



## Disability inclusion in the workplace

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### Why do we need to focus on disability inclusion?

Research suggests that many people are not comfortable being open about their disability in the workplace which can cause underreporting in the profession. Only 6% of lawyers and 7% of other staff in law firms declared they had a disability in 2023. This is compared to 16% of the [workforce in the UK](https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2023/employment-of-disabled-people-20231) [https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2023/employment-of-disabled-people-20231]. Across the UK population, data from [The National Disability Strategy](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1006098/National-Disability-Strategy_web-accessible-pdf.pdf) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/1006098/National-Disability-Strategy\_web-accessible-pdf.pdf] states that one in five people are disabled and predicts that this figure will rise.

Find out more from our [Law Firm Diversity Data Tool](https://www.sra.org.uk/solicitors/resources/diversity-toolkit/law-firm-diversity-tool-2021/) [https://www.sra.org.uk/solicitors/resources/diversity-toolkit/law-firm-diversity-tool-2021/].

### What do we mean by disability inclusion?

The Equality Act 2010 offers protection to people defined by the protected characteristic of 'disability'. There is a legal requirement for employers to protect disabled people from discrimination, harassment and victimisation, and to make sure that reasonable workplace adjustments are accommodated.

Disability inclusion is about creating an environment which is welcoming and accessible for disabled people. Disabled people should feel comfortable being themselves at work and should have an equal opportunity to reach their potential.

It is important to think about the language and terminology you use when talking about disability. The Law Society have published [a guide to disability terminology and language](https://www.lawsociety.org.uk/Topics/Disabled-Solicitors/Guides/A-guide-to-disability-terminology-and-language) [https://www.lawsociety.org.uk/Topics/Disabled-Solicitors/Guides/A-guide-to-disability-terminology-and-language].

### Research on disability inclusion in the profession

The [Legally Disabled?](https://www.researchgate.net/publication/339031574_Legally_Disabled_full_report_FINAL) [https://www.researchgate.net/publication/339031574\_Legally\_Disabled\_full\_report\_FINAL] report by Foster and Hirst provides an overview of the career experiences of disabled people working in the legal profession. The report indicates a significant proportion of disabled people in the legal profession have experienced ill-treatment, bullying or discrimination. The research also highlights that those who did share their disability and request adjustments, reported mixed experiences.

This may explain why there is underreporting of disability. Those who should be receiving workplace adjustments may not feel confident enough to request them. Without workplace adjustments, some disabled employees may be at a disadvantage in reaching their full potential.

According to the report [Uncharted Territory](https://neurodiversikey.com/wp-content/uploads/2024/10/Uncharted-Territory-The-Survey-Results-Report-v.2.0-Oct-2024.pdf) [https://neurodiversikey.com/wp-content/uploads/2024/10/Uncharted-Territory-The-Survey-Results-Report-v.2.0-Oct-2024.pdf] by Neurodiversikey, nearly 75% of respondents reported never having disclosed their neurotype(s) during legal education or training, specifically to avoid potential discrimination.

There is more that law firms and other employers can do to encourage disability inclusion in the workplace and reflect the population they serve.

### Taking steps towards a disability inclusive workplace

To help law firms and other employers promote disability inclusion, we have summarised best practice and case studies from a range of sources. This includes our own [good practice report into disability inclusion](https://media.sra.org.uk/sra/research-publications/disability-workplace/) [https://media.sra.org.uk/sra/research-publications/disability-workplace/], in large



and small law firms. Although focused on law firms, the guidance could equally apply to other employers, and those working in-house.

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## **Provide reasonable adjustments for staff and clients**

Providing reasonable adjustments for staff and clients is a legal requirement under the Equality Act 2010. It is also essential in meeting your regulatory obligations under [Principle 6](#) [\[https://media.sra.org.uk/solicitors/standards-regulations/principles/1\]](https://media.sra.org.uk/solicitors/standards-regulations/principles/1), to act in a way that encourages equality, diversity and inclusion.

Promote the fact that you offer reasonable adjustments for your clients and make your website and communications accessible. Our [research into reasonable adjustments](#) [\[https://media.sra.org.uk/sra/research-publications/reasonable-adjustments/1\]](https://media.sra.org.uk/sra/research-publications/reasonable-adjustments/1) within legal services found that only one in six clients are proactively asked if they need adjustments.

In the workplace, when thinking about staff, reasonable adjustments are often referred to as 'workplace' adjustments which is the terminology we are using here.

## **Be proactive and knowledgeable in offering workplace adjustments**

The recruitment stage is the first opportunity to start an open conversation about workplace adjustments. Disabled people we spoke to for our report found this helpful, as they worried less about sharing their disability and asking for adjustments they needed.

The [Legally Disabled?](#)

[\[https://www.researchgate.net/publication/339031574\\_Legally\\_Disabled\\_full\\_report\\_FINAL\]](https://www.researchgate.net/publication/339031574_Legally_Disabled_full_report_FINAL) report makes some recommendations about what firms should do at a minimum. Firms should signpost commonly accepted workplace adjustments in every invite to an interview, work experience, event, and training for a job (Foster and Hirst, p7).

Following recruitment, continue the conversation about workplace adjustments throughout employment in a positive and constructive way. Make sure that you are involving the disabled person as recommended in [The Law Society guidance \(2021, p10\)](#). [\[https://www.lawsociety.org.uk/topics/lawyers-with-disabilities/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion\]](https://www.lawsociety.org.uk/topics/lawyers-with-disabilities/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion) Discussing workplace adjustments should be included in 1-2-1 meetings and performance reviews as standard. Additionally, supervisors should be familiar and confident with your firm's policies around workplace adjustments.

People may become disabled while they are working for an organisation or have conditions which fluctuate. Firms should respond to changed circumstances and be prepared to offer or update workplace adjustments at any time in a person's career.

The disabled solicitors we spoke to for our report told us how important it was to train staff who lead, manage and supervise teams about reasonable adjustments. Training, and familiarity with policies, will make conversations around workplace adjustments less intimidating for those who hesitate in raising it.

Workplace adjustments should be tailored to the individual, but you may identify some standard adjustments that you can make available to all staff. This could help disabled people who might need a workplace adjustment but are not ready to share their disability or condition with you.

This may also help people who may otherwise not seek adjustments. Some examples might be those who have long-term health conditions, including symptoms caused by the menopause, neurodivergent conditions and some mental health challenges.

## **Flexible and agile working**

Our report showed that flexible or agile working, which was available for all staff, was also seen as a workplace adjustment for disabled staff. The ability to work flexibly, or from home,



has many benefits but it is important to remember that disabled staff may still need additional adjustments.

The [Legally Disabled? Covid-19 report](https://orca.cardiff.ac.uk/id/eprint/136118/) [https://orca.cardiff.ac.uk/id/eprint/136118/] found that for some disabled staff, the physical adjustments needed to improve their home working environment were not provided (2020, p21). So it is important to carry out a risk assessment to identify any additional equipment needed at home.

## Guidance on providing workplace adjustments

There is a range of guidance available to employers in providing workplace adjustments, including:

- The [Law Society's guide](https://www.lawsociety.org.uk/topics/lawyers-with-disabilities/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion) [https://www.lawsociety.org.uk/topics/lawyers-with-disabilities/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion] to best practice in providing reasonable adjustments
- The [Equality and Human Rights Commission's examples](https://www.equalityhumanrights.com/guidance/business/employing-people-workplace-adjustments/examples-reasonable-adjustments-practice) [https://www.equalityhumanrights.com/guidance/business/employing-people-workplace-adjustments/examples-reasonable-adjustments-practice] of reasonable adjustments in practice provides clear guidance on common reasonable adjustments

If you are in doubt, you should seek expert advice including from specialist charities where appropriate.

There may be support available through the government's [Access to Work](https://www.gov.uk/access-to-work) [https://www.gov.uk/access-to-work] scheme. This may be able to assist and provide a grant to cover the cost of reasonable adjustments or specialist equipment.

## Practical examples

### Provide adjustments for neurodivergent staff

Markel Law, part of the Markel Corporation, a fortune 500 company, put in place workplace adjustments for colleagues with dyslexia. They identified an IT programme which could detect written errors in letters and other written communication with clients. Clients were made aware of the adjustment as some minor errors were not picked up by the software. In addition, time was put aside for other colleagues to proofread work, which was not recorded as 'billable'.

### Keep reasonable adjustments under review

TLT LLP launched an 'Enabled Employee' scheme giving employees who require specialist assistance a clear understanding of what support is available. This is through their journey as recruits, trainees and employees. They identified the importance of confidence and knowing who to speak to, in helping people get the support they needed to reach their full potential.

TLT encourages people to be open about their needs at the interview stage and recognises the importance of the line management relationship. The scheme supports managers to recognise the signs that someone is struggling and offer a helping hand to get them back on track.

### Seek expert advice

A firm sought expert help from the [Sensory Advice Resource Centre](http://www.sarc-bid.org.uk/) [http://www.sarc-bid.org.uk/] to communicate with a deaf British Sign Language speaking client. The client had asked the firm to represent them, and they were given contact details for local and national interpreters. Information was provided about [NRCPD](https://www.nrcpd.org.uk/) [https://www.nrcpd.org.uk/], a register of professionals working with Deaf and Deafblind people including interpreters, lipspeakers and notetakers. The firm replied with thanks and an advert for an interpreter was posted within days.

### Monitor the provision of reasonable adjustments

BBH Legal record and monitor workplace adjustments, tracking the type of adjustment requested and the support provided. This helps them review the needs of their staff and plan accordingly.

## **Recruit disabled talent and improve retention and progression**

Entry and progression in the profession will be challenging if barriers such as bias in the recruitment process and exclusionary practices in the workplace continue to persist.

You should challenge recruitment teams or colleagues to provide a diverse range of candidates for every role and consider applicants from a range of backgrounds. Making sure your recruitment process is accessible and focuses only on the skills and experience required will break down some barriers for disabled applicants. You should also provide specific and bespoke training for recruitment panels, HR personnel and managers. This might include training about disability equality, inclusive recruitment and workplace adjustments.

Consider signing up for the [Disability Confident scheme](https://www.gov.uk/government/collections/disability-confident-campaign) (<https://www.gov.uk/government/collections/disability-confident-campaign>). Inclusive recruitment helps organisations remove barriers for disabled candidates and employees.

The Law Society's [reasonable adjustments guidance](https://www.lawsociety.org.uk/topics/disabled-solicitors/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion) (<https://www.lawsociety.org.uk/topics/disabled-solicitors/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion>) suggests making sure the 'language, information, tasks and processes' within the recruitment process are inclusive of neurodivergent applicants (2021, p. 17). Where psychometric tests are used, ensure they are disability inclusive and avoid judging a candidate based on mannerisms such as eye contact.

To encourage retention and progression of disabled talent, consider alternative performance metrics to billable hours, such as outputs or projects completed. Our [workplace culture thematic review](https://media.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/#:~:text=Our%20thematic%20review%20looked%20at,workloads%20and%20allocation%20of%20work) (<https://media.sra.org.uk/sra/research-publications/workplace-culture-thematic-review/#:~:text=Our%20thematic%20review%20looked%20at,workloads%20and%20allocation%20of%20work>) found that billable hours is an aspect of workplace culture that respondents most wanted to improve. [Legally Disabled](http://legallydisabled.com/research-reports/) (<http://legallydisabled.com/research-reports/>) found that where billable hours had either been replaced or only used for bonuses, disabled people found it easier to receive adjustments. They were also less likely to be disadvantaged (Foster and Hirst, 2020, p.14). [The Law Society](https://www.lawsociety.org.uk/topics/disabled-solicitors/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion) (<https://www.lawsociety.org.uk/topics/disabled-solicitors/reasonable-adjustments-in-organisations-best-practice-for-disability-inclusion>) suggests measuring performance by 'outputs or projects completed' (2021, p43).

Our [report](https://media.sra.org.uk/sra/research-publications/disability-workplace/) (<https://media.sra.org.uk/sra/research-publications/disability-workplace/>) on promoting disability inclusion in law firms has further examples of good practice and case studies that may be useful to your firm.

## **Practical examples**

### **Take steps to encourage disabled candidates**

Reed Smith has made a conscious effort to open up pathways into recruitment by working with several partners, such as [My Plus Consulting](https://www.myplusconsulting.com/) (<https://www.myplusconsulting.com/>) and [EmployAbility](https://www.employ-ability.org.uk/) (<https://www.employ-ability.org.uk/>). The firm proactive in taking steps to recruit disabled solicitors. It holds events on access to the profession and works with [Aspiring Solicitors](https://www.aspiringsolicitors.co.uk/) (<https://www.aspiringsolicitors.co.uk/>) and the Law Society's [Disabled Solicitors Network](https://www.lawsociety.org.uk/topics/disabled-solicitors/about-the-disabled-solicitors-network) (<https://www.lawsociety.org.uk/topics/disabled-solicitors/about-the-disabled-solicitors-network>) to encourage disabled graduates to apply for roles.

The firm has abolished cognitive aptitude tests in their graduate recruitment process and adopted an un-timed, behavioural strengths assessment. The firm was concerned that traditional (timed) psychometric tests could discriminate against disabled applicants. This was particularly the case for some applicants with dyslexia or autism due to the heightened anxiety associated with timed testing. They also review applications on a case-by-case basis to ensure that all needs are met.

## **Creating an inclusive culture with buy-in from senior leaders**

Firms with a clear strategy supported by senior leaders are more successful in achieving a disability inclusive culture. You should encourage senior leaders to support disability inclusion publicly and within the firm, for example by chairing disability-related events and supporting staff networks. We found that where senior leaders were visible there was much more engagement and discussion about disability across the firm by all staff.

Hear from Katherine Ramo on why leadership matters when it comes to disability in the workplace.

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Katherine Ramo, Technology, Media, IP, Competition, Associate, CMS UK

An inclusive culture can also be fostered by making a public commitment, signing up to schemes like the [Valuable 500 initiative](https://www.thevaluable500.com/) [https://www.thevaluable500.com/], which aims to put an end to disability exclusion by collaborative cross-organisational effort. External schemes will offer guidance about improving and promoting disability inclusion, and show your firm is holding itself accountable publicly. By making a public commitment and communicating this with your clients you may also encourage them to ask for reasonable adjustments should they need them.

If your firm is large enough, you may find establishing an internal disability network to support disabled staff useful. An established network offers the chance to include disabled staff in the conversation around your workplace culture and help to build a disability inclusive workplace.

A disability network could also support you to run internal initiatives to improve your workplace culture. For example, [Legally Disabled?](https://www.researchgate.net/publication/339031574_Legally_Disabled_full_report_FINAL) [https://www.researchgate.net/publication/339031574\_Legally\_Disabled\_full\_report\_FINAL] suggests disabled people can help to break down attitudinal barriers and biases towards disabled people through reverse mentoring (Foster and Hirst, 2020, p9).

## Practical examples

### An active staff network to influence change

A member of staff at Mills & Reeve co-founded the firm's Ability Network. They meet monthly, develop guidance for managers on providing reasonable adjustments and post articles on the firm's intranet about disability, mental health, stress and resilience. The network is supported by senior leaders who lead on disability and wellbeing.

Network members have raised awareness of disability and highlighted training needs for staff. They understand people may be conscious of being judged and being labelled. They have worked closely with colleagues and managers to 'spotlight' how individuals across the organisation are being supported with a range of workplace adjustments. This work has brought in HR, who actively support individuals with queries or adjustments. In some cases, billable hours have been adjusted. This has been achieved through the dedication of network members.

### A disability network showing authenticity and ambition

Bryan Cave Leighton Paisner (BCLP)'s formal disability inclusion work started in 2017 with the formation of their Disability Network. It aims to support staff with, or who have a connection with, a disability. It is spearheaded by two Partner Champions and several junior lawyers. They have sought to make sure that disability is on the firm's leadership agenda and considered across the entirety of the business.

The network launched an executive story-telling campaign where members shared personal stories across the firm to show how disability can affect people's lives. They have also developed a disability strategy to address stigma and develop more inclusive offerings and people processes. They sought expert advice from the [Business Disability Forum](https://businessdisabilityforum.org.uk/) [https://businessdisabilityforum.org.uk/] and [PurpleSpace](https://www.purplespace.org/) [https://www.purplespace.org/] and hosted firm-wide disability awareness events. Disability is now a key element of BCLP's diversity and inclusion strategy. The network, open to all staff, continues to work to address the firm's areas for improvement with authenticity and ambition.

### Senior leaders sponsoring disability inclusion

Senior leaders at Eversheds Sutherland actively sponsor the firm's vision and programme of work on disability, mental health and wellbeing which was launched in May 2018. They drive this work forward and use social media to promote the work they are doing on disability inclusion. Eversheds Sutherland is a [Disability Confident Employer](https://www.gov.uk/government/collections/disability-confident-campaign) [https://www.gov.uk/government/collections/disability-confident-campaign] and has begun working to achieve Disability Confident Leader status. The firm have also signed up to the Valuable 500 initiative.



## **Creating an open and inclusive culture**

Small firms can achieve an inclusive culture by promoting an 'open door policy'.

Belcher Frost works to provide the best possible support for their employees, which in turn gives their clients the service they need. They introduced an open-door policy where people are encouraged to speak about any issues and concerns. The firm provides a diverse range of working patterns. This means that colleagues want to stay with them and that their valuable skills and experiences have helped to increase their bottom line.

Myers & Co Solicitors has a designated senior leader who provides support and information on disability, mental health and wellbeing. Staff are encouraged to speak about and request workplace adjustments. The firm promotes an open-door culture to encourage open communication, feedback and discussion about workplace concerns. This also means decisions on workplace adjustments are made promptly.

## **Identify actions to drive inclusion and monitor progress**

Good data is important to monitor progress, so take time to build confidence among your disabled staff to share their disability. Explain how you will use their data and how it will help the firm develop a disability inclusive culture.

If you identify gaps or challenges from your data, be proactive and include actions to promote disability inclusion in your diversity strategy and monitor progress.

Track your progress by using your staff diversity data to monitor the recruitment, retention and progression of disabled employees. Use client feedback and complaints data to help improve the service you provide for disabled clients.

## **Practical examples**

### **Use data to drive inclusion**

Markel Law use their firm diversity data to monitor the profile of staff. They used their information to assess how well they were progressing on equality, diversity and inclusion.

The firm has used their data to think about ways to promote inclusion and have created an Equality and Diversity Committee. This is chaired by one of their senior managers to consider bespoke training on several areas of disability. The firm published their diversity data in line with SRA requirements and make this openly available to clients.

## **Provide training and learning opportunities**

It is important that firms provide relevant and appropriate training and learning opportunities on disability inclusion. Training design and development should involve disabled people either through an employee network or external networks and organisations.

Disability inclusion training should be provided to all staff and be relevant to specific roles. This might be part of wider training on equality, diversity and inclusion, but should explicitly address disability. It is most effective if you use a range of learning opportunities. This might include online modules, events or talks, as well as opportunities for group reflection and discussion.

Training should cover how to make and manage reasonable adjustments. This includes facilitating conversations to support disabled people and an understanding of the barriers that disabled people face including attitudinal barriers.

Make sure your training raises awareness of diverse disabilities. This should highlight that some disabilities are invisible and can include health conditions such as autoimmune diseases, mental health issues and neurodivergence.

## **Practical examples**





## **Focused training for line managers**

Shoosmiths foster an inclusive culture where colleagues feel valued and able to perform to the best of their abilities. They developed line manager guidance about how to support individuals with a disability or health condition. This recognised the vital role managers have in ensuring all colleagues are able to perform their role and make a full contribution in the workplace.

The firm also launched separate training around mental health - a mindfulness course so all employees can learn, practise and enjoy the benefits of mindfulness training.

## **The benefits of assistive technology**

Assistive technology can be very useful in the workplace. It can include any item, equipment or software that can increase, maintain or improve an individual's ability to perform functions which may otherwise be difficult or impossible.

There is a wide range of assistive technology available, depending on the requirements of the individual. Examples range from software to help with administrative tasks, to physical items such as high-visibility keyboards.

You may find it useful to train your HR staff on assistive technology to give them awareness of equipment that is available. Assistive technology doesn't need to be complicated or expensive, as there are functions on laptops and smartphones which can be utilised without any additional cost.

[Our webinar \[https://media.sra.org.uk/sra/news/events/on-demand-events/compliance-conference-2024/#heading\\_cc10\]](https://media.sra.org.uk/sra/news/events/on-demand-events/compliance-conference-2024/#heading_cc10) provides more information and some top tips on introducing assistive technology to your workplace.

## **Our approach to health issues and our regulatory work**

As a solicitor you have a responsibility to tell us about health issues that could:

- affect your ability to practise safely, and/or
- affect your ability to comply with our regulatory requirements.

Health issues can include physical and mental health conditions and disabilities. Most solicitors who experience ill health or disability during their working lives continue to practise safely without us needing to get involved. They are often able to manage any impact on their work by limiting or restricting their practice as needed or obtaining help from their employer. This can include agreeing workplace adjustments. This may involve making sure the person is supported to undergo medical treatment, providing additional supervision or considering amendments for their work.

Read more about our approach to [health issues and medical evidence](https://media.sra.org.uk/solicitors/guidance/sra-investigations-health-issues-and-medical-evidence/) [https://media.sra.org.uk/solicitors/guidance/sra-investigations-health-issues-and-medical-evidence/].