

National Institute for Health and Care Excellence

PUBLIC HEALTH GUIDELINE – Workplace health: support for employees with disabilities and long-term conditions

Consultation on the Draft Scope from
6 March 2015 – 7 April 2015
Comments on the Draft Scope to be submitted
no later than 5pm on Tuesday 7 April 2015

Please note you may find it easier to complete this form by changing the layout of the word document to 'Draft'. You can do this by clicking "View" and selecting "Draft". If you have any queries please feel free to contact us.

Stakeholder Comments

Please use this form for submitting your comments to the Institute.

1. Please put each new comment in a new row.
2. Please insert the **section number** in the 1st column. If your comment relates to the document as a whole, please put '**general**' in this column
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Name:	Holly Towell	
Organisation:	Headway – the brain injury association	
Section number Indicate section number or ' general ' if your comment relates to the whole document	Page number	Comments Please insert each new comment in a new row.

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General		<p>Throughout the guideline scope, there is rightfully a strong focus on the employee with a disability or long-term condition. However Headway believes that, in order for employers to be able to comprehensively and meaningfully support employees, they need to be empowered with an appropriate degree of knowledge of what a staff member's disability or long-term condition entails; this is particularly important for the employee's line manager, who is likely to play a strong role in contributing to, or overseeing, support for them.</p> <p>As such, we ask that the guideline scope looks at how employers can be encouraged to develop an appropriate level of knowledge of the disabilities and long-term conditions represented amongst their employees. This should include knowledge of any NHS documents that guide managing the specific disability or long-term condition in the workplace or in returning to work, and other resources; for example, Headway UK runs training courses on brain injury and has written resources that employers may find of use, and other organisations provide similar around other disabilities and long-term conditions.</p> <p>Inclusion of this in the guidelines would be incredibly helpful for those with brain injuries. These individuals can have a broad array of symptoms which can impact on them physically, emotionally, behaviourally and psychologically. Ensuring employers are more aware of these impacts will help employees with brain injuries to find better support to remain in work or to rejoin the workforce.</p>
General		Headway UK would like to see recognition of fluctuating conditions within the guideline scope. Such conditions can require a different approach and understanding from

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		<p>employers to ensure that employees are fully supported and enabled to remain in, or return to, work.</p> <p>In terms of brain injury, an individual's ability to complete tasks may be impacted on by issues such as fatigue. Fatigue may, for example, exacerbate symptoms, such as problems with short-term memory or concentration. Understanding the potentially fluctuating nature of brain injury would enable employers to provide better support to individuals, and as such the guideline scope should acknowledge such conditions. A practical way to explore this would be through discussions with the employee.</p>
General		<p>We would like the guideline scope to acknowledge that some elements of work activity may support an individual's rehabilitation following a disability or long-term condition diagnosis. This includes people with brain injuries, who may be looking to regain skills and abilities which have been compromised by their injury. For example, if they have communication problems, the regular interaction with others that their work provides may help them to rebuild their skills here.</p>
1.3	3	<p>In considering organisational interventions, Headway believes that the first point of 'education campaigns that might tackle discrimination and stigma', should be expanded to include the promotion of equality and inclusivity. We also feel that this invention should be framed more positively in terms of outcomes, in citing campaigns which <i>aim</i> to tackle discrimination, rather than those that '<i>might</i>'.</p>

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1.3	3	<p>Again in organisational interventions, the charity suggests that, on the second point on raising awareness of employee support schemes, that those external to an organisation, as well as those internal, are promoted by employers. This should help to ensure that employees of smaller organisations with fewer in-house support resources are still able to access support if needed.</p> <p>We suggest that the scope guideline also looks at sources of disability and long-term condition employment advice that employers can use and how these can be promoted. It is important to note that some of these will be accessible to both the employer and the employee, such as Access to Work.</p>
1.3	3	<p>Headway UK suggests that, in the organisational interventions section, the scope guideline also covers the Equality Act in connection to employers, and their duty to provide reasonable adjustments to employees covered by its provisions. This should help to ensure that employers are aware of their obligations and in turn that employees are able to access the full range of support they are entitled to.</p> <p>It is important that employers take cognitive factors, as well as physical ones, into account when looking at reasonable adjustments for those with relevant disabilities or long-term conditions. This is particularly pertinent for those with brain injuries. As mentioned above, these individuals can encounter problems with fatigue, along with other cognitive issues including in connection to concentration, memory and information processing. As a result, reasonable adjustments for this group may include measures to support their cognitive needs, such as more regular breaks, for example, to help</p>

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		them manage their work.
1.3	3	Under organisational interventions, Headway UK urges NICE to ensure that, in covering assessment of work capacity and work ability, a positive approach is taken in terms of what employees are able to do rather than what they are not. With brain injury survivors, promoting their skills will ensure that the employer gets value from them whilst helping to build the confidence of the employee.
1.3	3	With regard to the section on targeted interventions for employees if they are the responsibility of the employer, the point on information, advice or training is an example of where an employer angle would be beneficial as per our general comment at the top of this document.

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