

26 September 2024

# The Home Office repeatedly fails in its disability obligations

New editorial board member Paddy Silke discusses the department's reluctance to implement reasonable adjustments.

The Home Office claims to be a "Disability Confident Employer". Its stated policy aims are to change attitudes toward disability and improve management understanding, getting the best out of its staff. Their ambition is to be neuro-inclusive.

The Workplace (Reasonable) Adjustments Policy is supposed to ensure that this works. But it doesn't.

While PCS counts many good managers among its members, workplace representatives across the Midlands often find staff fearing incompetent or disenfranchised managers who no longer know what authority level they have. Reasonable adjustments are being ignored or mishandled. Managers are failing in their duty, seemingly making up policies to align with their perception of the order of the day, which is often garbled and incoherent due to mixed messages from above.

Examples include:

- Members requesting home working being told, incorrectly, it must be dealt with through the Flexible Working Policy. Advice from union reps to the contrary is ignored.
- Neurodivergent members requesting meetings via Teams rather than face-to-face being refused by managers despite warnings of disability discrimination.
- Where members have declined face-to-face meetings, managers have held the meeting in their absence and refused to tell members what was discussed because they weren't there.

The list goes on, and across the region a pattern is emerging. For every colleague who comes forward, almost certainly more are too scared to speak up.

The **Baldwin v Cleves and Others** judgment clarifies the potential personal liability for managers ignoring policy and legislation. Respondents can now be found personally liable for any fines.

Given this recent legal precedent, the message to the Home Office is to act now. Your senior staff could face dire consequences if they find themselves in a tribunal, and your general staff are suffering at the hands of rogue managers refusing to follow policy or law. This must change if the Home Office is to meet its stated goal of being a "Disability Confident Employer".