Introduction

This guide has been prepared for parents of older disabled children who want to know what employment support is available for their children and what their employment rights are in respect of caring for a disabled child. It includes an explanation of the key employment provisions of the Equality Act 2010.

This guide is one of a series of guides published by Cerebra that aim to give parents of children with disabilities and/or special educational needs information on how to get the help and support they need. Other guides cover the following areas:

- Education
- Social Care, Housing and Health
- Money Matters.

The Education, Social Care, Housing and Health, and Money Matters guides are available on Cerebra’s website (see the Resources section on page 16).

Employment

Your child’s transition from education into employment can seem daunting and it can be difficult to know where to obtain help, both in finding work and in securing the necessary support once they are working. This guide gives an overview of the key advice and support that exists for disabled people, explains how the Equality Act 2010 can help to combat disability discrimination in recruitment and employment and also highlights your employment rights as a parent or carer.
This guide covers the following areas:

- Assistance in finding work and support once in work
- Key employment provisions of the Equality Act 2010
- Parents’/Carers’ employment rights surrounding absence from work to care for a disabled child
- Supportive employers.

The guide provides a summary of these complicated areas through a series of questions and answers. It also includes a Glossary (see page 15) which provides an explanation of some terms – these are highlighted in **bold** in the text. The guide is however no substitute for specialist advice. The Resources section (see page 16) provides information on where to obtain further help and assistance and gives details of useful guidance.

**Assistance in finding work and support once in work**

**Q.1. Who can advise my child on how to find work?**

If your child is still in education, be this at school or at a further or higher education institution, they should receive careers guidance from that institution. It may be that your child has secured an apprenticeship and will find ongoing employment through that route (see the Cerebra Parents Guide on Education for further information on apprenticeships).

In its response to the consultation on the SEN Green Paper: *Support and aspiration: A new approach to special educational needs and disability*, the Government has announced its intention to introduce supported internships (a programme of study which is based in the main at an employer’s premises) for students in England aged 16-25 with either a Statement of SEN, a Learning Difficulty Assessment or, in due course, an Education, Health and Care Plan. These supported internships will be part of new study programmes for post 16 vocational education which are due to start from September 2013 although 15 colleges will be involved in trials of supported internships from September 2012. Their goal is to enable a young person to move into paid employment and the Government’s wish is that the employers involved will make job offers to those interns who have met the required standard.

As a result of a recent Government-commissioned review into the skills, needs and practical help a disabled person requires to start or continue work, funding for disability employment services will be focussed on supporting individuals through services like Access to Work (see below) with the aim of increasing the number of disabled people working in mainstream employment. There is also a new Inter-Ministerial group on Disability Employment to lead on cross-government work on disability employment.
Your child may find the following services helpful:

**Disability Employment Advisers**

Disability Employment Advisers are based at local Jobcentres and are there to help disabled people of any age who need extra employment support because of their disability. They offer a range of services including:

- an employment assessment to help identify suitable work or training
- a referral for a specialist employment assessment with a Work Psychologist
- a job-matching and referral service
- advice about Access to Work (see Q.2 below)
- a referral to the Work Programme
- a referral to programmes for disabled people such as Work Choice (which helps disabled people whose needs cannot be met by Access to Work or other work programmes) or residential training. In May 2012 the Government announced that it would offer a six month subsidy for employers taking on young disabled jobseekers through the Work Choice programme which mirrors the subsidy offered through the Government’s Youth Contract Scheme for jobseekers aged between 18 and 24
- information on local employers who have adopted the ‘two ticks’ disability symbol (see Useful Information section below).

**Skill/Disability Rights UK helpline**

Their advisers offer advice on training and employment as well as education. In addition, Disability Rights UK publishes a range of useful guides (see Resources section on page 16 for more information).

**The Shaw Trust**

The Shaw Trust is a national charity which ‘supports disabled and disadvantaged people to prepare for work, find jobs and live more independently’. Their advisers help people who are unemployed or on certain benefits to find work and continue to provide support during employment. They are one of the providers of the government supported initiatives: Work Programme and Work Choice. The Shaw Trust's Young People's Services offers a tailor made programme for young people aged 14-25 which includes practical work preparation and experience to support future job applications and training and skills based around their chosen occupation.
Many charities such as Scope, Mencap and the Down's Syndrome Association offer employment services. The Down's Syndrome Association has recently launched its Work Fit service (see http://www.dsworkfit.org.uk/index.php).

If your child wants to pursue the self-employed route, they may be eligible for the Government’s New Enterprise Allowance. Under this scheme the Government gives extra help to unemployed people who want to start their own business if they are on Jobseekers Allowance (see Cerebra Parents Guide on Money Matters), aged 18 and over and have been claiming for 26 weeks or more. Those on the scheme will receive help from a volunteer business mentor who will help them to develop their business plan and provide support and guidance in the first months of trading. Financial support will be available once a claimant can show that they have a viable business plan with potential for future growth.

For more information see the Resources section on page 16.

Q.2. What is the Access to Work Scheme?

The Access to Work scheme is run by Jobcentre Plus and provides advice and support to disabled employees aged 16 or over and their employers, as well as to disabled people who are self-employed. It does not cover people who work for a ministerial government department.

A disabled employee can apply for a grant to help pay for any extra employment costs which arise as a result of their disability. These include:

- support workers
- specialist equipment
- adaptations to premises
- travel to work where public transport is not practical
- awareness training for fellow employees.

It does not matter whether an employee works part or full time or is on a permanent or temporary contract.

The amount of the approved support paid by the Access to Work fund depends on how long an employee has been in work, the type of support needed and whether there is any business benefit. The aim is to process applications as quickly as possible. Employers can help their employee's application by providing them with all the required employment information without delay.

An employee's needs will be assessed by an assessor who may visit the employee in the workplace. The employer then arranges the agreed support and/or buys the specialist equipment and recoups
the money from the Access to Work fund.

An employer will continue to have duties towards a disabled employee under the Equality Act 2010 (see Q.4-8 below) even if the employee is eligible for Access to Work funding. Indeed, the funding received though the Access to Work scheme might mean that the employer is required to make certain adjustments which, without the funding, it would not have done because the costs of making such adjustments would have been too high and therefore unreasonable because of cost. (See Q.6 for an explanation of ‘reasonable adjustments’).

Q.3. What if my child’s ability to work is limited?

Your child may be eligible for Employment and Support Allowance (ESA) if they are at least 16 years old (and under pensionable age) and their ability to work is limited by ill health or disability. The Government has recently made some changes to the ESA in the Welfare Reform Act 2012 which took effect from 1 May 2012. For further information see the Cerebra Parents’ Guide on Money Matters.

The benefit is either income based (in which case no contribution is required) or contributory (granted if the applicant has paid enough National Insurance contributions in specific tax years).

If your child makes an application for ESA, they will usually be assessed over a 13 week period during which they will have a work capability assessment carried out by a health care professional. This may include a medical assessment.

The purpose of the assessment is to determine whether your child has either:

- a limited capability for work (which determines whether or not they will be eligible for ESA) or
- a limited capability for work-related activity. This will determine whether or not they are placed in a ‘support group’ in which case they do not have to undertake work-related activities but can undertake voluntary work if they so wish or in a ‘work-related activity’ group. If they are placed in the work-related activity group, they can only receive contribution-based ESA for 365 days.

More information is available from the Direct Gov website and Disability Rights UK (see Resources section on page 16).
Key employment provisions of the Equality Act 2010

Q.4. What protection does the Equality Act 2010 offer my child in a work context?

The Equality Act 2010 offers protection from discrimination and harassment to people based on a ‘protected characteristic’. Victimisation is also unlawful. The protected characteristics that apply in a work context are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

The Act offers protection from discrimination throughout the employment cycle from recruitment, the terms of employment, access to benefits, facilities and services to dismissal.

The Act’s definition of ‘employment’ is broader than under many other employment legislation provisions such as those relating to unfair dismissal. A wide range of workers is protected under the Act’s definition of employment including those employed under a contract of employment and apprentices. Protection is also given to people who are in a work relationship other than employment such as contract workers, or partners in a firm for whom the employment provisions of the Act are largely the same, albeit with some specific provisions.

Apprentices (and others on work placements) are protected from discrimination from their employers under Part 5 of the Act and also from their training provider (under either the education provisions in Part 6 of the Act or under the services provisions in Part 3 of the Act, depending on the nature of the training provider). See the Cerebra Parents Guide on Education for further information.

Qualifications bodies and trade organisations have obligations under Part 5 of the Act not only to their employees but also separate obligations to members and prospective members and to those on whom they confer a qualification.

There are some specific work exceptions to the prohibition of discrimination. For example, some jobs are allowed to specify that an applicant or worker must have a particular protected
characteristic if that requirement is what is known as a ‘genuine occupational requirement’, such as a women’s refuge requiring all its employees to be female.

This guide focuses on the protected characteristic of disability.

**Q.5. What are the different forms of discrimination?**

- **Direct discrimination** – treating a person less favourably because of their protected characteristic – for example a young woman with cerebral palsy is interviewed for a position at a local business but another candidate who does not have a disability is hired. This may amount to direct disability discrimination if the reason for not employing her was because of her disability.

  Generally direct discrimination cannot be justified. It is always lawful to treat disabled people more favourably for a reason relating to their disability. Direct discrimination by association (see Q.9) and by perception are also unlawful.

- **Indirect discrimination** – applying a provision, practice or criteria in the same way for all people but which has the effect of putting people who share a protected characteristic at a particular disadvantage compared with people who do not have that protected characteristic unless this can be shown that this is a ‘proportionate means of achieving a legitimate aim’. For example, a busy staff canteen has a policy of allowing workers a 30 minute slot in which to buy and eat their lunch. Workers with mobility and sensory impairments are put at a disadvantage by this practice and it would be hard to see how this practice could be objectively justified.

- **Pregnancy and maternity discrimination** – treating a girl/woman unfavourably because she is or has been pregnant, has given birth within the last 26 weeks or is breastfeeding a baby who is 26 weeks or under.

- **Discrimination arising from disability** (for disabled people only) – treating a disabled person unfavourably for a reason relating to their disability unless it can be shown that the treatment is a ‘proportionate means of achieving a legitimate aim’. If the employer has failed to make a reasonable adjustment for the disabled person, it will be very difficult for them to prove the treatment was justified.

  For example an employer dismisses a worker because he has had 3 months sick leave. The employer is aware that the worker has epilepsy and most of the sick leave is disability-related. The reason for the dismissal is not the worker’s disability itself but the worker has been treated unfavourably for a reason related to his disability (namely, the need to take
a period of disability-related sick leave). This will amount to discrimination arising from disability unless the employer can objectively justify the decision. A reasonable adjustment may have been to disregard some or all of the 3 months sick leave that is disability-related. (This example is adapted from the Equality and Human Rights Commission’s Employment Statutory Code of Practice (‘the Employment Code’) – see Resources section on page 16).

- **A failure to make reasonable adjustments** (for disabled people only) – see below.

**Q.6. How does the reasonable adjustment duty apply in employment?**

The reasonable adjustment duty applies to a particular disabled applicant or worker and requires employers to take reasonable steps to:

- avoid a substantial disadvantage where a practice, provision or criteria puts a disabled applicant or worker at a substantial disadvantage compared to those who are not disabled (Note: ‘substantial’ means more than minor or trivial).
- remove or alter a physical feature or put in place a reasonable means of avoiding such a feature where it puts a disabled applicant or worker at a substantial disadvantage compared to those who are not disabled.
- provide an auxiliary aid or service where a failure to do so would put the disabled job applicant or worker at a substantial disadvantage compared to those who are not disabled.

If the provision, practice or criteria or the need for an auxiliary aid relates to the provision of information, the duty will encompass ensuring the information is provided in an accessible format.

An employer must know or reasonably be expected to know that an applicant / worker is disabled in order for the reasonable adjustment duty to arise.

An employer cannot justify a failure to make a reasonable adjustment; the question to consider is whether or not the adjustment is reasonable which will depend on the circumstances of each case.

Employers will need to ensure that where necessary reasonable adjustments are put in place during the recruitment process and in the course of a worker’s employment. If an employer is considering whether or not to dismiss a disabled worker, they should first consider whether the reason for the dismissal is connected to or as a result of the worker’s disability and, if it is, they will need to consider whether the dismissal can be objectively justified. If proceeding with a dismissal, an employer will need to consider whether any reasonable adjustments need to be made to the dismissal process.
The Employment Code (see Resources section at page 16) gives examples of possible reasonable adjustments including:

- adjustments to premises
- allocating some of a disabled worker’s duties to another worker
- altering a disabled worker’s hours of work or training
- acquiring or modifying equipment
- providing a reader or interpreter
- employing a support worker to assist a disabled worker
- modifying performance—related pay arrangements for a disabled worker.

The Access to Work Scheme (see Q.2 above) does not take the place of an employer’s reasonable adjustment duty; funds from it may mean that certain steps become reasonable for an employer to take because in the light of the funding they are no longer unreasonably expensive.

Q.7. Can the Equality Act 2010 help my child to overcome discriminatory barriers and secure employment?

The Equality Act 2010 prohibits employers from discriminating at any stage of the recruitment process.

In terms of advertising positions, employers need to ensure that neither the arrangements for advertising or not advertising jobs, nor the content of a job advertisement, are discriminatory.

The application process including selection, assessment and interview must be non-discriminatory. It is generally unlawful for an employer to ask an applicant any questions about their disability or health (including as part of the application process or in an interview) until they have been offered a job on a conditional or unconditional basis or are in a pool of candidates who will be offered a job when one becomes available. (This includes questions about sickness absence, filling in an occupational health questionnaire or being assessed by an occupational health practitioner).

The six exceptions to this are:

- to ask questions relating to whether any reasonable adjustments are needed as part of the recruitment process
- for monitoring purposes
- in order for the applicant to benefit from any positive action measures such as the guaranteed interview scheme for disabled people
to determine that the applicant satisfies a genuine occupational requirement
• to vet applicants where necessary for national security purposes
• to check the applicant can carry out a function which is intrinsic to the job; only functions which can be justified as necessary to a job should be specified in a job description.

Once a job offer has been made or the applicant is in a pool of candidates to whom job offers will be made once a job becomes available, pre-employment health checks can be made but an employer must not discriminate on the basis of these and must always consider whether any reasonable adjustments need to be made.

Q.8. Is the public sector equality duty relevant?

If your child is applying for a job with, or works for, a public authority (such as a local authority, maintained school, health body, police, fire or transport authority or a government department) their employer will be subject to the public sector equality duty. If their employer is not a public authority but carries out a public function as part of its work, it will be covered by the general part of the equality duty in relation to the exercise of that function.

The general duty has three aims. It requires public bodies to have due regard to the need to:

• eliminate discrimination, harassment, victimisation and any other conduct which is prohibited by the Equality Act 2010
• advance equality of opportunity between people who share a protected characteristic and those who do not
• foster good relations between people who share a protected characteristic and those who do not.

The second and third aims do not apply to the protected characteristic of marriage and civil partnership.

The specific duties in England require public authorities to publish sufficient information to demonstrate compliance with the three aims of the general equality duty by 31 January 2012 (except schools which had until 6 April 2012) and to publish equality objectives by 6th April 2012 and to review them at least every four years.

The specific duties in Wales requires public authorities to publish equality objectives and strategic equality plans by 2 April 2012 and to review these objectives every four years and to have engaged with interested people as part of gathering relevant information to assess their activities against the general duty by 2 April 2012; relevant information must be published as appropriate.
Parents’/ carers’ employment rights surrounding absence from work to care for a disabled child

Q.9. I am worried about taking time off from my job to care for my disabled child. What rights do I have?

As a working parent of a disabled child, you may need to take time off from work to take your child to a medical appointment for example. If you are an employee (as opposed to being self-employed or an agency worker) in addition to your contractual rights concerning annual leave and sick leave, you have various statutory rights in terms of absence from work:

- **Dependant leave / time off for emergencies** - The Employment Rights Act 1996 gives all employees the right to take a ‘reasonable’ amount of time off to deal with an emergency involving a dependant. The employer has a discretion as to whether or not the time off is paid.

- **Parental leave** – employees with at least one year’s continuous service who are a parent, an adopted parent or have parental responsibility for a child and give at least 21 days’ notice to their employer can take up to:
  - 13 weeks unpaid leave per child to look after a child under 5 - such leave must be taken before the child’s 5th birthday (or if the child is adopted, within 5 years from the date of placement or before the child’s 18th birthday whichever comes first)
  - 18 weeks unpaid leave per child to look after a child who is under 18 on DLA (such leave must be taken before the child’s 18th birthday).

- **Flexible working** – the Work and Families Act 2006 gives employees with 26 weeks of continuous employment the right to ask for a change in their working hours so they can manage their caring responsibilities more easily. Examples of flexible working include part-time working, job-sharing, term-time working and compressed hours. Employers must agree to such requests unless they have good business reasons not to do so.

In addition, under the Equality Act 2010 your employer is prohibited from discriminating against you or harassing you because of your association with your disabled child. This is illustrated in paragraph 3.19 of the Employment Statutory Code of Practice:

*A lone father caring for a disabled son has to take time off work whenever his son is sick or has medical appointments. The employer appears to resent the fact the worker needs to care for his son and eventually dismissed him. The dismissal may amount to direct disability discrimination against the worker by association with his son.*
For information about other employment rights such as such as paternity and maternity rights and in relation to disputes and conflict at work see the ACAS listing in the Resources section on page 16.

Cerebra is planning to publish a guide for Carers as part of this series.

Supportive employers

**Q.10. I’ve heard that some employers are particularly supportive of disabled employees – is this true?**

There are a number of schemes that employers can sign up to indicating that they are supportive of disabled people as employees:

**The disability symbol**

In addition to their responsibilities towards disabled employees under the Equality Act 2010, some employers have adopted the Jobcentre Plus disability symbol made up of two ticks and the words’ positive about disabled people’. If the employer displays this symbol, they have made the following five commitments (see [www.direct.gov.uk](http://www.direct.gov.uk)):

- to interview all disabled applicants who meet the minimum criteria for a job vacancy and to consider them on their abilities
- to discuss with disabled employees, at any time but at least once a year, what both parties can do to make sure disabled employees can develop and use their abilities
- to make every effort when employees become disabled to make sure they stay in employment
- to take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
- to review these commitments each year and assess what has been achieved, plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans.

**Employers Forum on Disability (EFD) Disability Standard**

The EFD defines itself as ‘the world’s leading employers’ organisation focussed on disability as it affects business’. It has a wide membership which currently collectively employs about 20% of the UK workforce. Member organisations can receive specialist advice and training on recruiting and retaining disabled employees.
The EFD developed the Disability Standard in 2004. It is an online management tool to help business to measure and improve on performance not only for disabled employees but also for disabled customers, clients, service users and stakeholders. The latest version has recently been launched.

The EFD has a number of case studies of best practice on its website (see the Resources section on page 16).

**Mindful Employer**

The Mindful Employer initiative was launched in 2004 and aims to increase awareness of mental health at work and provide support for businesses in recruiting and retaining staff with mental health difficulties.

Any business can sign up to the charter for employers who are positive about mental health. While this is not an accreditation scheme nor a set of quality standards, by signing the charter employers indicate that they are working towards putting the charter’s principles into practice. Organisations who have signed up to the charter recognise that:

- People who have mental health issues may have experienced discrimination in recruitment and selection procedures. This may discourage them from seeking employment.

- Whilst some people will acknowledge their experience of mental health issues in a frank and open way, others fear that stigma will jeopardise their chances of getting a job.

- Given appropriate support, the vast majority of people who have experienced mental ill health continue to work successfully as do many with ongoing issues.

Organisations that have signed up to the charter aim to:

- Show a positive and enabling attitude to employees and job applicants with mental health issues. This will include positive statements in local recruitment literature.

- Ensure that all staff involved in recruitment and selection are briefed on mental health issues and the Equality Act 2010, and are given appropriate interview skills.

- Make it clear in any recruitment or occupational health check that people who have experienced mental health issues will not be discriminated against and that disclosure of a mental health problem will enable both employee and employer to assess and provide the right level of support or adjustment.
• Not make assumptions that a person with a mental health problem will be more vulnerable to workplace stress or take more time off than any other employee or job applicant.

• Provide non-judgemental and proactive support to individual staff who experience mental health issues.

• Ensure all line managers have information and training about managing mental health in the workplace.

There are also sector specific initiatives such as the Bank Workers Charity Partnership, a collaboration between Leonard Cheshire Disability and the Bank Workers’ Charity. This provides ‘independent and confidential information, advice and mentoring support to disabled people and carers from the banking community, including people with mental health or long-term health conditions that affect their ability to work’ (see http://www.lcdisability.org/?lid=21494).
Glossary

Disability: a person is disabled under the Equality Act 2010 if they have a physical or mental impairment which has a substantial long term adverse effect on their ability to carry out normal day to day activities. A mental impairment does not have to be clinically well recognised for it to be a disability under the Act. Unlike the Disability Discrimination Act 1995 (‘the DDA’), there is no longer a list of capacities (such as speech, hearing or eyesight, memory or ability to concentrate learn or understand, or perception of the risk of physical danger) at least one of which a person had to show under the DDA were affected in order to prove that their ability to carry out normal day to day activities was affected by their impairment.

Harassment under the Equality Act 2010 in work context: the Act prohibits three types of harassment:

a) Harassment related to a ‘relevant protected characteristic’ (note this does not include marriage and civil partnership or pregnancy and maternity for the purposes of the employment provisions of the Act)
b) Sexual harassment and
c) Less favourable treatment because of a submission to or a rejection of sexual harassment and harassment related to sex or gender reassignment.

Employers can be liable if their employees or job applicants are harassed by third parties who are not under the employer’s control such as clients or customers.

Victimisation under the Equality Act 2010 in a work context: if an employer subjects a job applicant or employee to a detriment because the applicant or employee has carried out or may carry out a ‘protected act’ this amounts to victimisation of the applicant or employee.

A ‘protected act’ is:

• bringing proceedings under the Equality Act 2010
• giving evidence or information in connection with proceedings brought under the Act
• doing anything else for the purposes of or in connection with the Act
• making an express or implicit allegation that another person has done something in breach of the Act (whether or not the allegation is later dropped).

A ‘detriment’ is not defined by the Act but as a rule of thumb it would be anything which the victim might reasonably consider worsened their position or put them at a disadvantage such as being passed over for promotion or a pay rise.
Resources

Useful Organisations

- ACAS (Advisory, Conciliation and Arbitration Service): helps with employment relations by supplying up-to-date information, independent advice and high quality training, and working with employers and employees to solve problems and improve performance: www.acas.org.uk

- Carers UK: is a charity set up to help people who care for family or friends. Its work includes providing information and advice about caring: www.carersuk.org

- Cerebra: is a unique national charity that strives to improve the lives of children with brain-related neurological conditions, through research, education and direct, ongoing support: http://www.cerebra.org.uk/English/Pages/home.aspx

- Disability Rights UK: formed through a unification of Disability Alliance, Radar and National Centre for Independent Living on 1 January 2012, it aims to be the largest national pan-disability organisation led by disabled people and its focus will be on: promoting “meaningful” independent living for disabled people; promoting disabled people’s leadership and control; breaking the link between disability and poverty and campaigning for disability equality and human rights: http://www.disabilityrightsuk.org


- Employers Forum on Disability: employer’s organisation whose mission is to enable companies to become disability confident by making it easier to recruit and retain disabled employees and to serve disabled customers: http://www.efd.org.uk/

- Equality and Human Rights Commission: its role is to promote and monitor human rights; and to protect, enforce and promote equality across the nine ‘protected characteristics’ under the Equality Act 2010 - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation: http://www.equalityhumanrights.com/

- Mindful Employer: developed by employers, this initiative is aimed at increasing awareness of mental health at work and providing support for businesses in recruiting and retaining staff: http://www.mindfulemployer.net/
• The Shaw Trust: a National charity which works with employers, social services and the disabled to help people with disabilities find employment: - http://www.shaw-trust.org.uk/home

Further information and guidance

Disabled people and work

• Careers and Work for Disabled People: http://disabilityalliance.org/skillwork.pdf
• The Disability symbol: http://www.direct.gov.uk/en/DisabledPeople/Employmentsupport/LookingForWork/DG_4000314

Benefits and work schemes

• New Enterprise scheme: http://www.dwp.gov.uk/adviser/updates/new-enterprise-allowance/#enterprise

Equality Act 2010

• Office for Disability Issues Guidance on matters to be taken into account in determining questions relating to the definition of disability: http://odi.dwp.gov.uk/docs/law/ea/eguide-2.pdf
Information about the Project Team

Jo Honigmann is a partner of Just Equality and specialises in discrimination, disability and education law and policy. Having practised as a solicitor for several years, in both private practice and the not for profit sector, Jo has worked as a legal and policy consultant since 2008. Her clients include the Equality and Human Rights Commission for whom she has drafted education guidance for the Equality Act 2010 as part of a small consortium. During her career, she has also been responsible for a large university’s policy and provision for its disabled students whilst completing an MSc in Disability Management in Work and Rehabilitation. Jo has written, trained and presented on education and discrimination law and policy to a wide range of specialist and non-specialist areas. She chaired the Law Society’s Mental Health and Disability Committee from September 2008 to September 2010 and has been a member of the Committee since 2003.

Camilla Parker is a partner of Just Equality. Just Equality provides training and consultancy services on human rights and equality, and other areas of law and policy relevant to education, health and social care. Camilla specialises in mental health, disability and human rights law and policy and has written, presented and trained extensively on issues relevant to these areas, for specialist and non-specialist audiences, both nationally and internationally. She is a member of the Law Society’s Mental Health and Disability Committee and an LLM tutor at Cardiff Law School. She was a member of an NHS Trust Board (non-executive Director, then Special Adviser) 2000-2006 and a Mental Health Act Commissioner 1995-2000. Camilla has a particular interest in the human rights of young people in need of mental health care, which is the subject of her (part-time) doctoral research at Cardiff Law School.

Luke Clements is a professor at Cardiff Law School and a solicitor. He is a leading expert on community care law. He has drafted and assisted in the parliamentary passage of a number of Private Members bills. He has provided training for many Local Authorities, national organisations and charitable bodies. His books include: Community Care and the Law (Legal ActionGroup 5th ed 2011 - jointly written with Pauline Thompson), Disabled Children: a legal handbook (Legal Action Group 2010 - jointly written with Stephen Broach and Janet Read) and Carers and their Rights (Carers UK 4th ed 2010).

All three authored Transitions in Mental Health Care: A guide for health and social care professionals on the legal framework for the care, treatment and support of young people with emotional and psychological problems during their transition years, YoungMinds (in association with National Mental Health Development Unit and National CAMHS support service.)
The Cerebra In-house Research Team carries out desk-based research into a number of areas, based upon parent and professional requests, new scientific evidence and issues raised by our staff. We aim to provide information that is relevant to parents and carers of children with disabilities as well as the professionals who come into contact with them. By empowering parents and professionals with knowledge, we can help them to improve the lives of the children they care for and support.

If you require further information or would like to suggest avenues for further research, please get in touch.

These reports are made possible only by the kindness and generosity of Cerebra’s supporters. Cerebra is a charity that works for a future where children living with neurological conditions enjoy lives filled with learning, opportunities and joy. We fund vital research that aims to improve children’s lives and those of their families. We directly support more than 10,000 affected children and families around the UK.

With your help we can reach out to so many more. To find out how, visit www.cerebra.org.uk/fundraising or call 01267 244 221.

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The findings of this report are those of the author, not necessarily those of Cerebra.