However, if all non-respondents are from those who do not have a disability then the target figure based on returns would be lowered considerably. The large number of non-respondents at Site 3 illustrates how difficult it is to elicit responses to a survey in a complex working environment.

At Site 3, where all three methods (confidential, anonymous and postcard) were tested, the postcard survey achieved a response rate that was 50% higher than other two methods. Feedback on the postcard found that it was concise and easy to complete, that the slogan was appealing, and that it was efficient method of data collection. On the negative side, respondents queried whether it would provide enough meaningful data, as information on demographics and other details about disability cannot be collected. The postcard might serve well in the gathering of baseline data. There was no difference in response rates between the anonymous and confidential survey, which is consistent with the literature. It is not possible to comment on the statistical significance of the difference between the postcard and questionnaire methods of data collection as there is uncertainty regarding the actual numbers of staff who received postcards and questionnaires due to distribution difficulties. Also, response rates using all three methods are underestimates.

Of respondents who disclosed a disability, only 29% acknowledged that they had a restriction in participation. If both elements of the definition are to be used to classify people as disabled, then the number of people recorded as having a disability will be much lower than the number of people who reported this information by indicating their disability type. In addition, a number of respondents chose not to disclose the nature of their disability, even where the questionnaire was anonymous.

A number of respondents raised the issue of the subjectivity of the second part of the definition, and queried why, when they were working were they being asked about their capacity to carry on a profession or about aspects of their lives which had nothing to do with their working life.

Several respondents in both the pre-pilot and the pilot study raised the issue of the need for clarification about the types and degree of disability to be included under the definition. Questions were raised about a wide range of disabilities including dyslexia, asthma, arthritis and Crohn's Disease.

A number of comments were made in relation to a need to collect demographic information from all respondents if meaningful comparisons are to be made. Collecting this data from all employees will impose an additional resource implication at the data entry stage, as data will have to be entered for all staff instead of only for those with disabilities.

Feedback sheets asked staff to report on situations in which they would not disclose their disability at work. General concerns about disclosure were expressed in relation to issues around career progression, discrimination and the impact of disclosure on employment status. Most of these comments referred to mental health issues, where they believed disclosure might lead to discrimination, stigma, impact on career progression, and changed attitudes and treatment by colleagues.

Overall, with a few exceptions, feedback indicates that the survey was easy to understand and easy to complete and that the accompanying information provided sufficient explanation of the purpose of the survey.

6. Conclusions and recommendations for monitoring

6.1 Options for data collection

6.1.1 Factors to be taken into account in choosing an appropriate tool

In coming to conclusions about the choice of an appropriate mechanism for monitoring compliance with the employment target for employees with disabilities set out in the 2005 Disability Act, a range of issues were reviewed through a survey of current International practices in monitoring, a literature review on the impact of disclosure and the implementation of a set of pilot studies. This chapter briefly describes some of the key findings and recommendations of this report. Section 6.2 explores some central issues that need to be addressed in designing and implementing appropriate data collection processes. The final chapter describes a phased rollout programme for the monitoring mechanism.

Current practice

A review of experience from other jurisdictions revealed that while systems of registration and certification are the most prevalent approach to monitoring the employment of people with disabilities, the ways in which many of these systems utilise employer penalties or compensatory payments to stimulate the employment of disabled people and the ways in which they involve medical specialists, reduce their relevance to the Irish system. For example, where registration and/or certification is in operation, disclosure of a disability is a prerequisite for access to systems and services. This is not the case in Ireland.

Recently other countries have introduced new regulations that focus on an individual's abilities and have replaced mandatory quotas with voluntary targets and anti-discrimination legislation. More innovative approaches have given greater responsibility to organisations themselves, including that of monitoring their own success or otherwise in the recruitment, accommodation and promotion of people with disabilities. However, these systems are in an early stage of development and have little to contribute to the Irish context at this point.

Jurisdictions that do not operate a quota system emerged as a more appropriate comparison for Ireland particularly because these face many of the same issues in terms of disclosure and the use of surveys to produce the required monitoring data. In these jurisdictions a combination of data sources are used. Where it exists, data is derived from a public sector employment database. In the absence of such a database for public bodies in Ireland, this strategy has little current relevance.

Where a common HR data-file does not exist, organisational surveys are the most common approach to data collection. Thus a questionnaire is provided to a responsible person within an organisation to complete for the whole organisation. The level of detail requested can vary greatly in an organisational survey. Gathering data through organisational surveys and personnel records requires that each participating organisation is operating similar procedures and approaches to data recording and reporting and, where personnel records and "insider" information are used, that employees are aware that they have been included. This clearly has ethical and Data Protection implications.

The alternative to organisational surveys is an employee survey in which each employee is asked to complete a questionnaire. This can be used to update the database, where it exists, or to provide a method of validating results from other sources. One of the main challenges in an employee survey is gathering accurate information about a person's disability and about its potential impact on that person's work capacity. In general, voluntary disclosure and self-rating of disability are the norms in carrying out employee surveys. However, where a monitoring system is dependent on voluntary self-disclosure, the existing relationship between the organisation and its employees, the level of disability awareness within an organisation and an emphasis on mutual obligation, can impact on disclosure rates. A related concern is that the use of voluntary disclosure may result in an underestimation of the proportion of employees with disabilities within an organisation.

The impact of disclosure

Concern about response rates and increasing estimates of the proportion of employees with disabilities can lead to the consideration of a policy of anonymity in collecting data. The assumption underpinning the use of anonymity is that it will increase reporting on the part of employees with disabilities and particularly those with mental health difficulties. In order to clarify these issues a review of the literature relevant to disclosure was carried out and an anonymous condition was included in the pilot studies carried out in the preparation of this report.

There is evidence that people with disabilities fear the consequences of disclosure in terms of a change in the way they are perceived by others, reduced chances of promotion, closer supervision, and a need to work harder than others to prove their worth. Disclosure behaviour is strongly influenced by a number of factors including being in a high-grade position, stability of employment, the economic climate and legislative protection. In the pilot study, respondents saw mental health as a significant hidden disability with large numbers of respondents commenting that they would not choose to disclose a mental health issue for fear of discrimination, stigma, impact on career progression and colleagues' attitude to them. More general concerns around disclosure were also expressed about issues related to career progression, discrimination and impact on employment status.

However, anonymity has not been demonstrated to have any consistent effect on the quality or rate of response to surveys dealing with sensitive issues. This casts doubt on the idea that using disclosure in data collection will in all instances yield a significantly smaller proportion of returns. Further, it has even been suggested that an unintended consequence of anonymity may be a reduction in the perceived value of the survey and therefore reduced motivation to participate. It is interesting to note that, in the pilot study, there was no difference in response rates between the anonymous and confidential self-declaration surveys. Even where the questionnaire was anonymous a number of people chose not to disclose the nature of their disability.

Many factors, in addition to voluntary disclosure, may combine to influence the decision of a recipient of a questionnaire to respond including having the means to respond and the will to do so, the perceived cost of responding against its benefits, the use of pre-notification and reminders, and an appeal to self-interest or the use of incentives. Thus the key consideration is not disclosure but the capacity of the data collection and processing agency to assume responsibility for protecting the informed consent of respondents and the confidential nature of the information.

Legal Issues

The legal advice provided in relation to the nature of the questions that can be asked and the way in which data can be collated and stored underpins the above conclusion. The critical principle under Data Protection legislation is that the person is aware of the reason for collecting the data and knows who will have access to it. The process is legitimised through the explicit consent of the person or, alternatively, the use of the information in the exercise of the person's rights under employment legislation. Consequently, it is advised that data not be used for any purpose other than that for which it has been collected and that data should only be included with the consent of the individual. Therefore, it is safer to secure explicit consent.

From a legal perspective the extent to which certain impairments and the degree of severity of impairments fall within the definition specified within the Disability Act is also a concern. The resolution of this difficulty requires that the responsible authority issues Guidelines that clearly demarcate the inclusionary and exclusionary criteria for the nature of eligible impairments, the requirements for an impairment to be enduring, the activities that constitute social and cultural life and the criteria for judging substantial restriction in capacity to participate.

Response rates

More generally, it must be acknowledged that no survey to be completed on a voluntary basis will achieve a 100% response rate and thus the issues of, validation, reliability and estimation to resolve the proportion of persons with a disability become critical. The more realistic response rate could vary between 60% and 10% and at the lower levels create difficulties in estimation. For example, an organisation with 3% of people with disabilities employed may appear to have only 2% if the response rate is 66%. The short form of the survey achieved a higher response rate than the other two methods when used on the site, which tested the 3 methods. It was found to be concise and easy to complete and an efficient method of data collecting. The negative side was that not enough data on demographics etc. could be collected using this approach. Nevertheless, consideration might be given to the use of a short form in a transition phase in organisations that have no other means of collecting the relevant data for reporting.

Impact of the changed definition

There was some evidence that the use of the new definition of disability will impact on the number people who are eligible to be included under the target. Of those respondents who disclosed a disability (n=28), less than a third (n=8) acknowledged that they had a restriction in participation. If both elements of the definition are to be used to define people with disabilities the numbers reported will be lower than the number of people with disabilities in employment. Concerns were raised by respondents about the subjective nature of the second part of the definition. Clarification about what disabilities are included as part of the definition e.g. dyslexia; asthma or arthritis might assist in this regard.

Practical Issues

The research carried out in the preparation of this report has drawn attention to a number of practical concerns that must be taken into account in the design and development of an effective target monitoring mechanism. Firstly, there is considerable variation in relation to how data is currently collected and reported. Secondly, there are significant time pressures in relation to the collection of data for the year 2006 which indicate that it will be difficult to achieve either an optimal or uniform approach to data collection and reporting in all organisations. Thirdly, there are substantial differences between organisations in relation to access to the relevant data – some (mostly smaller organisations) do not have an HR function, many are not responsible for their own recruitment, and other organisations are of such complexity that data is either not easily available or is so only on a distributed basis.

Some recommendations on how to approach these issues are provided in 6.2.

6.1.2 A proposed monitoring system for Ireland

The long-term aim of the monitoring system is to have an embedded Organisational Survey as the core monitoring procedure. This procedure requires that recording of disability status is embedded into administrative processes, e.g. recruitment, reasonable accommodation, health and safety, annual performance review, sick leave records. Currently, the recording of this information is not routinely available in the majority of public sector bodies. In the absence of this information and until such recording methods become readily available two strategies are recommended. The first is a short-term strategy aimed at gathering information for initial reporting on 2006. This period is referred to as the transitional phase and two main methods of data gathering are proposed. Where some information on disability status of employees exists, an organisational survey using existing data and supplemented by additional information from people with disabilities is recommended. Secondly where little existing information on disability status is available it is recommended that an employee survey is undertaken. The second strategy is a medium-term one in which capacity building takes place both in terms of developing organisational processes for recording disability status routinely and also creating awareness of and putting in place systems and workplace enhancements to deal with issues relating to support and employment of people with disabilities. During the medium term it is also recommended that an initial baseline employee survey, gathering detailed information on disability in employment is undertaken in all public sector bodies in 2007 and after that in census years. Once organisational processes are sufficiently developed, information from the employee survey can be used to validate the organisational survey.

Long-term

Main method of reporting - Organisational Survey

This requires that procedures be undertaken to embed the recording of disability status into administrative processes e.g. recruitment, reasonable accommodation, health and safety, PMDS, sick leave records.

Medium-term

- Develop organisational recording processes in relation to disability, build capacity of persons responsible for reporting on the target

- Undertake periodic staff surveys with the first one (base-line) to be undertaken towards the end of 2007
- Thereafter it is proposed staff survey is undertaken in each Census year

Short-term (reporting on 2006)

This is a transitional phase. Determine current administrative processes and gaps in recording information on disability status of employees

- Review existing records using new definition and criteria for usability
- Staff survey (using long or short-form)

6.1.3 A recommended approach

There are two main options for monitoring the proportion of employees with disabilities in public bodies in Ireland. The first of these is to use an annual Organisational Survey which queries those responsible for HR within each organisation about the number of employees with disabilities and other related issues where desirable. The second is to carry out an Employee Survey that directly requests individual workers to respond to a questionnaire. The questionnaire can be as short as the postcard version used in the pilot study or have more elaborate formats that request additional information about demographics, grade, length of employment, source of disability and current work conditions. The employee survey can provide an option for respondents to voluntarily disclose or can be administered anonymously. Another variable that will impact on an employee survey is the location at which the processing of data is carried out.

The choice of data collection procedure(s) for the monitoring process is dependent upon the priorities of interested parties. If, on the one hand, it is the intention that the process will become an element of a continuous improvement cycle then the procedure that has the greatest impact on the embedded procedures for responding to, and recording instances of, disability in Public Bodies should be the one of choice. On the basis of the research carried out in compiling this report an Organisational Survey is the option most likely to fulfil this aspiration. If, on the other hand, other concerns, e.g. response rates, take precedence, then an anonymous population survey might be appropriate.

Combined with awareness raising and capacity building measures, an organisational survey will assist Public Bodies over time to adopt policies, procedures and practices that will ease the burden of reporting and increase the validity and quality of the data reported. It will encourage the expertise required at a local level to operate the system and will have an impact on the targeting of interventions, the tracking of changes over time and the mapping of accommodations. It will ultimately have a greater impact on policy and planning at both organisational and national levels. Organisational surveys are also less dependent on response rates for interpretation. Finally, an Organisational Survey distributes the effort required for monitoring across all organisations.

One of the weaknesses of the Organisational Survey as the approach of choice is that it depends on the implementation of appropriate procedures within organisations and a positive organisational culture to support voluntary disclosure. This is patently not the case at the present time and it is likely that the development of such procedures and policies will progress at different rates in each participating organisation. As a result, there will also be the need to provide support for organisations that are less well prepared.

While the recommendation being made is that an Organisational Survey should form the core of the monitoring procedure, it is also strongly advised that a voluntary disclosure Employee Survey be used periodically to validate results and to act as a baseline and benchmark for improvement.

An Employee Survey can be used to supplement the information generated by the annual Organisation Survey. If this option is chosen then it should be designed to be as congruent as possible to the Organisational Survey. In this regard, a voluntary disclosure methodology will provide the most compatible results as it also provides the quality of information that can be related to policy and practice within organisations and allows an analysis of responses very similar to an Organisational Survey. Once a decision to adopt the voluntary disclosure approach has been made the issue of confidentiality implies that the processing and reporting of data is carried out at central points where the scale is sufficient to protect the identity of respondents (it should be noted though that the Public Body has a responsibility to gather and report the data).

An Employee Survey can play another crucial role in the continuous improvement process by establishing a baseline against which the system and individual organisations can benchmark progress.

It is acknowledged that the majority of public bodies are currently not in a position for a variety of reasons to produce the required data at the present time. To respond to this it is further recommended that a transitional approach be adopted that allows those organisations that have been systematically keeping data records to report by updating their records in line with the new definition of disability specified in the Disability Act and that provides other organisations with a method to survey their employees using a version of the employee questionnaire used in the pilots.

There are a number of implications associated with these recommendations, which are explored in detail in 6.2 below, and a detailed description of the phased approach is provided in 6.3.

6.2 Data collection processes

There are a number of key issues that need to be addressed in designing the data collection process that are central to the monitoring mechanism and about which recommendations are made.

6.2.1 The need for a phased approach to rollout of the monitoring system

The diversity of the context in which the Public Bodies operate is considerable. They vary considerably in size, the level of access they have, if any, to the HR records of their staff, the level of development of HR systems, the presence of an HR function, the stability of their workforce, the level of human and skill related resources available to them to conduct the monitoring exercise and the complexity of their organisational structures. These considerations mean that there is variation in the state of preparedness of the Public Bodies to undertake the full implementation of the monitoring system within the short time available before the first report on the target is due. Accordingly, it is recommended that a phased rollout programme be adopted for the implementation of the monitoring

system. Proposals for the structure of a phased rollout are to be found in Section 6.3 below.

6.2.2 The case of 2006

The short time frame available for reporting 2006 data (it must be provided to the Monitoring Committees by the end of March 2007) means that it will not be possible to implement in full the monitoring system by that date for many if not all Public Bodies. The above-mentioned difficulties lead to the conclusion that for many organisations a modified version of currently used reporting systems should be used when reporting on 2006. The key difference with previously used systems is that the new definition of Disability specified in the 2005 Act should be the criterion for including people under the target. In practice, this will mean, for organisations with good recording systems, that they reassess existing data in the light of the criterion of having a substantial restriction in participation. These organisations may also need to reassess the data in relation to the other part of the definition, i.e. of having an enduring impairment, as there appears to little uniformity in the definitions of disability that were previously in use.

For organisations that do not have access to good recording systems, it is recommended that they use a modified version of the employee survey instruments that have been developed and piloted as part of this work (see Chapter 5).

More details on this issue in the context of the rollout of the monitoring system are to be found in section 6.3. Detailed guidance on how to conduct the monitoring programme for 2006 is to be found in the next Chapter at 7.1 and 7.2.

6.2.3 The use of self-declaration

The issues impacting on whether employees with disabilities should be required to, or have an option to attach their names to the disclosure of their disability have been discussed above. The main concern raised was the impact of disclosure on response rates to employee surveys. Here the evidence is equivocal, with the literature being inconclusive on the issue and the evidence from the pilot studies not giving a clear direction to follow. However, it seems clear that this issue is only one of a number that affect the response rates to any survey.

From a survey design perspective there are no strong arguments against disclosure as long as the ethical issues, legal issues in relation to the Disability Act and Data Protection legislation, confidentiality procedures and issue of organisational culture are addressed.

In contrast, the use of anonymous procedures does not assist organisations to identify staff that may need an accommodation or of following them up for purposes of providing services to them if appropriate (see next chapter for a proposal in this regard). In addition, anonymous disclosure in employee surveys causes considerable problems in relating the results to an organisational survey, as it is impossible to link both methods when names are not available.

On balance, the benefits of having a voluntary self-declaration procedure lead to the recommendation that the employee survey should be undertaken on this basis. Appropriate safeguards need to be built into the procedure, especially with regard to the maintenance of confidentiality and to ensuring conformance with

relevant legislation in the area. A description of how this may be achieved is to be found in the Employer Guidance in Chapter 7.

6.2.4 The issue of linking services to data collection

One of the potential advantages of using a system of voluntary self-disclosure is that it offers the possibility to link the provision of services such as workplace accommodations and aids to staff that have a disability. However, gathering information for this purpose would need to be made clear at the time of data collection. This usage scenario for the data was not piloted in the field trials, but it would appear that this proposal is consistent with the provisions of the Data Protection Act. This interpretation would need to be cleared with the Data Protection Commissioner's Office prior to its implementation and with legal advice.

6.2.5 Inclusions and exclusions – the definition of disability

The definition of disability set out in the 2005 Disability Act states, in essence that for a person to qualify they must have an enduring impairment that substantially restricts participation in a range of social and work related arenas. As there is no register of people with disabilities who have been diagnosed as such on the basis of a formal assessment, it falls to the individual to self-define a disability in the present context. This can lead to confusion in a number of ways – people may be unsure if their impairment, even if formally assessed, is in conformance with the 2005 Act definition and there may also be confusion as to what constitutes a substantial restriction in participation. In addition, the pilot activities also pointed to confusion regarding the linking of these two elements.

There is a clear need to address these issues of confusion if a relatively uniform interpretation of the disability definition is to be achieved. At a minimum, this should involve the provision of a help desk to assist those responsible for implementing the monitoring system (who in turn will provide help desk facilities to their employees). In addition, there is a need for an information campaign targeted at both Public Bodies and their employees that provides details on the interpretation of these terms to be developed and implemented. This should be backed up by the development of a resource, which details impairments that are included and impairments that are excluded from the definition. Consideration should also be given to developing an official set of Guidelines, which clearly define the inclusions and exclusions under the 2005 Act.

6.2.6 Inclusions and exclusions – the definition of employment

A key issue in calculating the employment rate of people with disabilities concerns the definition of employment. Given the changing nature of the workplace, it is increasingly common for people to hold atypical relationships with their employer. In particular, there is a growth in part-time working, short-term contracts or temporary working, seasonal working, working for external contractors and people who are on work experience contracts. Decisions need to be made with regard to whether any or all of these employment relationships are to be included in the calculations of the target.

The situation is complicated especially in relation to short-term working when an employee survey methodology is being used. If the period of the survey does not

coincide with the employment of temporary workers, then their contribution to the employment rate of people with disabilities will be missed.

The following proposals are made regarding how to deal with employees in atypical working relationships with their employers. These are proposed in a spirit of fairness and with regard to the practicality of obtaining data that might be used for purposes of calculating the target.

- **Part-time workers** – these should be included in the count and reported as both numbers and whole-time equivalents
- **Short-term workers** – these should certainly be included in organisational surveys as whole time equivalents. In the case of surveys of employees, they should also be included even if they are not in employment at the time of the survey. It has been suggested that running the survey at a time when such workers are in employment, or sending the survey to (ex) employees' homes can help overcome the problems of accessing these workers. These provisions should also apply to seasonal or temporary workers.
- **External contract workers** – these should not be included on basis that there is no direct employment relationship with the Public Body. In addition, as the Public Body will not hold the HR records for such workers, there is no legal basis for obtaining information regarding these workers.
- **Workers on work experience** – these should be included as a separate category in the count as whole time equivalents.

Another category of employee that needs to be incorporated into the data collection process is those who have an employment contract with the organisation but who are currently on long-term sickness absence leave. It is generally accepted that any employee who has been absent for more than six week should be considered to be long term absent. It is recommended that these employees be included in the survey and reported as a separate category and that the NDA clarify what constitutes long-term absence in its Guidelines.

6.2.7 Dealing with diverse organisational capability

Public Bodies vary considerably with regard to their capability to implement the target monitoring system. They vary in terms of the presence or absence of a personnel function, the level of development of the HR recording system, the availability of and access to information, the quality of information available, the knowledge and skills available to implement the monitoring system and the availability of human resources to undertake the task of target monitoring. These considerations mean that there is a need to adopt a flexible and tailored approach to the implementation of the monitoring system that takes account of these variations.

There will be a need to develop the capacity of organisations to undertake the monitoring task. This should include an awareness raising campaign, the development of support tools such as information bases on all aspects of the monitoring system, and the development of training for those Agencies that lack the knowledge and skills to implement the monitoring system effectively. These issues are addressed in more details in Section 6.3.

Whatever tools and supports are developed, they will need to be made available and updated on a continuous basis, as staff turnover in the Public Bodies will mean that there is a continuous need to update the knowledge and skills necessary for monitoring system implementation.

6.2.8 Modes of delivery of questionnaires

In relation to employee surveys, there are a number of models of delivery possible. The default method should be a postal survey using the internal mail of the Public Body. This method ensures that there is a common method used across all organisations. However, a feature of this method is that it is relatively time consuming to implement.

Another possibility is that the survey is delivered via e-mail. This mode of delivery assumes that all staff have access to and use e-mail on a regular basis. If this method is to be used, provisions have to be made for respondents who wish to remain anonymous, as normal e-mail returns identify the sender of the mail. This can be done by setting up a database buffer whereby data is sent automatically to an intranet-hosted database where respondents can choose to remain anonymous.

However, the implications of this type of arrangement from the point of view of data protection need to be explored. The issue of the legal validity of opt-in procedures also needs to be investigated.

6.2.9 Responsibility for undertaking employee surveys

Essentially, the legal responsibility to make returns rests with each individual public body. It is open to each public body to sub-contract the data collection process or to participate in a joint effort with other organisations but the responsibility to report figures to the monitoring committee remains with the individual body. In contrast, the ideal arrangement for undertaking a systematic survey of all public body employees would be to have an independent and widely recognised external body to carry it out on a nationwide basis. However, even if the explicit agreement of each public body to this approach were to be secured, the costs involved in undertaking such a survey for the 300,000 Public Body employees may be prohibitive.

Consequently, it is likely that it will fall to employers to undertake employee surveys. However, the diversity of Public Bodies and the need to preserve confidentiality, will require that arrangements be modified where organisations are very small (say less than 50 employees) or where HR functions are situated elsewhere. In the case of employee surveys, it is proposed that the data collation function be run at a more central level, for example it could be outsourced.

A further issue relates to the level at which reports are made. Despite the legal responsibility of each public body to report to its monitoring committee, in the case of small agencies, or where there are small numbers of people disclosing a disability, care should be taken to ensure that no individual with a disability can be identified, even indirectly. For example, this could easily occur where results are reported by gender, grade and location. In organisations that have fewer than 20 staff, people disclosing a disability should not be identified in any way.

6.2.10 Reporting the results of the employee survey

There is some evidence emerging from the pilot study and the views of employers that the use of the definition specified in the Disability Act is likely to reduce the number of employees who are eligible under the target. At this stage there is no method of estimating the extent of the reduction. Nevertheless, knowing the number of people who have a disability, but who are not eligible for the target

under the substantial restriction criterion, could make a useful contribution to policy and planning. In particular, it would be important to establish whether the more restrictive requirements under the Disability Act are impacting less favourably on some impairments rather than others. Equally, the information might contribute to the benchmarking process between organisations. Certainly during the transition phase the information will assist in the calibration of data collection tools. Given the importance of this data, it is proposed that they are reported separately in the NDA report.

One implication of adopting a voluntary disclosure approach to the employee survey is that respondents can choose to self-declare only the fact that they have a disability, or can choose to specify their disability but not disclose their identity. This creates difficulties in integrating these responses with those who fully disclose. The former can be dealt with simply by including a 'not specified' category in the reporting framework. In the latter case, it is probably advisable to treat these responses as an independent data set and report them separately.

6.3 Phased rollout programme

The ultimate aim of this project was to propose a data collection process that has the characteristics of uniformity (as far as is possible given the diverse nature of Public Bodies), accuracy and reliability. However, this process will need to take account of the differences between organisations and the practical issues surrounding the timeframe of implementation of the data collection process. Accordingly, a phased introduction of the data collection process is recommended.

The proposal of a phased approach has been adopted to assist in responding to what is essentially a complex and relatively poorly understood starting point for the introduction of a new monitoring system. Apart from the challenges faced in moving from previous approaches and systems to the new process, each of 548 Public Bodies that are within the scope of the Act must also make the change in both system terms and in terms of organisational culture and capacity building. If the transition phase is to be limited to a 12-month period, conditions for a population based employee survey must be in place by November 2007.

The first phase is designed to respond to the current context of uncertainty and lack of coherence by ensuring that the legal requirements on the actors within the system are met. It is also seen as an opportunity to prepare for a more systematic approach to data collection and to raise awareness of the changed approach to monitoring as a result of the Disability Act. The second phase is considered to represent the full implementation of the monitoring system based on an annual organisational survey supported by a periodic population employee survey to support benchmarking between organisations and the development of trend data.

6.3.1 Phase 1: Transitional arrangements for reporting on 2006

In reporting on employment levels of people with disabilities for 2006 in a way that is consistent with the definition of disability used in the 2005 Disability Act, organisations must either examine existing data for consistency with the Disability Act definition or carry out a survey of employees.

- Organisations that have existing records may adjust these in line with the new definition and report these figures. Thus organisations with existing records, of good quality that have been consistently updated and properly

maintained, can re-examine them to ensure that each individual included meets the full criteria specified within the new definition. Clearly, this requires those organisations that adopt this approach to ensure that all ethical issues arising from the use of such data have been appropriately addressed and, in particular, compliance with the ethical principles of confidentiality, informed consent (this requires a very clear statement of the purpose for which the data is being collected and a request for a signed acknowledgment of understanding of the purpose), respect for the dignity of the respondents and beneficence i.e. the process should not lead to any harm to any respondent. Employees should be informed that they have been listed on record as having a disability and that they have been included in figures on target compliance. Further, they must be asked to validate their disability status according to Disability Act 2005 criteria.

- Organisations without existing records or where records have not been appropriately updated should carry out an employee survey. The NDA could provide guidance on the form, content and methodology of such a survey. For example, the short form questionnaire (detailed in the Appendix) can be used. Organisations can use the opportunity provided by the employee survey to update and refine their personnel records to ensure that they are prepared for Stage 2 i.e. the organisational survey.

It is also essential that intensive effort is invested in building system capacity to comply with the requirements of the Disability Act by raising awareness within organisations of their responsibilities under the Act, gaining an overview of the current capacity within the sector to report, identifying gaps in expertise and development needs, developing the capabilities of the monitoring system, and preparing for the baseline employee survey.

In order to address these and other issues a broad approach to development must be adopted. Thus, in parallel with gathering data on 2006, a focus must be maintained on improving the organisational survey that will eventually form the core of the monitoring system and assisting organisations to install the necessary system elements to support valid reporting of results.

This differentiated approach will require a number of ancillary activities to be undertaken to ensure the success of the implementation of the monitoring system. These are:

- The development and implementation of an awareness campaign for employers and employees – successful implementation of the monitoring system will need to be supported by an awareness raising campaign targeted at both employers and employees. This should focus on the employment target, the benefits to employees and employers in meeting the target and on the overall aims of the Disability Act and the safeguards contained within it.
- The provision of training to those responsible for operating the monitoring system – operating the new monitoring system will require new knowledge and skills on the part of those responsible. In addition, it is likely that there will be a continuing need to maintain the capability of the Public Bodies to operate the monitoring system over time, as personnel and circumstances change. This demands that training be provided that is specific to the phases of implementation of the monitoring system, and consideration should be given to the development of alternative modes of training provision, such as e-learning.

- The provision of back-up support to those operating the monitoring system and to the Monitoring Committees – there will be a need to provide support to the work of the people involved in the monitoring system, as much of the skills and knowledge needed to operate the system (especially those needed for the baseline survey) will not be easily available to many Agencies. It is recommended a Help Desk facility be set up to support the data collection and reporting activities.
- The development/implementation of supportive policies and practices at the level of Public Bodies – the success of the implementation of the monitoring system will depend on developing a high level of trust between the employer and the disabled employee. This in turn will depend on the implementation of supportive policies and practices within each organisation that ensure that no harm comes to the person with disabilities as a result of disclosure and that there are supports available to the person if they decide to disclose their disability status.
- The preparation and publication of Guidelines on the criteria for inclusion under the Disability Act – the changed criteria that have arisen as result of the adoption of a new definition under the Disability Act 2005 have resulted in a degree of uncertainty and potential legal ambiguity in relation to a number of terms used in the definition. The most direct method of resolving these issues is for the responsible authority to publish official guidance on each of the terms. It would be essential that this guidance is issued prior to the implementation of the employee survey so that the baseline data reflect the conventions adopted in the Guidelines.

6.3.2 Phase 2: Implementation

In the implementation phase, an organisational survey will act as the basis for the development of a monitoring system. The main objectives of the implementation phase are to introduce the concept of organisational benchmarking, begin to establish trends in performance, encourage the sharing of good practice and make recommendations to organisations as to how they might improve their performance. In essence the implementation phase represents the first stage of a continuous improvement cycle.

In order to prepare for this it is essential that public bodies install appropriate systems for responding to disability as it arises during the employment process. Specifically, it is crucial that organisations systematically record the disability status of applicants, candidates and employees from the beginning of the recruitment process, through the training, development, annual review and promotion processes and during the job retention and reintegration processes.

One implication of the adoption of this strategy is that there will be a need to address organisational culture and the way in which organisations respond to people who disclose a disability. A particular emphasis in any initiative aimed at organisational change must be mental health disabilities. Until the staff of Public Bodies perceive that it is in their best interests to disclose the problem of non-disclosure will remain.

6.3.3 Establishing a 2007 baseline

Establishing a baseline will involve public bodies conducting a survey of all staff at the end of 2007 in order to establish an accurate baseline of the employment rate of people with disabilities. This baseline survey will then be used as a benchmark against which trends and improvement can be mapped. It will also serve to raise awareness amongst employees about the importance of participating in the monitoring process. Further, it will assist in gaining consensus on the format and content of the organisational survey and refining the reporting mechanisms.

Following good practice in other jurisdictions, it is advisable that population employee surveys are carried out on a regular periodic basis. The data from employee surveys can assist in the calibration of recording and reporting systems, identify inconsistencies in current reporting systems, provide an opportunity to explore additional related issues from an employee perspective and can act as a source of validation for existing data sources. One option that could be considered would be to carry out the employee survey in the same year as the national census is carried out (i.e. 2011, 2015 etc.). This could provide useful comparisons with population data and a cross-check with data for public sector employment as a whole.

Chapter 7. Tools for data collection

7.1 Introduction

This Chapter presents the guidance and tools that have been developed to assist employers in meeting their obligations under the 2005 Disability Act to report on the numbers of people with disabilities who are in their employment. The support to be provided by employers has been designed to provide tools (mainly questionnaires and reporting forms), and guidance that consists of instructions and advice on how to implement these tools. These tools and guidance have been supplemented by a further general-purpose tool that is relevant to all of the data collection methods that may be used – Frequently Asked Questions.

The Chapter is organised into three sections. These are:

- Guidance for data collection in 2006 - this section presents guidance on the options for data collection and reporting in relation to the year 2006. This recognises the practical difficulties of data collection in the first year in which the provisions of the 2005 Act apply. It constitutes Phase 1 of the rollout of the monitoring system.
- Employee survey guidance – this section presents guidance on how to conduct an employee survey, which should take place as part of Phase 2 of the rollout of the monitoring system.
- Organisational survey guidance – this section presents guidance to employers on how to conduct an organisational survey. It constitutes the third phase of the rollout of the monitoring system.

Each of these sets of guidance is supported by tools to enable the tasks in hand to be completed. These tools, which can be found in the Appendix, are:

- Short form employee survey
- Long form employee survey
- Frequently asked questions

It should be emphasised that there are other supports and tools that should be developed in order to support the rollout of the programme but which are beyond the scope of this project to develop. These include the development of materials for an awareness campaign targeted at employers and employees and a training course aimed at people responsible for implementing the monitoring system.

Different methods of data collection will be used in different phases of the implementation of the monitoring system. Ultimately, the goal is to develop a reliable system for accurately estimating the numbers of people with disabilities employed within the Public Service. However, it is recognised that Public Sector organisations vary considerably with regard to the current practice of collecting information in this area and also with regard to the availability of information on the issue. Accordingly, a phased approach is to be taken to collecting the information which is sensitive to the starting point of each organisation and which recognises the range and types of organisation involved.

It is envisaged that three types of data collection method may be used in reporting on compliance with the target:

- Reassessing existing data/short form employee survey – these methods are most likely to be used where constraints of time and data availability

do not allow for collecting data via a full employee survey. It is likely that most Public Bodies will use these methods in respect of 2006 data.

- Undertaking an employee survey –, This needs time and expertise to implement properly.
- Establishing an ongoing monitoring system (organisational survey) – all organisations that have control over their HR records, recruitment and related processes should eventually use this method of collecting data

It is intended that all State bodies will eventually use the latter two approaches to data collection, but it is likely that for some organisations that data collection will proceed by reassessing existing sources of data for the year 2006.

Guidance on how to use each of these methods is provided in the remaining chapters of this document.

7.2 Guidance for data collection in 2006

7.2.1 Selecting a data collection method for 2006

There are 2 potential methods of collecting data in relation to 2006. These are:

- Reassessment of existing HR records
- Conducting a survey of staff using a short form employee questionnaire

You have to choose between these methods of data collection. It may seem that re-assessing existing records is the most efficient way of reporting on the target, but in order for this method to be reliable AND acceptable, it must meet the following criteria:

- Ethics criterion - Staff who have previously been counted as disabled should be aware that this was the case
- There is sufficient information in your HR records to enable you to complete the employer report form to the Monitoring Committee
- Availability of people – Staff who have previously been designated as having a disability must be approached in order to obtain permission from them to: (a) include them as part of the target and (b) confirm their disability status according to the 2005 Disability Act definition.
- Staff that are included as disabled are classified as disabled according to the definition used in the Disability Act 2005.

If these four criteria for re-assessing existing records are not met, you must choose either the short form survey or long form survey of all employees as the method of data collection. Ultimately, all State Bodies will be asked to implement a survey using the long-form questionnaire, but given the time and capacity constraints that apply to reporting for the year 2006, it is likely that most State Bodies will use the short form questionnaire for the 2006 reporting period.

The short form of the employee survey questionnaire should be used if the following conditions apply:

- Your HR records are insufficient to allow the identification of staff with disabilities
- The logistics of undertaking a survey using the long form questionnaire are too demanding to complete within the time available
- There is a shortage of the skills needed to analyse and report on the extra information asked for in the long-form questionnaire

7.2.2 For Organisations with well functioning HR systems

The first reporting requirement under the Disability Act is that organisations report on the numbers of people with disabilities employed during the year 2006. This data is to be collated and sent to the relevant Monitoring Committee by March 31st 2007. In the case where organisations do not have the possibility to conduct a survey of staff, they will need to reassess existing sources of data in order produce this report. These data sources should be available through a well functioning HR records system.

The sources of data that tend to be used include:

- Personnel records
- Personnel Administration Systems
- Sickness absence records
- Recruitment competitions
- Special recruitment competitions
- Retirement records
- Requests for accommodations
- Staff performance management interviews
- Registration with former NRB
- Medical Records
- Reports from the CMO
- Personal Information
- Inputs by managers
- Continuing updating of lists

It is likely that some combination of these data sources has been used in the past to provide information on meeting the employment target. The task this year is to revisit these records in order to count the number of employees with disabilities in the light of the new definition of disability contained within the Disability Act 2005.

It is of crucial importance that the 2005 definition of disability should be used. This differs substantially from previous definitions (e.g. under the Equality legislation). The main point of difference is that not only must a person have an enduring impairment, but they must also have a substantial restriction in their capacity to participate in working, social or cultural life. This concept of restriction in participation is a new element of the definition, and it means that this definition is more conservative than previous definitions. Amongst other things, it means that the number of people with a disability in employment is likely to be reduced in comparison to previous years.

If you are obtaining the information needed for reporting on the target from existing records, all available records from the list above should be re-examined with a view to answering two questions:

- *How many people have an enduring physical, sensory, mental health or intellectual impairment?*
- *How many of these people have a substantial restriction in their capacity to carry on working life, social life or cultural life?*

Previously used definitions focused only on the level of impairment that a person had, so the current definition needs only to focus on the second part, i.e. the level of restriction that the person experiences.

One way of assessing whether people are substantially restricted in their capacity to participate is by seeing whether significant adjustments to their environment or provision of additional specialist technical aids are required to enable them to participate. People who would find it difficult to participate in work, or in social or cultural life (including travel, socialising, accessing venues, watching TV, listening to music or going to the cinema) without significant environmental adjustments or technological support would qualify as disabled. However, wearing glasses or contact lenses does not constitute disability unless the person is significantly hampered even with these supports.

Further information on the definition of disability to be used can be found in the Appendix – Frequently Asked Questions.

For bodies with fewer than 3% of employees with disabilities, they must also provide:

- Analysis of factors that contribute to failure to meet the target
- Details of policies or plans that are in place to help reach the target
- Potential policies that might be pursued to help reach the target

7.2.3 For Organisations with limited HR systems

One of the key findings to emerge from the research is that many Public Bodies do not have access to HR records or that the level of development of HR systems is such that they do not allow for the retrieval of information on the disability status of employees. In addition, some of the information requested may not be available, in particular information on the disability status of employees. In addition, the advent of the new definition of disability under the 2005 Act may render existing information redundant or difficult to interpret.

For organisations in this situation, it is proposed that an employee survey be undertaken using the short form survey. This survey involves less effort and time than the full employee survey outlined in Phase 2 of the rollout programme. Instead of using the full employee survey instrument (see Appendix), it will use a much shorter questionnaire (see Appendix).

This short form survey asks 4 questions –

- Do you have any of the following long-lasting disabilities or conditions?
- Do you have an on-going disability that requires a work-related adjustment or accommodation?
- If you are currently absent from work, is it because of long-term sick leave, holidays, maternity leave or other reasons
- Does your disability or long-term condition cause you significant difficulties in areas of everyday life such as work, social life, leisure or cultural activities?

The answers to these questions will enable organisations to fulfil the minimum reporting requirements required under the 2005 Act.

With regard to running such a survey, the guidance provided in Section 7.3 can be amended for use with a short form survey.

7.3 Employee survey guidance

7.3.1 Introduction

The Disability Act 2005 introduced a **legal responsibility** upon the Public Service in Ireland to, in so far as practicable, take all reasonable measures to promote and support the employment by it of persons with disabilities. As part of this legal responsibility, each public body must ensure that at least 3% of its employees are persons with disabilities.

The Disability Act defines a disability as:

A substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.

Organisations must count the numbers of people who define themselves as having a disability based on this definition.

Monitoring Committees and the NDA are responsible for monitoring public sector compliance with the 3% target. The NDA cannot specify how the information on numbers is collected but may specify the format of reports to be prepared by public bodies and Monitoring Committees.

The NDA have developed a questionnaire for employees. Where a survey is undertaken, all employees within the organisation regardless of their disability status should complete this questionnaire. It asks a number of questions about whether the employee has a disability or not and a range of questions about the type of disability the employee has, and the other issues described above. The employer must then collate the information from the employee questionnaires on an Excel spreadsheet.

7.3.2 Undertaking a staff survey

Public bodies may wish to survey their staff to ascertain if they have a disability and should be included in the returns. It is also proposed that all public bodies would survey their staff in late 2007 to provide a baseline figure and every Census year after that. This section of the guidance provides you with the support that you will need in conducting this survey.

The information on the numbers of people with disabilities working for your organisation will be collected via a questionnaire to all employees (see [Employee questionnaire in the Appendix](#)). The employer issues this questionnaire and the information is then entered on an Excel sheet. In order to preserve the confidentiality of employees, where Public Sector bodies have a small number of employees, the data will be collated by a larger agency. When the Employer questionnaire is complete, it is then sent to the Monitoring Committee in the Government Department to which you report.

There are a number of stages involved in successfully collecting and collating the information. This section outlines these stages to support employers in carrying out the survey.

The stages of collecting the information are as follows:

1. Establishing a survey team and planning the survey
 - Recommended for organisations over 100 employees
2. Survey preparation
 - Informing staff
 - Preparing the survey
3. Survey implementation
 - Questionnaire delivery procedures
 - Reminders
 - Back-up questionnaire delivery
 - Questionnaire collection procedures
 - Help desk
4. Data recording and transfer
 - Data collation
 - Employer Questionnaire completion
 - Data transfer
 - Data storage
 - Feedback

Detailed instructions on how to implement each of these stages are outlined below. In addition, a detailed schedule for implementing the survey and an estimate of the resources needed is provided at the end of these Guidelines.

The planning needed and the effort involved in implementing a survey varies according to the size and complexity of an organisation. The same stages must be followed in all organisations, but for larger organisations more planning and resources will be needed.

Stage 1 - Planning the survey and establishing a survey team

What needs to be done?

The survey team will be responsible for running all aspects of the survey. These include the following activities. Decisions will need to be made about the implementation of each of these activities by the survey team.

A range of activities are involved in the successful running of a survey. At the planning stage, those staff involved in the survey need to be made aware of these different activities and of what type of involvement in the survey is expected from them. For larger organisations it is recommended that a survey team of 2-4 people be established to manage the survey.

- Deciding on how to implement the survey
- Communicating with the staff about the survey
- Setting up a help desk
- Prepare the questionnaire for distribution
- Photocopying questionnaires
 - Packing addressed envelopes with questionnaires, letters and return envelopes

- Ensuring that questionnaires are accessible to all – this means that versions of the questionnaire may need to be made available in more than one language and in electronic format for people with visual difficulties
- Ensuring that questionnaires are delivered effectively to all staff members
- Issuing reminder letters to all staff before the survey deadline
- Having a stock of replacement questionnaires available for people who have mislaid the original questionnaire
- Ensuring that confidentiality procedures are maintained to the highest standards – make sure that all project team members sign a confidentiality statement
- Entering data into the Excel data sheet provided
- Storing data in a secure way
- Completing the Employers questionnaire
- Transmitting the Employers questionnaire and the Excel data sheet to the Monitoring Committee in a secure way
- Feeding back the findings from the survey to staff

Who should be involved?

There are a number of possibilities regarding who should be involved in running the survey. Because of the need to have access to the full list of staff, it is likely that the survey should be run by the HR department or function. An alternative is that the survey be run by the Disability Liaison Officer (DLO)/Equality Officer.

When should the team be set up?

It is planned that the survey should be open for completion for a period of two weeks. Establishing a project team and planning the survey should take place two weeks before the questionnaires are delivered.

Stage 2 - Survey preparation

What needs to be done?

This pre-survey launch stage is concerned with ensuring that all staff members are informed of the survey and that all the necessary materials and procedures are in place for the launch of the survey. Strategies for improving response rates include:

- Having a good communications strategy
- Ensuring secure provisions for confidentiality and communicating these provisions to staff
- Having personalised delivery, reminder and collection procedures
- Communicating the belief that survey aims are important
- Communicating the belief that survey aims will be met

The main tasks to be undertaken at this stage are:

- Informing staff - The first activity of undertaking the survey is to inform all staff that the survey will take place. This communication should include information about the aims of the survey, the date of the survey, procedures which will be put in place to ensure that confidentiality is maintained and the outcomes which will take place as a result of the

survey. This communication can take place using a variety of methods, e.g. posters, e-mail, personal letter, announcements at staff meetings and so on.

- Preparing the questionnaires - This activity aims to have all of the materials necessary to run the survey in place before the survey begins. This involves having the questionnaires printed (if necessary these should be in multiple languages and in accessible formats), address labels for the envelopes, the letter to employees, reminder letters, and spare questionnaires (you may need 10% more than the number of staff in the organisation).
- Help desk preparation - It is likely that some staff will have questions to ask about various aspects of the survey. These may relate to issues such as the definition of disability, the usage of the data to be collected, confidentiality, or the general survey procedures. The Frequently Asked Questions in the Appendix provide the answers needed for the Help Desk.

Who should be involved?

Members of the project team with specific responsibilities for each of these tasks will be involved.

When should this happen?

These activities can be completed in the week before the survey launch.

Stage 3 - Survey implementation

What needs to be done?

This stage of survey implementation is time critical. It is essential to ensure that questionnaires are delivered to all staff on the same day as far as this is possible in order to ensure that all staff have the maximum amount of time available to them to complete the questionnaire. Equally, it is important that reminder letters are delivered on the same day. However, some flexibility might be allowed in relation to the return date for people who are not easily contacted. It is important to ensure that the person at the help desk is easily contactable.

Organisations with less than 100 staff will use somewhat different methods for questionnaire collection and data processing. Because of the need to maintain confidentiality, smaller organisations will have a central collection point to which all returned questionnaires will be addressed. Data processing will also take place centrally, e.g. through contracting out.

The main tasks to be undertaken at this stage are:

- Questionnaire delivery - Methods of delivery include postage (internally or externally), e-mail, personally handing the questionnaire to staff, and distribution at staff meetings. The main aim is to ensure that all staff receive the questionnaire. This should include staff who are absent from work for reasons of sickness, pregnancy or holidays and part time or temporary staff. Multiple methods may be used. The questionnaire should clearly indicate when the questionnaire should be returned.

- Reminders - You should send a reminder to all staff about the closing date a week before the return date specified for receiving completed questionnaires. This communication should reiterate the aims of the survey, repeat assurances about confidentiality, provide contact details for more information or another questionnaire if required. It should also offer to provide another questionnaire if necessary.
- Back-up questionnaire delivery - Some people may have mislaid their questionnaire. Provide a system for them to get another questionnaire if necessary.
- Questionnaire collection procedures – For organisations with more than 100 staff, questionnaires may be collected using a variety of procedures, e.g. internal or external mail, anonymized e-mail, secure dedicated post boxes, or a multiple of these. Internal postal systems or secure e-mail are the preferred methods. Questionnaires may also be collected directly, especially if the organisation is small or if questionnaires are completed in work time in the presence of the survey staff.
- Questionnaire collection procedures – For organisations with less than 100 staff, Because of the difficulties of maintaining confidentiality in smaller organisations, collection of questionnaires will not take place locally, but will do so at the level of the Department to which you report.
- Help desk - The Help Desk should be prepared and able to answer all queries regarding the survey.

Who should be involved?

It is likely that all members of the project team will be involved as this is a relatively time consuming part of implementing the survey.

When should this happen?

This stage of the survey takes place during a 2 week period. However, for staff that are not easily contactable, it is important to allow them a 2 week period to complete the questionnaire also. This may mean that for these staff you may need to extend the period for completing and returning the questionnaire.

Stage 4 - Data recording and transfer

What needs to be done?

This stage of the survey is concerned with processing the data which has been collected in a secure and confidential manner. Given the sensitivities involved in providing the information requested, it is essential to conduct the activities outlined above in a professional manner. In practical terms, this means ensuring that only designated people are involved in the process and that they act at all times in a confidential and secure manner.

The main tasks to be undertaken at this stage are:

- Data collation - When all questionnaires have been returned, the data will need to be prepared for data entry. Data only has to be returned to the Monitoring Committee for people who have responded that they have a disability, i.e. those who report either an impairment or a restriction in social activity. For employees without a disability, the number of people who are long-term sick will need to be counted from the questionnaires. An Excel table has been provided for entering the data from the questionnaires returned by persons with disabilities. The Excel sheet should be password protected in order to ensure that only authorised persons can enter or access data.
- Organisational reporting - There are two parts to the report form (see Appendix). The first part asks for information from the employee questionnaire and the second part gathers data about employer policy and practice with regard to persons with disabilities in their employment. This report form must be returned to your Monitoring Committee.
- Data transfer - The main issues to consider are confidentiality procedures and accuracy. Confidentiality involves ensuring that only members of the project team are allowed access to the questionnaires, that the data entry process is carried out in a secure way using the Excel sheet, and that the questionnaires are kept separate in a secure place when data entry has been completed. Data accuracy refers to ensuring that the data is entered correctly into the Excel sheet.
- Data storage - The data from the questionnaires and the questionnaires themselves will need to be stored for the period until the Monitoring Committee states that the data provided by your organisation is signed off. The questionnaires should be stored in secure conditions, ensuring that only designated members of the project team have access to them. When the Monitoring Committee has signed off, the questionnaires should then be shredded under secure conditions. The Excel sheet should be stored under electronically secure conditions.
- Feedback internal to organisation - You should provide feedback on the findings of the survey to the senior management in your organisation and to all staff.

Who should be involved?

The only people to be involved in this stage are designated members of the project team. This is particularly important given the sensitive nature of the work to be performed at this stage.

When should this happen?

The work involved in this stage is not as time consuming as the early stages of the survey. Following completion of the data collection, this work should take place within one week of the closing date for the survey.

Activity plan and resources needed

The Table below provides an indication of the scheduling and sequence of activities that need to be undertaken to complete the survey. It also contains an

estimate of the resources needed to undertake the survey. These estimates are given for organisations of different sizes.

Stage	Scheduling	Resources¹ Small	Resources² Medium	Resources³ Large
1. Establishing a survey team and planning the survey	Week 1	0.5 days	1 day	1.5 days
2. Survey preparation <ul style="list-style-type: none"> - Informing staff - Preparing the survey 	Weeks 1-3	0.5 days	2.5 days	4 days
3. Survey implementation <ul style="list-style-type: none"> - Questionnaire delivery procedures - Reminders - Back-up questionnaire delivery - Questionnaire collection procedures - Help desk 	Weeks 4-7	0.5 days	4 days	11.5 days
4. Data recording and transfer <ul style="list-style-type: none"> - Data collation - Employer Questionnaire completion - Data transfer - Data storage - Feedback 	Week 8	0.5 days	2 days	6 days

Notes: 1 - Assumes 10 staff employed; 2 - Assumes 100 staff employed; 3 - Assumes 1000 staff employed

7.4 Organisational survey guidance

Purpose of the monitoring system

In the period following the baseline survey of employees, it will be necessary to establish an ongoing monitoring system that can provide the data on employment levels in subsequent years – this is an organisational survey. The key to the monitoring system is that it will monitor *changes* in employment levels in these years, rather than re-surveying all staff in these years.

A number of data sources can be used to monitor changes in the employment levels of people with disabilities. These are:

- Information on people who have been recruited into employment
- Data on people who have left employment

- Data on people who acquire a disability during employment
- Requests for workplace accommodations

Each of these sources of information needs to be monitored throughout the year in order to ensure that accurate records are kept in relation to changes in employment levels. In addition, processes such as annual staff reviews might be used to invite any issues around disability to the appropriate support person in the organisation.

There are many reasons why some staff with disabilities may not have identified themselves as being disabled in the staff survey, but may wish to do so at a subsequent time. Accurate tracking of these data sources will enable a more reliable record of employment levels to be built up over time. However, information on disclosure of disabilities may also come from other sources outside the control of the Human Resources function. For example, communications with the Chief Medical Officer or information volunteered at performance management reviews may lead to disclosure of a disability by staff. These sources of information should be also be monitored.

The overall purpose of gathering information on the numbers of people with disabilities in employment is to fulfil the requirements laid down under the Disability Act 2005. Under this Act, employers must monitor employment levels of people with disabilities and report to the relevant Monitoring Committee at Departmental level, who in turn will report to the NDA. This overall purpose must be made clear to any staff member at any point at which information is collected and recorded. However, the data collected is also potentially useful in other ways, most notably for purposes of providing accommodations to staff with disabilities. If the information collected is also to be used for this purpose, this should also be made clear at the point of data collection and recording, as well as in any related policies developed by the employer.

Principles of good practice in monitoring systems

There are a number of defining features of good practice in relation to the design and implementation of monitoring systems. These must be followed if the monitoring system is to be effective, ethical and consistent with legal requirements. These principles of good practice are:

- Data collection and recording should take place within a positive policy context
- Data collection and recording should take place within a positive practice context
- Data must only be used for the purposes for which it was collected
- Data should be held in a confidential manner
- Data must not be used for purposes of discrimination
- Data should be collected in a consistent way

Each of these principles is explained in the Table below.

Table - Principles of good practice in monitoring systems

Principle	Explanation
<i>Data collection and recording should take place within a positive policy context</i>	In order for people with disabilities to feel confident enough to disclose their disability, organisations must have a supportive policy context. Policies relating to non-discrimination, recruitment, career development, training, workplace accommodations and aids and flexible employment are key elements of the policy framework that is needed. These policies need to be communicated clearly at key points in the disabled person's career – from job advertisement to recruitment, induction and career development through to retirement.
<i>Data collection and recording should take place within a positive practice context</i>	Organisations need to put supportive policies into practice. In effect this means that policies should be: <ul style="list-style-type: none"> • Communicated to all • Have clear responsibilities for the implementation of policy • Accompanied by appropriate training • Adequately resourced • Monitored and evaluated
<i>Data must only be used for the purposes for which it was collected</i>	Under the Data Protection Act, any personal data collected, especially in the case of non-anonymous data, must only be used for the purposes for which it was collected. In the case of employment target information, this means that it must only be used for purposes of reporting to the Monitoring Committee. This purpose must be made clear in all relevant policies of the organisation and also at the point of data collection. In cases where it is also being used for purposes of providing workplace accommodations and aids for people with disabilities, this purpose must also be made clear in all relevant policies and at the point of data collection.
<i>Data should be held in a confidential manner</i>	The nature of the information being collected is of the utmost sensitivity. A person with a disability, particularly a non-visible disability, may be reluctant to disclose this information. For ethical reasons and also for practical ones, it is essential that the highest standards of confidentiality should be applied at all times in relation to the acquisition and storage of information on the disability status of individuals.
<i>Data needs informed consent</i>	Ethical and legal considerations demand that staff who provide information on their disability status should do so under conditions where they have provided their consent. In practice, this means that they should be informed of the purposes of the data collection process, they must be assured that there will be no negative outcomes if they provide information and they must be told what redress they have should any problems arise. They should then sign a document to state that they give their informed consent to their data being used for the specific purposes of the target monitoring process.

Principle	Explanation
<i>Data must not be used for purposes of discrimination</i>	There is a danger, whether real or perceived, that information on disability status may be used for purposes of discrimination, especially in relation to areas such as promotion. In order to combat this danger, the organisation should communicate its policies on non-discrimination clearly and should make it clear that there would be consequences where any discrimination might take place.
<i>Data should be collected in a consistent way</i>	It is important to ensure that the systems for acquiring and recording data are consistent, accurate and reliable. Because the monitoring system to be established is concerned with tracking changes in employment levels, it must be capable of detecting these changes. The operational steps in monitoring change outlined below will ensure that consistency and accuracy is a feature of the monitoring system.

Operational steps in monitoring changes in employment levels

There are a number of operational steps that need to be taken to ensure that a reliable, accurate and ethical monitoring system is established. These are:

1. *Provision of information on policies regarding disabilities* – ensure that all staff are made aware that supportive policies on the employment of people with disabilities exist. Ways of doing this include the use of newsletters, staff handbooks, recruitment competitions, promotion competitions, etc.
2. *Provision of information on procedures regarding the monitoring of the target* – ensure that all staff are kept informed of practice in the area – this may be done through the use of the above named methods. The essential point here is that not only policy but also practice is supportive towards the employment of people with disabilities.
3. *Provision of information on the benefits of disclosing a disability* – Staff with disabilities need to be informed of the benefits of disclosing their disability. At minimum, procedures around confidentiality should be guaranteed. Benefits relating to gaining access to workplace accommodations, technical aids and flexible work practices need also to be communicated.
4. *Development of a recording form* – a recording and reporting form for data on disability needs to be developed and integrated into the HR recording system. The data requirements and structure of this form will be provided by the NDA, but this will need to be adapted for use within each State Body.
5. *Development of procedures for acquiring, storing and reporting data* – this involves the identification and modification of procedures where employment levels can be monitored. These will mainly concern the HR processes of recruitment, promotion, performance management, exit/retirement, requests for accommodations and the use of auxiliary information sources such as absence records and medical reports. The task here is to ensure that all of these processes are sensitive to the disclosure of disability and that they can treat such disclosures with sensitivity and confidentiality.

6. *Staff development for purposes of implementing the policy* – There will be a need to ensure that all staff involved in implementing the monitoring system have adequate training and information made available to them in order to implement the system effectively. A staff development package should cover not only those who have responsibility for reporting the data, but also those who are involved in any of the recruitment, promotion, exit and other processes from which data may be gathered. Information and training should cover all relevant aspects of the monitoring system, for example, supportive policies and practices, recording forms, legal obligations and confidentiality procedures.

7. *Development of procedures for monitoring the effectiveness of disability policy and practice* – There is a need to develop an evaluation procedure for assessing the effectiveness of the monitoring system. This should include an assessment of the reliability of the various HR processes for collecting data, an assessment of any problems that may arise, and an assessment of the data collection procedures.

Appendices

- 1. Comparison of the advantages and disadvantages of various survey approaches**
- 2. Long form employee survey questionnaire**
- 3. Short form employee survey questionnaire**
- 4. Frequently asked questions**
- 5. Bibliography**

Appendix 1. Comparison of the advantages and disadvantages of various survey approaches

	1a Anonymous questionnaire, locally distributed, collected and processed	1b Anonymous questionnaire locally distributed but collected and processed off-site	2a Confidential questionnaire locally distributed, collected and processed	2b Confidential questionnaire locally distributed but collected and processed off-site	3 Use of other data collection points for information collection²
Control over response rates	+	-	+	-	+
Level of response	+	+	-	-	
Quality control	-	+	-	+	-
Quality of information	-	-	+	+	+
Control over communications	+	-	+	-	
Probability of disclosure	-	-	+	+	
Confidentiality	-	+	-	+	-
Reliability of the instrument	+	+	+	+	-
Workload at centre	+	-	+	-	+
Workload locally	-	+	-	+	-

² E.g. recruitment, promotion, performance management, requests for accommodation, health and safety, absence management

	1a Anonymous questionnaire, locally distributed, collected and processed	1b Anonymous questionnaire locally distributed but collected and processed off-site	2a Confidential questionnaire locally distributed, collected and processed	2b Confidential questionnaire locally distributed but collected and processed off-site	3 Use of other data collection points for information collection³
Availability of expertise	-	+	-	+	+
Standardisation of approach	-	+	-	+	-
Targeting interventions	-	-	++	+	+
Embedded procedures	-	-	-	-	+
Influence of organisational cultures	-	+	--	+	
Tracking change within organisations over time	-	-	+	+	+
Mapping accommodations	-	-	++	+	++
Contributing to planning and development	+	+	+	++	++

³ E.g. recruitment, promotion, performance management, requests for accommodation, health and safety, absence management

Appendix 2. Long form employee survey questionnaire

Employee Survey

on the

Employment of People with Disabilities

in the Irish Public Sector

All staff are asked to complete and return this form in order to help us to identify the proportion of staff with disabilities and the support provided for people with disabilities in your workplace.

All information provided by you will be treated in the **strictest confidence**. Data will be used for statistical purposes only, reported on anonymously and individual persons will not be identified in any reports.

Instructions for completing the questionnaire:

Please complete this form and return it in the Stamped Addressed Envelope provided by **Date** .

Indicate your response to a question by placing a '√' in the appropriate box.

If you have a disability, please complete **all questions** in the questionnaire. Then go to page xx to indicate your consent to the information you provide being used in monitoring reports on the target for people with disabilities in your organisation.

If you do not have a disability, please **complete questions 1 and 2 only**. Then go to page xx to indicate your consent to the information you provide being used in monitoring reports on the target for people with disabilities in your organisation.

If you need help to complete the form

If you would like assistance in completing this form, please contact:

Personnel responsible for administering questionnaire:

Phone number

Email

Thank you for your participation.

For office use only

Organisation code □□□

Regional code □□

What counts as disability?

The Disability Act 2005 defines disability as:

'Disability; in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment'.

So it must be a long-term condition....

That means one that has continued, or is expected to continue for 12 months or more. This includes long lasting conditions (e.g., multiple sclerosis, schizophrenia). It does not include temporary incapacity, e.g., a broken leg or arm.

.... that substantially restricts capacity

It must be a condition that could substantially restrict your capacity to participate in work, in social life or in leisure activities like watching TV, going to a concert or a match. This does not include minor problems that do not interfere with participation in everyday life, such as mild diabetes or wearing glasses (where you can see well with them).

Examples of different types of disabilities

A physical impairment

Something that substantially restricts one or more basic physical activities such as walking, climbing stairs, reaching or lifting or chronic illness such as multiple sclerosis or epilepsy. Do not count temporary incapacity such as a broken leg or arm.

A sensory impairment

A severe vision hearing or speech impairment. Do not count wearing glasses or lenses unless you have difficulty seeing even when using them

A mental health impairment

For example chronic depression, schizophrenia

An intellectual disability

For example Down's Syndrome

1 Do you have a disability (<i>according to the definition of disability in the Disability Act 2005</i>)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
---	--	---------------------------------------

2. Do you have any of the following long-lasting disabilities or conditions?
See opposite page for examples and definitions included under the Act

	Yes	No
a A physical impairment	<input type="checkbox"/>	<input type="checkbox"/>
b A sensory impairment such as a severe vision, hearing or speech impairment	<input type="checkbox"/>	<input type="checkbox"/>
c A mental health impairment	<input type="checkbox"/>	<input type="checkbox"/>
d An intellectual disability	<input type="checkbox"/>	<input type="checkbox"/>
e I have a disability but do not wish to disclose nature of my disability	<input type="checkbox"/>	<input type="checkbox"/>

3. If you are currently absent from work, is it because of:

- Long-term sick leave Holidays
Maternity leave Other reason

If you **answered 'no' to question 1** and do **not have a disability**, skip the remaining questions and go to page 8 to indicate your consent to the information you have provided being used in monitoring reports. When you have completed your consent, please return your questionnaire in the stamped addressed envelope provided.

If you have indicated that you have a disability please continue.....

4. Does your disability or long-term condition, cause you significant difficulties in areas of everyday life such as work, social life, leisure or cultural activities? <i>For example, answer 'YES' if you have difficulties linked to your disability or condition in watching TV, reading, listening to music, using transport, going to the cinema, a match or socialising. Answer 'NO' if you only experience mild difficulties from your disability. This is to check if your disability comes within the definition used in the Disability Act</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5. In your present job, has anything been done to accommodate your disability in the workplace? <i>For example, more flexible work arrangements or duties, changes made to your desk or to the building, special equipment or personal assistance</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. Did you receive this accommodation or adjustment following a request on your part?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7. Do you require any additional assistance to accommodate your disability in the workplace?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

8. **Gender** Male Female

9. **Age** _____ **years**

10. **What is the highest level of education (full-time or part-time) which you have completed to date?** (Please tick one box only for the highest qualification achieved)

This question is being asked to find out if people with disabilities are employed at a level that is compatible with their qualifications and how people with disabilities progress in comparison with other staff. This information will help inform policy to support career development of people with disabilities

- No Formal Education
- Primary Education

Second Level

- Lower Secondary (Junior/Intermediate/Group Certificate, 'O' Levels/GCSEs, NCVA Foundation Certificate, Basic Skills Training Certificate or Equivalent)
- Upper Secondary (Leaving Certificate, Leaving Cert Applied, A Levels, NCVA Level 1 Certificate or Equivalent)
- Technical or Vocational Qualification (Completed Apprenticeship, NCVA Level 2/3 Certificate, Teagasc Certificate/Diploma or Equivalent)
- Both Upper Secondary and Technical or Vocational Qualification

Third Level

- Non Degree (IPA training courses, National Certificate, Diploma NCEA/Institute of Technology or equivalent, Nursing Diploma)
- Primary Degree
- Professional Qualification of degree status
- Both a Degree and a Professional Qualification
- Postgraduate Certificate or Diploma
- Postgraduate Degree (Masters)
- Doctorate (Ph.D)

11. **How many year(s) service do you have :**
 in your current job? _____ Years
 In public sector employment overall? _____ Years

12. **What is your grade?** *(please note the grades included in this question will need be changed to reflect those in your organisation)*

This question is being asked to help inform policy on career development of people with disabilities and to compare career development of people with disabilities with other staff.

PO or higher	AP	1.1.1	HEO/ AO	EO
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
SO	CO	1.1.2	Servi ces Offic er	1.1.3 Professional/Tech nical E.g. Teacher, Auditor

13. Do you work Full-time Part-time

14. Is your employment contract

Permanent Temporary /Short-term contract

15. Did you have this disability when you first started working in the public sector? **Yes** **No**

16. Did you have this disability when you started working in your current job? **Yes** **No**

17. Have you changed jobs during your employment in the public sector since you have had your disability or condition? **Yes** **No**

18. Have you applied for promotion during your employment in the public sector since you have had your disability or condition? **Yes** **No**

19. Have you been promoted during your employment in the public sector since you have had your disability or condition? **Yes** **No**

Assistance to work:

If you would like to find out more about support or adaptations to your work or workspace that could improve your working life please contact:

Consent

The information that you have provided will be used for statistical purposes only and your personal details will be kept confidential and reported on anonymously.

I consent to the information I have provided being used in monitoring the target established under the Disability Act 2005 to promote the employment of people with disabilities in the public sector. **Yes** **No**

Signature (optional) _____ Section _____

Name in block capitals (optional) _____

Thank you for taking the time to complete this questionnaire. Please return your completed questionnaire to

Before the

Appendix 3: Short form employee survey

Count me in

Survey of Employment of people with disabilities in the public service

For office use only

Monitoring Committee Code Organisation Code Office Code

The Disability Act 2005 defines disability as:

Disability, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment

1. Do you have a disability? Yes No

2. Do you have any of the following long-lasting disabilities or conditions?
Long-lasting means it has continued, or is expected to continue for 12 months or more.

- a I have a disability but do not wish to disclose its nature Yes No
- b A physical impairment Yes No
- c A sensory impairment such as a severe vision, hearing or speech impairment Yes No
- d A mental health impairment Yes No
- e An intellectual disability Yes No

3 Does your disability or long-term condition, cause you significant difficulties in areas of everyday life such as work, social life, leisure or cultural activities?
For example, answer 'YES' if you have difficulties linked to your disability or condition in watching TV, reading, listening to music, using transport, going to the cinema, a match or socialising. Answer 'NO' if you only experience mild difficulties from your disability. This is to check if your disability comes within the definition used in the Disability Act.

4 Do you have an on-going disability that requires a work-related adjustment / accommodation? Yes No

If Yes: (a) have you received a work-related adjustment or accommodation?
Yes No

(b) are you satisfied with this adjustment or accommodation?
Not applicable Yes No

5. If you are currently absent from work, is it because of:

- Long-term sick leave Holidays
- Maternity leave Other reason

The information that you have provided will be used for statistical purposes only. Your personal details will be kept confidential and reported on anonymously.

I agree to the information I have provided being used to monitor the target set under the Disability Act 2005 to promote the employment of people with disabilities in the public service Yes No

Signed _____ Name in Block Capitals _____

Appendix 4: Frequently asked questions

This section provides the definition of disability under the Disability Act 2005, some examples of what disabilities may be included under each type of disability and provides answers to 21 questions that may be asked in relation to the survey.

Examples of different types of disabilities

What counts as disability?

The Disability Act 2005 defines disability as:

'Disability; in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment'.

So it must be a long-term condition....

That means one that has continued, or is expected to continue for 12 months or more. This includes long lasting conditions (e.g., multiple sclerosis, schizophrenia). It does not include temporary incapacity, e.g., a broken leg or arm.

.... that substantially restricts capacity

It must be a condition that could substantially restrict your capacity to participate in work, in social life or in leisure activities like watching TV, going to a concert or a match. This does not include minor problems that do not interfere with participation in everyday life, such as mild diabetes or wearing glasses (where you can see well with them).

A physical impairment

Something that substantially restricts one or more basic physical activities such as walking, climbing stairs, reaching or lifting or chronic illness such as multiple sclerosis or epilepsy. Do not count temporary incapacity, such as a broken leg or arm.

A sensory impairment

A severe vision, hearing or speech impairment. Do not count wearing glasses or lenses unless you have difficulty seeing even when using them.

A mental health impairment

For example chronic depression, schizophrenia.

An intellectual disability

For example Down's Syndrome.

Many long-term medical conditions may lead to significant restrictions in everyday life, and are widely accepted as constituting a disability, for example paraplegia, blindness, intellectual disability. There is not, however, a definitive list of conditions that constitute "disability" in the terms of the Disability Act 2005. The key test is whether the condition substantially restricts someone's capacity to

participate in such areas of everyday life as work, social life, cultural or leisure activities. Mild or easily managed levels of a particular medical condition may pose only a minor restriction in capacity, whereas more severe or difficult to manage degrees of the same condition would constitute a disability.

2 Frequently asked questions

This section provides answers to questions that may be asked in relation to a survey of people with disabilities employed in the public service or a review of existing administrative records of disability status. Please note that under questions 15, 17, 18 and 19 the title of the nominated official in your organisation [department] should be inserted.

Questions in relation to disability issues

1. Should it be my opinion only whether I have an impairment or what other people have told me?

Your impairment, be it physical, sensory, intellectual or mental health should have been diagnosed by a qualified professional.

2. Will I have to undergo a medical examination to be counted as a person with a disability?

No special medical examination is required in order to be included in the count of people with disabilities working in your job. This is a statistical count and will not require anyone to undergo a medical assessment or to produce evidence of a particular condition. However, only count yourself as having an impairment if this has been diagnosed by an appropriate professional.

3. What are the implications of disclosing the nature of my disability or of choosing not to disclose?

There are no implications for you if you choose not to disclose the nature of your disability. If you choose not to disclose, then the information reported would lack some details. This means it would not be possible to compile statistics on the proportion of people in the four broad categories of disability who are employed in the public service.

4. If I choose to disclose, who will have access to this information?

This confidential survey and the information collected is for the purpose of calculating how your employer is meeting the 3% target. It will only be used for statistical purposes. The only person who will have access to your form will be the person designated to compile the data. Strict confidentiality will be maintained in line with best practice.

Where you agree, information you give about your disability may be forwarded to someone whose job it is to support staff with disabilities and ensure these staff get whatever supports they require to do their job.

5. What do you mean by "long-lasting"?

Enduring or "long-lasting" means that your condition persists for an extended

period of time. If you have a condition that is likely to resolve itself within the next 12 months then it is unlikely to be considered long lasting. Equally if you are likely within the foreseeable future to recover completely from your condition it is also not likely to be considered as a long-lasting condition.

6. If my condition occurs from time to time but does not last for long each time, is that a long-lasting condition?

If you have a condition which persists over time but which occurs on a cyclical basis, and when it occurs requires you to make adjustments and accommodations, then it is long lasting. For example, a person with MS, which may flare up intermittently, would be considered to have a long-lasting condition even though that person has not had a relapse for an extended period of time.

7. Should I be included if I have a temporary incapacity such as a broken leg?

No. Any condition that will result in a full recovery within the foreseeable future is not covered by this survey.

8. If I wear glasses all the time, is that a severe visual impairment?

If you wear glasses or contact lenses, only include yourself as having a visual impairment if you have significant difficulty in seeing even with the use of your glasses/lenses.

9. Which basic physical activities are being referred to?

A physical impairment is one that affects your body (including for example missing limbs, but excluding sight, hearing and speech problems, which are classified separately). You also have a physical impairment where you would have significant difficulty with walking, climbing stairs, reaching, lifting or carrying things, or physically carrying out other routine activities of daily life.

10. What counts as a mental health impairment?

Where you have had a long-term mental health condition diagnosed by a medical professional. Examples of such conditions are schizophrenia and bipolar disorder.

11. What about a chronic illness – is that a disability?

A chronic illness may constitute a disability where it would significantly restrict your capacity to work or to participate in social or cultural life or the routines of everyday life. Easily-managed chronic conditions such as mild asthma, diabetes or heart conditions would not constitute a disability in this sense, but more severe asthma, diabetes or heart conditions that substantially limit your functioning and restrict your participation in everyday activities would constitute a disability.

12. What constitutes a significant difficulty in participating in everyday life, work, social or cultural activities?

This would arise if there are activities of everyday life you cannot do at all, which you can only do with difficulty or where to manage you need special assistance, specialist technical aids, or special adjustments to be made to your

work or living environment or to premises or services you want to use. These everyday activities could include work, travel, socialising, accessing venues, watching TV, listening to music or going to the cinema. However, wearing glasses or contact lenses does not constitute disability unless you face significant difficulties even with these supports.

This may also arise if there are significant restrictions on the type of tasks you can perform, or the kinds of job you could do.

13. What is meant by social, leisure or cultural activities?

This includes a wide range of social activities you would do such as visiting or going out with friends, driving and using transport to get to where you want to go, travelling abroad, listening to music, going to the cinema or a match, playing sport, watching TV or a video. This is not a comprehensive list. If you experience significant restrictions in any of these areas of your life outside work due to an impairment, you are considered to have a disability for the purposes of the employment target.

14. Why is this information on the disability status of employees being collected?

This information is being collected because under the Disability Act 2005 all public bodies are required by law to report on the numbers of people employed in their organisation who have a disability and also to promote and support the employment of people with disabilities. They are also required to achieve a target share of 3%, according to the definition of disability in the Disability Act 2005.

15. How will the information I provide be used?

It will be used to count the proportion of people in your organisation who have a disability. This information will be put together by (a nominated official in your organisation [department]) and sent to a committee in your sector (with trade union and disability representatives) that monitors the three per cent target for employing people with disabilities in the public service. In turn, statistical information on the proportion of employees in different public service organisations who have a disability will be reported, by the National Disability Authority, to the Minister for Justice, Equality and Law Reform and the Dáil.

16. How will this information be helpful in increasing the level of employment for people with disabilities?

Part 5 of the Disability Act 2005 deals with promoting and supporting people with disabilities in employment. The information will be used by the NDA to make recommendations to employers about the ways in which people with disabilities can be recruited, retained and promoted at work.

17. Who will see the questionnaire?

This information will be put together by (a nominated official in your organisation [department]) and sent to a committee in your sector (with trade union and disability representatives) that monitors the 3% target for employing people with disabilities in the public service. In turn, statistical information on the proportion of employees in different public service organisations who have a disability will be reported, by the National Disability Authority, to the Minister for Justice, Equality and Law Reform and the Dáil.

18. How can I be certain that my information remains confidential?

The only person who will see your questionnaire is (the nominated official in your organisation [department]). Strict confidentiality will be maintained in line with best practice.

19.If I have disclosed my disability on a questionnaire at work, but have not disclosed it before now, will (whoever it is in your organisation [department]) try and contact me about it?

No, when you provide this information it will be treated in confidence. No one has the right to ask you or approach you about your completed questionnaire. If however, you have decided that you would like to talk to someone about what can be done to support you at work, please contact (nominated official in your organisation [department]).

20.Is this survey not supposed to be about how many people are recruited not about how many people with disabilities are working in the public service?

The Disability Act 2005 allows the relevant Minister to set targets both for recruitment of people with disabilities, and for employment of people with disabilities. The current target relates only to the proportion of people with disabilities employed by individual public service organisations. These will include staff that became disabled during the course of their employment as well as those who had a disability when they joined.

The purpose is to provide equal opportunities for people with disabilities in the public service.

Collecting information on disability in the workplace will provide important information to inform the development of organisations as positive and supportive working environments.

The National Disability Authority, which provides independent advice to the government on disability issues, can recommend that individual public bodies undertake specific steps to improve recruitment, training and promotion of staff with disabilities, if an individual organisation is consistently failing to reach its target.

21.Why do you need to know if my disability affects my ability to do things outside of work e.g. watch TV and go to a match? I am working and can work.

This question is asked because the definition of disability contained within the Disability Act 2005 contains a clause concerned with the restrictions a person might experience in any aspect of life. You may be able to work without restriction because of workplace aids and accommodations, but may still have difficulties with non-work areas of life.

Appendix 5: Bibliography

- Allen S. and Carlson G. (2003) To Conceal or Disclose a Disabling Condition? A Dilemma of Employment Transition. *Journal of vocational Rehabilitation* Vol. 19 No 1.
- Asch, D. Jedrzejewski, K. Christakis, N. (1997) 'Response rates to mail surveys published in medical journals' *Journal of Clinical Epidemiology*, Vol. 50, Issue 10, pp1129-1136.
- Bishop, M. (2002) Barriers to employment among people with epilepsy: report of a focus group, *Journal of Vocational Rehabilitation* 17, 281-286
- Campbell, M.J. and Waters, W. E. (1990) 'Does anonymity increase response rates in postal questionnaire surveys about sensitive subjects? A randomised trial' *Journal of Epidemiology and Community Health*, Vol. 44, 75-76
- Conroy, P. & Fanagan, S. (2001) *The effective recruitment of people with disabilities into the public service*, Department of Justice, Equality and Law Reform / Equality Authority.
- Philip Cox, unpublished dissertation 2005
- Daigin, R. and Gilbride, D. (2003) Perspectives of People with Psychiatric Disabilities on Employment Disclosure. *Psychiatric Rehabilitation Journal* 26 (3) pp306-309.
- Department of the Environment and Local Government (1999) *Code of practice for the employment of people with disabilities in the local authority service*
- Department of Finance (1994) *Code of practice on the employment of people with disabilities*
- Dupre D. and Karjalainen A. (2003) *Employment of disabled people in Europe in 2002*, Eurostat Statistics in Focus, Population and Social Conditions, Theme 3 – 26/2003
- Ellison, M. and Russinova, Z. and Macdonald-Wilson, K. and Lyass, A. (2003) Patterns and correlates of workplace disclosure among professionals and managers with psychiatric conditions. *Journal of vocational Rehabilitation* 18, pp3-13.
- Employers' Forum on Disability (2004) *Monitoring for Change: A practical guide to monitoring disability in the workforce*
- European Commission *Optiwork Project* 2005-2007
- European Commission *Report on Member States' Legal Provisions to Combat Discrimination* (European Commission February 2000)
- Fuller, C. (1974) 'Effect of anonymity on return rate and response bias in a mail survey' *Journal of Applied Psychology*, Vol.59, No.3 292-296
- Gates L.B. (2000) Workplace accommodation as a social process, *Journal of Occupational Rehabilitation* Vol.10 No.1, 85-89

Goldberg, S. and Kileen, M. (2005) The Disclosure conundrum: How People with Psychiatric Disabilities Navigate Employment. *Psychology, Public Policy and Law* Vol 11 No3 pp463-500

Hoopengardner, T. (2001) *Disability and Work in Poland*, SP Discussion Paper No. 0101, The World Bank

ILO Bureau of Statistics (2004) *Statistics on the employment situation of people with disabilities: A compendium of national methodologies*

ILO Draft Code of Practice on managing disability in the workplace (Geneva 2001)

Kelly, D. (1997) *The 3% Disabled Quota in the Irish Civil Service – Has it Served its Purpose* Unpublished thesis

King, F. (1970) 'Anonymous versus identifiable questionnaires in drug usage surveys' *American Psychologist*, Vol. 25, 982-985

Madaus, J. and Foley, T. and McGuire, J. and Ruban, L. 2002. Employment Self-Disclosure of Postsecondary Graduates with Learning Disabilities: Rates and Rationales. *Journal of Learning Disabilities* Jul/Aug: 35,4 pp364-369

McColl E. et al (2001) Design and use of questionnaires: a review of best practice applicable to surveys of health service staff and patients *Health Technology Assessment* 2001, Vol. 5, No. 31

Murphy, C. et al (2002) *Employment and Career Progression of People with a Disability in the Irish Civil Service*, Institute of Public Administration

Office of Personnel Management 2004, *Federal Civilian Statistics: The Fact Book 2004 Edition*, United States Office of Personnel Management.

O'Malley, P. Johnston, L. Backman, J. Schulenberg, J. 2000 'A comparison of confidential versus anonymous survey procedures: Effects on reporting of drug use and related attitudes and beliefs in a national study of students' *Journal of Drug Issues* Winter 2000

Organisation for Economic Co-operation and Development (OECD) (2003), *Transforming Disability into Ability: Policies to Promote Work and Income Security for Disabled People*

Pearson V. et al, (2003) To tell or not to tell; disability disclosure and job application outcomes, *The Journal of Rehabilitation* Vol.69

Singer, E. (1978) 'Informed consent: consequences for response rate and response quality in social surveys' *American Sociological Review*, Vo. 43, No.2 144-162

Thornton, P. & Lunt, N. (1997) *Employment Policies for Disabled People in Eighteen Countries: A Review*, York: Social Policy Research Unit.

Thornton, P. (1998) *Employment Quotas, Levies and National Rehabilitation Funds for Persons with Disabilities: Pointers for policy and practice*, ILO, Geneva.

Waddington, L. (1994,) *Legislating to employ people with disabilities: The European and American way*, *Maastricht Journal of European and Comparative Law*, 1,4, 367-95

Wilton Robert D. (2006) *Disability in the Workplace*, *Just Labour* Vol. 8 Spring 2006

Websites

Australian Public Service Commission

www.apsc.gov.au

Austrian Federal Ministry for Social Security, Generations and Consumer Protection

www.bmsg.gv.at

Disability Rights Commission

www.drc-gb.org

French website for new disability legislation

www.handicap.gouv.fr

German Federal Ministry of Labour and Social Affairs

www.bmas.bund.de/Englisch/Navigation.root.html

Irish Epilepsy Association *Employers Guide*

<http://www.epilepsy.ie/Ease/servlet/DynamicPageBuild?siteID=1029&categoryID=106>

Japan Association for Employment of Persons with Disabilities

www.jaed.or.jp

Mental Health Ireland *Mental Health in the Workplace*

http://www.mentalhealthireland.ie/Information.asp?ID_info=23&

Mind out for Mental Health (U.K.) *Working Minds Toolkit: a practical resource to promote good workplace practice on mental health*

<http://kc.nimhe.org.uk/upload/Working%20Minds%20Toolkit.pdf>

Scottish Executive Disability Equality Scheme

<http://www.scotland.gov.uk/Topics/People/Equality/disability/publicsectorduty>

U.K. Civil Service Equality and Diversity in Employment

www.diversity-whatworks.gov.uk

U.S. Office of Personnel Management

www.opm.gov/disability

U.S. Public Service Human Resource Agency, *Employment Equity in the Federal Public Service 2002-03* www.tbs-sct.gc.ca/report

Workway *Mental Health & Employment Guidelines on Disclosure of a Disability*

http://www.workway.ie/article/index.php?cat_id=669&item_id=