

Breakthrough's Advocacy Team does a lot of work with disabled people on a one to one basis or in groups. We support disabled people to raise issues at work and successfully deal with barriers. This factsheet is based on our experiences of bringing matters to employers' attention in a constructive way. It is about organising your information and putting informal written or verbal requests to your employer. It is not a guide to putting in formal grievances, but we have given you some further contacts at the end if you need to do this.

You may also want to look at some of our other free resources that deal with speaking up at work, negotiating and your rights, especially:

F3 Reasonable Adjustments
F12 Dealing with Barriers at Work
B11 Dealing with Bullying and Harassment
B12 Accessing Legal Advice
B15 Frequently Asked Questions
F14 Negotiation Techniques

Contact us to obtain copies in different formats, or go to our website at the link below to download them:

<http://www.breakthrough-uk.co.uk/Resources/factsheets>

Disabled people in self advocacy sessions, and our advocates, have shared their views below on things they have found helpful when preparing to speak up at work:

- What is the issue or barrier? If there is more than one, try to work out whether they are related or not. Focus on one thing at a time whenever possible.
- What do you want to achieve, both now and in the long term?
- Are there other things that could be affected by the outcome e.g. any benefits or tax credits you get? Change in work life balance?
- Where can you turn to for support should you need it? Are you in a Trade Union, for example? Do you have supportive colleagues/friends/family?
- How are you going to put your views across in a way that does not jeopardise your situation?
- What have you done about the barrier already?
- What information do you need to be able to tackle this barrier effectively?
- Who are the key people / organisations you need to speak to in order to deal with this?
- What is your plan of action?
- Do you need to get advice from an organisation like ACAS, a union's legal team or Breakthrough's Law Clinic?

Get Organised

Is there a way you can organise all the information you need so that you can advocate for yourself well? Some people use a computer filing system, some use hard copy files or boxes for keeping notes and letters, some might record everything that happens onto audio tape. Whichever method you choose, make sure it is clear to you and that it is easy to retrieve relevant information when you require it.

Key points to success:

- Keep things in date order, most recent at the top.
- Make a note of:
 1. the names of people you speak to
 2. their job
 3. their contact details
 4. the date
 5. what you said
 6. what they said
 7. what they agreed to do
 8. and - very importantly - when they said they would do it by.
- Group things by topic e.g.
 1. Employment information.
 2. Benefits information.
 3. Letters – you might need to keep these to send back again to people if there is a dispute or ongoing problem.
 4. Reports e.g. occupational health.
 5. Any other topics relevant to the situation.
- If bullying is an issue, keep a dated record of everything that happens, even if you don't want to deal with it at this time. Ask any witnesses whether they are prepared to confirm this if need be.

Develop an Action Plan

Decide what you want to achieve and break this down into small, achievable steps. It may be helpful to review this from time to time, especially if something major changes. Keep your objectives 'S.M.A.R.T.' whenever you can. S.M.A.R.T. stands for:

Specific – your goal is precise about what you are aiming to do. Think about the 6 question words that begin with a W. These are Who, What, When, Where, Why and Which. They will help you to narrow down your goal.

Measurable – you will know when you have done it and exactly how much must have been done.

Achievable – it is not too ambitious. Some goals may need to be broken down into smaller steps to make them truly achievable.

Realistic – you have everything in place to enable you to do this and you have the will to do it too.

Timebound – you know exactly when it will be achieved by.

So, for example, this goal is S.M.A.R.T. “By next Tuesday 24th, I will have spoken to ACAS about my rights in a grievance hearing and found out if an advocate can legally attend.”

But this one fails to be S.M.A.R.T. as it is not specific, measurable or timebound: “I am hoping to speak to Jennifer soon about her bad attitude.”

When you are developing a plan of action, a series of small goals working towards a larger aim is often easier to manage and less daunting than trying to go for everything at once. As mentioned above, it is also useful to map out exactly who can support you with the different aspects of your plan. You don't have to do this on your own. We can support you with this process if you are a disabled person living within Greater Manchester.

Some people find it useful to set landmark points and reward themselves when these are achieved. Others might use a system like colour coding goals on a chart to show their progress and keep track of achieved goals. This can build your confidence and help you to clearly see the progress you have already made.

Verbal requests

Many people start by raising an issue verbally. Often things can be resolved simply and speedily this way, and misunderstandings cleared up. If you have regular supervisions, this may be a good way to flag up issues to your line manager. Supervisions should be a two way process which allow you space to raise any matters of concern, as well as to get feedback about your work. If you do not get supervisions you could ask for an informal catch up meeting with your manager at a convenient time.

Sometimes supervisions may not be appropriate. This may be because the matter is too urgent to wait, or it may not be a good idea to raise things with your line manager because you feel bullied by them. In that case you may want to arrange to speak with a more senior manager, someone in the Human Resources team, a harassment or dignity at work officer. You could also ask someone else to speak to the person you have an issue with on your behalf. This could be an advocate, a union rep, a supportive colleague or someone from your organisation's disabled worker's group if there is one.

Our factsheet on negotiation includes lots of tips on how to put yourself across well when speaking face to face. The top 5 tips are:

1. Be prepared. What it is that you want to say? Have evidence to support your case if possible and be prepared for questions which you may think might come up.
2. Do research beforehand to find out which employment rights might apply in this situation.
3. Stick to the facts and don't make it personal.
4. Decide what issues you think are negotiable and if anything is non-negotiable.
5. Work out in advance some possible solutions that could meet both yours and their interests – try to see things from their point of view.

Example: Requesting a Reasonable Adjustment

So if, for example, you need to request a new reasonable adjustment, or comment on the effectiveness of an existing one, a verbal request is often a good starting point. Good employers should really build in plenty of opportunities for you to discuss your requirements. They should not assume that just because they asked you about the adjustments you required at the start of your employment, that these remain the same now. Changes to your role, team, work environment or impairment could all have an impact on how well a particular adjustment is working.

You should decide on the merits of your case first, and think about the possible ways the employer might respond. You need to clearly explain how you are currently at a big disadvantage the way things are, and how your suggested adjustment will overcome that. The employer might try to argue back that the request is not reasonable because:

- It does not overcome the problem.
- It is not practical.
- It would be disruptive to others.
- It would be too costly and they don't have the means to pay for it.

It may also be useful for you to think about whether the suggested adjustment will benefit other disabled people or colleagues more broadly.

If you do not get a positive outcome from your verbal request, you may need to back this up with a detailed written request. Some people may prefer to start with a written request anyway if they feel that this would be taken more seriously by their particular employer.

Please see our factsheet on reasonable adjustments for more background on this area.

Structuring letters

It is often useful to back up requests in writing – letter, fax or email – as this provides you with proof of your request, and leaves no doubt that the other person is aware of the issues.

Top tips from our team include:

- K.I.S.S. (Keep It Short and Simple).
- Be clear about what you are asking for. E.g. “I am writing in response to your recent letter, dated 13th June, following our interview at your office on the 2nd June. I do not feel that our meeting or your letter has properly addressed my complaint submitted in March 09 (see enclosed) and you have not addressed all the issues.”
- Avoid jargon and use plain English.
- Stick to the facts.
- Keep in mind the guidelines above for verbal requests – prepare your case.
- Think about the other person’s priorities and level of authority to change things.
- Be aware of letter writing protocol e.g. use ‘yours sincerely’ at the end if you know the person, and ‘yours faithfully’ if not.
- Remind people of your preferred format for receiving a reply if this is relevant to you. E.g. “please print on yellow paper when replying as I find it easier to take in written information that way.”
- Give a deadline for people to respond by and follow this up. E.g. “I would appreciate a response by 12th December and I am contactable on the following number: 0161 273 5412”.

Other sources of information

Greater Manchester Pay and Employment Rights Advice Service (GMPER) have produced a Grievance Procedures factsheet – this includes a sample letter:

<http://www.gmemploymentrights.org.uk/index.php/en/factsheets/grievances>

GMPER also have an advice line for information, advice and support on employment rights on **0161 839 3888** (voice)

Website: www.gmemploymentrights.org.uk

Equality and Human Rights Commission – ‘Using Your Rights’ Workplace Problem Solving Guide. Includes information on what to include in a discrimination related grievance and using the questionnaire process:

www.equalityhumanrights.com/your-rights/using-your-rights/workplace-problem-solving/

The Equality and Human Rights Commission can be contacted on:

0845 604 6610 - England main number

0845 604 6620 - England textphone

0845 604 6630 - England fax

Monday - Friday 8:00 am - 6:00 pm

Equality and Human Rights Commission Helpline

Freepost RRLL-GHUX-CTRX, Arndale House, Arndale Centre, Manchester M4 3AQ

Email: englandhelpline@equalityhumanrights.com

ACAS have produced guidance on resolving disputes, managing conflict, harassment and grievances. Their helpline and website gives information on these topics and other employment rights and rules.

Monday - Friday 8.00am – 8.00pm

Saturday 9.00am - 3.00pm

Tel (voice) 08457 47 47 47

Minicom 08456 06 16 00

Website: www.acas.org.uk

We can point you in the direction of other resources, depending on what your issue is. Please get in touch if you would like to discuss any of the issues raised.

This booklet was produced by the Independent Employment Advocacy Centre at Breakthrough UK Ltd. We are supported financially by the Big Lottery Fund. For more information, contact us on:

Voice: 0161 273 5412

Fax: 0161 274 4043

Minicom: 0161 273 5727

E-mail: advocacy@breakthrough-uk.co.uk

Please tell us about any access requirements when you get in touch.