



Government
Equalities Office

Questions that allow you to take “positive action” in employing disabled people

You can ask an applicant if they are disabled if you are trying to **encourage** disabled people to work for you. Disabled people are generally disadvantaged or under-represented in employment, and ‘positive action’ can help disabled people into work.

For example, an employer is allowed to ask if an applicant is disabled before offering a guaranteed interview. When asking questions about eligibility for a guaranteed interview scheme, an employer **should make clear that this is the only reason the question is being asked.**

Example

Claire applies for a job with a large retailer. The retailer wants to improve disabled people’s chances of being selected for its vacancies. Therefore, it offers guaranteed interviews to all disabled people who meet the minimum criteria for the job. In order to identify those who are disabled, the retailer is allowed to ask whether Claire has a disability and, if she has, whether she wishes to take advantage of a guaranteed interview.