Disability data collection in schools (workforce)

Research report

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Contents

List of acronyms

Common acronyms used throughout the report are:

SWC: School Workforce Census
GIAS: Get Information About Schools
MAT: Multi Academy Trust
SAT: Single Academy Trust
LA: Local Authority
DfE: Department for Education
ADSC: Association of Directors of Children's Services
MIS: Management Information System

An important note on what is meant by complete data in this report: For the SWC, accepted responses for the question on disability are 'yes', 'no' 'refused' or 'information not yet obtained'. Selecting one of these options allows the question to be completed and submitted to the SWC. However, in this context, it is important to note that 'completing' the SWC and schools holding 'complete' data on disability are different. Where we reference 'complete' data in this report, we are referring to having responses that enable understanding of the disability status of members of the workforce (i.e. a 'yes', 'no' or 'refused'), not whether an accepted response has been submitted to the SWC.

Acknowledgements

Headline Findings

The Department for Education's (DfE) main source of data on school staff is the School Workforce Census [1](SWC). Accuracy of this data is crucial as it enables a comprehensive picture of the workforce and its diversity. The SWC also informs the development of recruitment, retention and pay policies. Whilst DfE has good data on ethnicity and other characteristics from the SWC, there is limited data on disability in the workforce, thus preventing reliable reporting.

The objective of this research was to understand the challenges and barriers in the collection of disability data about the school workforce and explore what could be done to address them.

A series of c.40-minute interviews (n = 20) were conducted online or by telephone with individuals in schools and local authorities who had a role in the collection and reporting of disability data in the workforce.

The schools in this sample perceived a number of barriers to collecting complete data on disability within the workforce (i.e. all staff recorded as 'yes', 'no', 'refused'), namely:

- A lack of awareness of the need for collecting complete data on disability for the purpose of reporting on diversity and inclusion in the workforce internally or in the SWC.

- Schools are more likely to report 'information not yet obtained' for disability than other characteristics because of difficulties in data collection. Despite 'information not yet obtained' being an accepted response for the SWC for other characteristics such as ethnicity, it appears in much higher quantities for disability specifically.

- Inconsistent wording of disability questions on application or new joiner forms (e.g. whether there is a 'no' or 'prefer not to say' option provided) leading to ambiguity as to whether a new staff member is not disabled or has chosen not to provide an answer.

- The possibility that questions on disability on application or new joiner forms are being skipped entirely by staff. This could be due to those without disabilities perceiving these questions as irrelevant to them.

- Concerns about following up with staff to clarify their disability status for fear of being, or seeming to be, discriminatory.

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[1] School workforce in England, Reporting Year 2021 – Explore education statistics – GOV.UK (explore-education-statistics.service.gov.uk)

- Concerns from a couple of schools about whether it was appropriate under GDPR legislation to store complete disability data on their Management Information System (MIS), because of the perception it wasn't needed for reporting purposes.

Schools described two further barriers which they felt primarily affected the accuracy of the data. These were:

- The potential for non-disclosure by staff – either deliberate or particularly unintentional non-disclosure which could lead to underreporting of disability in the workforce.

- A lack of process for monitoring and updating the disability status of staff once they have joined which could result in an inaccurate recording of their disability status.

It is important to note that participants in this sample were asked to recollect how they believed their school reported disability data to the SWC. In some cases, this may not be an accurate representation of how this data is ultimately reported and published, or an accurate interpretation of the guidance on the SWC or on legal requirements.

This research indicated some possible areas to review to tackle the barriers identified. These include communicating the need for complete data, reviewing guidance on how to achieve this, and encouraging schools to complete disability data and to update it on a regular basis. Providing reassurance to schools on the legitimacy and importance of this data collection is also important.

Executive Summary

Background

The Department for Education (DfE) wants teaching to be an inclusive profession that attracts and retains excellent teachers from all backgrounds. In 2019, DfE published their Teacher Recruitment and Retention Strategy[2] and a feature of that strategy was the recruitment and retention of a diverse workforce, including the recruitment and retention of staff with disabilities. One of the key aspects of improving recruitment and retention in the workforce is data. A greater understanding of the scale of the disabled workforce will support policy development, pastoral care, and practical adjustments to ensure the needs of disabled staff are accounted for.

The School Workforce Census (SWC) collects data on a number of characteristics for the school workforce, including disability status. However, information on the disability status of the workforce is far less available than that of other characteristics. To demonstrate, in the 2020 SWC, disability status was not obtained for 52% of teachers, compared to the ethnicity of 8% of teachers. These figures illustrate the extent to which DfE is missing information on the disability status of the workforce, and highlights the need to understand disability data collection within schools more widely. It is important to note that this report was drafted in early 2022. Since that time, updates have been made to the census guidance on disability reporting section 7.1.9 to ensure that the guidance is clearer.

The overarching objective of this research was to understand why the collection and reporting of disability data in schools is limited and how it could be improved, giving consideration to any differences between LA maintained schools, academies and local authorities throughout.

Methodology

A total of 20 in-depth interviews lasting approximately 40 minutes each were conducted online or by telephone. The individuals who were interviewed in schools and local authorities were those who had a role in the collection and/or reporting of disability data in the workforce. The fieldwork period was 24th March to 9th May 2022.

Of the 20 interviews, a total of 17 interviews were conducted with schools. Quotas were set to ensure a spread of LA maintained and single/multi academy trust schools, and both primary and secondary schools. A further 3 interviews were conducted with local authority staff members.

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[2] Teacher recruitment and retention strategy (2019)

Findings

Most of the participants in the sample did not feel that their school's data on disability was complete (i.e. the disability status of all staff is recorded as 'yes', 'no' or 'refused'). While the degree to which data was reported to be incomplete varied across schools, we observed that the primary schools in this sample tended to believe they had fewer gaps (i.e. 'information not yet obtained' responses) in their data than secondary schools. However, this observation should be treated with some caution as there was a lot of uncertainty amongst participants as to exactly how complete their data actually was, as it was not something they often looked at. Schools perceived a number of reasons why data on disability in the workforce was incomplete (i.e. staff disability status is listed as 'information not yet obtained' rather than 'yes', 'no' or 'refused' on the school MIS):

Lack of awareness of the need for complete data. The schools in the sample tended not to perceive a need to collect complete data on disability for the purpose of reporting on the diversity and inclusion of the workforce internally or for reporting in the SWC. Their main reason for collecting data on disability was to be able to support individual staff members who declare a disability by ensuring any necessary adaptations are in place in the workplace. Their focus was on having a record of those who stated that they had a disability rather than ensuring that complete data on the disability status of the entire workforce was captured.

However, schools described needing complete data for other characteristics such as gender to monitor the gender pay gap. Some schools, mainly academies in this sample, also described monitoring ethnicity to ensure the staff reflect the communities they serve.

Some MATs did describe an increasing desire from their boards to report more fully on diversity within the workforce including disability and they were aware of the need to achieve more complete data on disability in order to be able to report on it in the future. However, many schools in this sample, and particularly the LA maintained schools, were not aware of a need for more complete data for this purpose.

Indeed, a couple of schools in this sample also expressed specific concerns about storing complete disability data on their MIS and whether this was appropriate under GDPR legislation, because of this perception it wasn't needed for reporting purposes.

Schools are more likely to report 'information not yet obtained' for disability than other characteristics. Information on the disability status of staff was typically (but not always) entered into the school MIS. However, schools reported that recording 'information not yet obtained' against disability was an accepted response on their MIS and on the SWC report subsequently generated. Despite 'information not yet obtained' being an accepted response for the SWC for other characteristics such as ethnicity, it appears in much higher quantities for disability specifically. This suggests that the data collection for disability may be less accurate than that of other characteristics due to a

range of factors including limited incentives for schools to collect and update disability data unless individual adjustments are required (see 'storing and reporting on data for other characteristics' for further examples of this). However, schools felt that to some extent this compounded their lack of awareness of the need for complete data on disability, particularly in those instances where the school data set was largely or totally incomplete.

Challenges related to capturing data on disability. Information on disability was usually collected when staff joined the school, through application forms and forms completed on starting at the school. Schools described these questions on disability sometimes being left blank by the staff member leading to ambiguity as to whether a staff member is not disabled or has chosen not to provide the information. This resulted in recording those staff as 'information not yet obtained' in most cases and they believed this was more common than for other characteristics. Schools suggested a number of reasons for this which included:

- Inconsistent response options in questions about disability. For example, an open text box with a question 'Do you have any disabilities that we should be aware of'?' with no provision of 'no' or 'prefer not to say' answer options. By contrast schools felt that the questions asked for other characteristics such as gender and ethnicity were more consistent and categorical.

- Schools also hypothesised staff may skip the question entirely because they do not wish to disclose their disability and they are not required to. By contrast schools felt staff were less likely to avoid disclosing other characteristics as they were harder to 'hide' and did not carry the same stigma or concerns around being discriminated against because of the potential need for adaptations.

- Concerns about following up with staff to clarify their disability status for fear of being, or seeming to be, discriminatory. They felt this was particularly acute for disability compared with other characteristics because of the concerns already mentioned around stigma and the potential need for adaptations.

A strong theme reported by participants in this research was that complete data is not the same thing as accurate data. Schools highlighted two further challenges in the collection of disability data which they felt primarily affected the accuracy of the disability data:

Challenges related to non-disclosure. Staff not disclosing a disability either deliberately or particularly unintentionally (for example because they do not perceive their condition to be a disability). Opinion varied among the sample about the extent to which deliberate non-disclosure was an issue but there was more consensus that unintentional non-disclosure was likely to mean under-reporting of disability in the workforce.

Challenges around maintaining data. Schools reported a lack of process for monitoring and updating the disability status of staff once they have joined the school. This meant

that any changes in the disability status of staff might not be updated within the school's MIS, resulting in an inaccurate recording of their disability status.

Encouragingly, the schools in this sample were willing to take steps to improve the completeness of their data, but they all stressed the need for guidance from DfE in order to achieve this, suggesting that the current guidance is perhaps not sufficient.

Based on the findings in this research there are some possible actions DfE may be able to take in relation to providing guidance. These include:

- Communicating the need for complete data from a diversity and inclusion perspective.

- Making sure schools are aware of how to achieve more complete data by:

    - Explaining the need for consistent wording of the disability question on school application and joining forms with 'yes', 'no' and 'prefer not to say' given as options.

    - Asking schools to encourage a response from all staff.

    - Underlining the importance of then accurately recording a 'yes/no/refused' response for each staff member on the school MIS.

- Providing guidance on how to achieve more accurate data by:

    - Encouraging schools to regularly ask for and update staff members' disability status.

    - Providing further guidance on how to improve disability reporting[3] and raising awareness within schools as to what is classed as a disability under the Equality Act [4]to help tackle unintentional non-disclosure. Schools acknowledged this could be a difficult area to get right and should DfE wish to do this, consideration could be given to conducting further research to develop this guidance.

- Providing reassurance to schools on the legitimacy and importance of doing all of the above could also help to address the concerns raised around being discriminatory and acting in line with GDPR legislation.

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[3] Voluntary reporting on disability, mental health and wellbeing - GOV.UK (www.gov.uk) there is some published guidance on general disability reporting and data collection provided by DWP which could be a useful basis for further guidance provided by DfE
[4] Definition of disability under the Equality Act 2010

Main Findings

Background and Objectives

In 2019 the Department for Education (DfE) published their Teacher Recruitment and Retention Strategy[5] and a feature of that strategy was the recruitment and retention of a diverse workforce. The key source of evidence to monitor characteristics of the workforce is the School Workforce Census (SWC). Whilst the SWC has good coverage of characteristics such as ethnicity and gender, at present disability data is not provided for 52% of teachers (SWC, 2020)[6], thus preventing the reliable reporting of the proportion of disabled staff within the workforce.

In order to understand the reasons for the limited reporting of disability data, DfE commissioned BMG Research to conduct qualitative research with individuals in schools and local authorities who had a role in disability data collection/reporting. The overall purpose of the research was to understand whether there were specific barriers and challenges to the collection and reporting of disability data compared to other characteristics, what these challenges may be and whether the same problems existed for local authority maintained schools, academies and local authorities.

The specific research objectives for this research were to:

- Understand how schools and local authorities collect data on disability in the workforce.

- Establish how disability data is stored, updated and reported on (describing any differences between local authority maintained schools, local authorities and single and multi-academy trusts).

- Identify any perceived barriers or challenges schools and local authorities face in terms of obtaining complete data on disability in their workforce and explore what could be done to address them.

And as a further, more secondary, objective:

- Explore what schools and local authorities know about the long-term effects of Covid-19 on the workforce.

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[5] Teacher recruitment and retention strategy (2019)
[6] School workforce in England, Reporting Year 2021 – Explore education statistics – GOV.UK (explore-education-statistics.service.gov.uk)

Methodology

A series of c.40-minute interviews (n = 20) were conducted via Microsoft Teams or telephone with individuals in schools and local authorities who had a role in the collection and reporting of disability data in the workforce.

Qualitative interviews were conducted across a 6-week period with the sample focusing predominantly on schools - 17 interviews were conducted with schools and 3 with local authorities.

The schools sample was recruited from two sources. Initially an email invitation with an opt-in link to take part in the research was sent out by DfE to a series of stakeholders. BMG also sent the email invitation to a random sample of contacts selected from the Get Information About Schools (GIAS) database.

To recruit the LA staff members, BMG sent an email invitation to a random sample of contacts compiled from the publicly accessible contact list of Children's Services Directors from the Association of Directors of Children's Services (ADCS) website.

Participants were asked to firstly describe their current systems and processes for capturing, storing, updating and reporting on disability data in their school workforce. They were then invited to reflect on the barriers to better data collection and make suggestions on how these might be addressed. At the end of the interview, participants briefly discussed their views on the long-term impact of Covid-19 on the workforce. The discussion guide used for these interviews is included in the Appendix.

It is important to note that participants in this sample were asked to recollect how they believed their school reported disability data to the SWC. In some cases, this may not be an accurate representation of how this data is ultimately reported and published, or an accurate interpretation of the guidance on the SWC or on legal requirements. Schools are provided with guidance prior to submitting SWC data by DfE.

Sample

A total sample of 17 schools was achieved. Within the schools sample interlocking quotas were set on type of school (LA maintained versus single or multi academy trust) and on the age range of the school (primary versus secondary) to ensure we included a spread of the types of schools in England.

Details of the exact quota achieved are provided in Table 1.

	Primary	**Secondary**	**Total**
MAT	3	3	**6**
SAT	2	3	**5**
LA maintained	4	2	**6**
Total	**9**	**8**	**17**

(Table 1: A breakdown of the sample achieved by the key quotas)

Whilst specific geographical quotas were not set, we aimed for a spread across the sample which was achieved as follows:

- North (6 interviews)

- Midlands (6 interviews)

- South (5 interviews)

We also monitored the size of the school workforce across the sample. Typically, the individual primary schools we interviewed had a staff of between 50 and 90 employees and the secondary schools between 120 and 220 employees. The MATs were typically around 250 employees at a primary level and considerably larger at secondary level (350-600 employees), depending on the number of schools within the trust.

The roles and responsibilities of the research participants

Within the **primary schools** (LA maintained and SATs) the majority of respondents were School Business Managers who were responsible for collecting, inputting and reporting on data on the school workforce, amongst other quite wide-ranging responsibilities including premises, IT, finance, health and safety and first aid. They were notably not trained HR professionals and any specialist HR work (e.g. contracts) tended to be outsourced to an HR consultant.

Within **secondary schools** (LA maintained and SATs), which typically had larger workforces than the primary schools, respondents were predominantly HR Managers who were responsible for HR within the school. They were responsible for the collecting, inputting, and reporting of data on the school workforce, though the actual admin of data inputting and updating was often done by an HR or general office assistant. Some were HR professionals whilst others built expertise within their roles, and in those instances, there was still some outsourcing to HR consultants for more specialist issues and advice. We also spoke to one Head Teacher and one Office Manager/PA to Head Teacher.

Within the **multi academy trusts**, both at primary and secondary schools, interviewees were mainly Heads of HR operating at a trust level. They tended to be dedicated HR professionals and they were responsible for HR across the entire workforce of the trust. They would typically be assisted by a central HR admin team but would also work closely with School Business Managers or HR Managers within the individual schools that were part of the trust. We also spoke to one School Business Manager based within a school that was part of a MAT.

Interviews were conducted with **three staff members within local authorities** who were involved in the collection and/or reporting of data on disability in the school workforce. Two participants were responsible for HR within Children's Services which included the schools' workforce. One participant led a team of data analysts that worked across the entire LA but this included Children's Services. One of this team's roles was to provide a paid-for data checking service for SWC data for schools in the borough.

It is important to note that the results of this study, as with all qualitative research, cannot be generalised to the overall population of schools due to the small sample size. We would also caveat that once we start to compare sub-groups, the sample sizes become particularly small. So, whilst we have drawn comparisons where we can, results should be interpreted with caution.

Detailed Findings

The purpose of disability data collection: the view from the schools

Before explaining *how* the schools in this sample were going about collecting data on disability in the workforce, it is important context to understand their perspective on *why* they were collecting it. This perspective seemed to underpin their approach to data collection, and it helps to explain why their data on disability for the SWC was often incomplete.

For many schools interviewed, the main, and sometimes, only purpose of collecting data on disability was to be able to support individual staff members who declare a disability, by ensuring any necessary adaptations are in place. Their focus was on having a record of those who disclosed a disability to the school (considered a 'yes' on record) and any other specific details pertaining to adjustments required by those individuals.

By contrast, all schools described needing complete data on gender to monitor the gender pay gap. Some schools, mainly academies in this sample, also described monitoring ethnicity to ensure the staff reflect the communities they serve.

MAT participants were more likely to report an emerging desire coming from their boards to more fully understand the diversity in their workforces, including disability, and described taking steps towards improving the completeness of their data in order to achieve this in the future.

> "The trustees have asked how diverse the workforce is in terms of disability and we can't give them an accurate picture. It is not something we have good data on at the moment." *(HR Director, MAT, Secondary Schools)*

However, this research found that many of the schools within this sample were largely unaware of the need to collect data on disability for the purpose of reporting on the diversity and inclusion of the workforce or for reporting in the SWC. As a result, they were not especially focussed on ensuring 'complete data' (i.e., ensuring all staff have their disability status recorded as yes/no/refused) on their school MIS which is used to generate the SWC report.

> "We collect it [disability data] to be able to support members of staff to fulfil their role effectively…. I wouldn't say we collect it to have a picture of diversity – it is purely so we can assist." (*Head Teacher, SAT, Secondary school*)

We observed this perspective across all school types but particularly in the LA maintained schools, with schools stressing that they made a point of only collecting the data they were specifically asked to by the local authority and did not believe disability was currently included in this list of requirements.

Understanding how disability data is collected

All the participants in this research reported that disability data was mainly being captured when a new staff member joins the school, from up to three different sources:

1) Application forms: all schools sampled told us they asked a question about disability on their application form as part of their equal opportunities obligation.

2) New joiner forms: some schools, mainly primary schools in this sample, asked new joiners to complete a separate additional 'personal details' form which often included a question about disability.

3) Health questionnaire: with the exception of one SAT Secondary school, all schools in this sample also required new joiners to complete a health questionnaire to assess fitness for work. Whilst the details of this were confidential, if there was a need for an adaptation because of a disability, this would get flagged to the school.

LA maintained schools used a standard application form created by their local authority and academies described using these as a basis for their own application forms as well.

It is interesting to note that most research participants were unsure how the disability questions within these forms were asked and had to check during the interview.

Whilst the application forms generally seemed to contain a disability question based on the Equality Act 2010 definition of disability, the research found there appears to be some lack of consistency in the answer options given. This was found to have implications for the completeness of the data captured. In some cases, it seems only a 'yes' and 'no' tick box was provided, in others 'prefer not to say' was also included.

> "I know schools are still using the paper application form and it asks "do you consider yourself to be disabled as set out in the Equality Act?". It has a yes and a no answer option, but it doesn't say it is mandatory to answer, so you can leave it blank and there is no prefer not to say option. Whether individual schools have since adapted this I can't be sure. We use an online application form for local authority jobs here and that has preferred not to say. It's a bit inconsistent." *(LA staff member)*

Across those schools also using a personal details form there was more variation in terms of how the question about disability was asked and in particular, the response options given. Typically, the question within personal detail forms was asked in a much more open and informal way compared with the application form, focusing predominantly on flagging those with disabilities to the school rather than collecting 'complete data' on disability. For example, providing an open text box for the candidate to describe any disability they felt the school should be aware of but 'no disabilities/not disabled' and 'prefer not to say' were not given as options.

Whilst disability was asked about at application stage, the schools interviewed told us it was not mandatory to respond (even when there was a 'prefer not to say' option) and they reflected that sometimes the disability question was not filled in at all. They suspected this may be because a staff member doesn't wish to disclose a disability and skips the question entirely. This led to ambiguity about whether the staff member had not filled it in because they were not disabled, or because they preferred not to say.

We observed that this missing data was rarely followed up on. In part this was because of the schools' perspective on the purpose of disability data collection already discussed; their priority was to record a 'yes' response. However, we noted there was also considerable reluctance amongst some participants within this sample, to proactively follow up with staff members to enquire about or clarify their disability status for fear of being discriminatory or seeming to be. This appeared to be a particular concern to those who were not HR professionals (typically the School Business Managers in primary but also secondary schools), who described not feeling fully conversant with the rules and regulations in this area.

In most cases, the schools in this sample described an approach that was entirely 'reactive' – they must wait for the staff member to actively declare they have a disability, even if that disability is visible/apparent.

> "We absolutely cannot follow up with them. For example, when I was doing the census last time, I asked the HR person who works for the Trust what to do as we knew there were staff with disabilities not recorded on the census but she said we have to wait for them to approach us to declare it." *(School Business Manager, MAT, Primary School)*

One exception was an HR Partner in a SAT secondary school who, because of her expertise in HR and employment law, did feel able to have proactive conversations with staff she suspected may have an undeclared disability. She felt this was invaluable in preventing future staff absences as well as improving those individual staff members' wellbeing at work, but acknowledged it required expertise and confidence to do this.

> "I do a lot of work on staff wellbeing and absence monitoring and if I feel someone is struggling, I will approach them to have a conversation about whether they are suffering from something we consider to be a disability, for example a mental health effect. It is a very personal approach that moves from informal to more formal but early intervention allows people to maintain a sustained presence at work. However, I appreciate, without proper HR training, people don't have the time or skill-set to have these conversations." (*HR Business Partner, SAT, Secondary School)*

Respondents emphasised the importance of ensuring that any necessary adaptations were in place to assist staff who had declared disabilities. This was reported to involve a more informal discussion of the individual's needs in the first instance and if the adaptations required were deemed 'small' (e.g. a special computer mouse required) it would often be at the head teacher's discretion to authorise this. This seemed to be particularly true in smaller, (typically primary) schools. If a more significant adaptation was required (e.g. more expensive equipment, increased absence) then an occupational health assessment would be carried out. This was handled by the LA in the case of LA maintained schools. Academies tended to outsource this to external providers, though one SAT secondary school described doing it in-house using a staff member trained to perform risk assessments.

> "If they come to us and say 'I need this', I think it would come back to what they were asking for and why. If it is minor and we can easily adjust for it, the heads will do that. But if it is something more serious or a bigger impact we would get occupational health advice." *(HR Director, MAT, Primary Schools)*

The problem of non-disclosure

There were mixed opinions amongst different respondents regarding the extent to which deliberate non-disclosure was an issue. Deliberate non-disclosure within this research is defined as a staff member actively choosing not to disclose a known disability to their employer. The schools in this sample suspected deliberate non-disclosure could affect both the completeness and accuracy of the data. This was because a staff member might skip the disability question, or they may tick 'no' when they should tick 'yes'.

Some felt the school environment was very open, inclusive and supportive and they didn't feel staff were unwilling to declare a disability. We observed this opinion more in primary schools which had smaller workforces and where there seemed to be a flatter structure, with staff having a more direct/personal relationship with the leadership team. We also observed this inclusive attitude in schools that were in more metropolitan areas, serving more diverse communities.

> "It is rare for staff to not disclose their disability. We are in Hackney which is a really right on borough. The staff are really quite open about it I think because they know it helps them in the long run as they know we will put everything in place to help them do their job." *(School Business Manager, LA Maintained, Primary School)*

Others suspected staff may be unwilling to disclose a disability for various reasons. Mainly because they may feel they could be disadvantaged or discriminated against, particularly at application stage. Respondents speculated that considerations such as, the 'cost' of necessary adjustments or fear of stigma surrounding their disability could be factors considered when choosing to disclose. Furthermore, disclosure could be withheld simply for reasons of personal privacy and self-identity.

> "I think there are a lot of people who don't want to share this information [about disability] when they are newly appointed. I think there is a stigma attached to some types of disability that people are concerned about and I think they might worry employers would judge them on a disability declared and perhaps not appoint them but we have appointed people with disabilities." *(HR Business Manager, SAT, Secondary School)*

It was commonly accepted amongst participants that there might be 'unintentional' non-disclosure, defined as staff not realising they could be considered as disabled. This was felt to affect the accuracy of the data rather than its completeness by under reporting disability in the workforce. Interviews pointed to the challenge of defining what constitutes a disability as a factor for this type of non-disclosure. Respondents reported defining disability as difficult and that it could be open to interpretation. As such they felt there were likely to be staff members with disabilities who hadn't declared them simply

because they did not consider themselves as disabled. Interviewees cited the following reasons as to why this might be the case:

- That individual may be managing their disability (e.g. wearing a hearing aid, using an inhaler for asthma), such that it doesn't have a negative impact on their ability to do their job.

- Their condition might be dynamic and flare up and down (e.g. migraines, asthma, arthritis) rather than having a consistent impact.

- They may not class their condition as a disability, rather they see it as a medical issue (e.g. a heart condition).

- Or they may not class their condition as a disability at all – dyslexia was often mentioned as an example here.

Following from this, many respondents felt that staff might only consider raising a disability if they felt it would require some form of adaptation by the school, otherwise they might not feel it necessary.

> "I think a bigger problem is how people perceive a disability – what some people see as disability others don't. I am dyslexic myself but I don't see that as a disability, it doesn't really affect my work. Also, I think unless staff need something like access to work, they wouldn't realise they need to tell us [about their disability]." *(School Business Manager, MAT, Primary School)*

Collecting data for other characteristics

All schools interviewed were collecting data on at least some other characteristics alongside disability via the application form and personal details form. These were age, gender and ethnicity. Most were collecting marital status, and some were also collecting religion. A few schools were collecting sexual orientation, none were collecting gender reassignment.

A common belief among this sample was that, under GDPR legislation, schools should only collect data they needed – for example asking about religion in order to be able to provide a place to worship at work.

When prompted to draw comparisons between disability data and data on other characteristics, schools felt they tended to collect better data on other characteristics such as gender, age and ethnicity when staff members joined.   They felt a main reason for this was these characteristics were more consistently and categorically defined and much less open to interpretation, thereby avoiding the problems of ambiguity and unintentional non-disclosure.

> "When you think about it, everyone's got an ethnicity and there are now enough boxes for gender, but "do you consider yourself to have a disability?" is much more open ended." *(HR Director, MAT, Primary School)*

Respondents also considered that perhaps staff were more likely to be willing to actively disclose characteristics such as gender, in part because they were harder to 'hide' but mainly because they didn't carry as much stigma or fear of discrimination (through additional cost of adjustments) as disability.

Understanding how disability data is stored and reported

Storing data

Personnel files seemed to be the main repository for data on disability for the schools in this sample. They described how on joining, all forms were stored in the new staff member's personnel file and typically their personal details would also be entered on the school MIS by the School Business Manager or HR/Office administrator within each school.

The schools in this sample were using a variety of providers for the school MIS. SIMS was most commonly used and was used by most of the LA maintained schools interviewed. Other systems mentioned were RM Integris, Arbor, Bromcom and ScholarPack.

All of these different MIS providers featured a field for recording whether a staff member has a disability with 4 options (Yes, No, Refused, Not obtained). It is through this MIS data that schools are able to generate a report for the SWC.   However, interviewees reported that SIMS appears to have a number of additional fields that are completed if a staff member is listed as disabled namely: 'impairments' with a drop-down menu with broad options to classify the disability; 'date advised'; whether the condition is long term (Y/N); whether assistance is required (Y/N) and a box to record a disabled badge number, if known.

Only one participant in this sample (a School Business Manager in a MAT Primary school) reported having complete data on the disability status for all staff in their school on their MIS. She told us her MIS forced her to record an answer for each staff member and would not accept 'not obtained' so the data for that school was complete by default – however not necessarily accurate. Unless a disability was declared or refused everyone was listed as not disabled, even if their answer to the question of disability was unknown.

None of the other research participants believed they had complete data on disability on their MIS. It is interesting to note that when asked to comment on the completeness of their data, most participants admitted they felt unsure because it wasn't something they often looked at and they couldn't easily access this information during the interview.

However, the prevailing view was that the MIS data was completed 'where possible' but there would certainly be some gaps in the data i.e. 'information not yet obtained'. These data gaps were mainly attributed to individual staff members not completing the disability question on joining and those responsible for inputting the data not following up on it (for the reasons already discussed on page 15).

Simple oversight by the person entering the data was also mentioned as a possible reason for data gaps, especially in schools where this was one of many jobs the School Business Manager was responsible for.

Furthermore, one school (a SAT primary school) noted that staff who had joined prior to 2014, when their MIS was set up, had not always had all their details such as disability status inputted on the MIS.

Arguably the above two examples of oversight could apply to other characteristics, not just disability. However, because the schools were focussed on recording 'yes' for disability rather than believing they needed a complete data set (i.e. listing all other staff as 'no' or 'refused'), they felt omissions might be more likely for disability than other characteristics like gender or ethnicity.

Whilst is it important to note that estimates as to the extent of these data gaps were uncertain, we observed that primary schools seemed more likely to believe there were fewer gaps in their data than secondary schools. This could perhaps be a function of having fewer staff and thus the number of staff not completing the disability question will be lower. It could also reflect the earlier finding that staff in primary schools may feel more comfortable disclosing a disability.

Three schools within this sample reported having largely or totally incomplete data on disability on their MIS. We did not observe any pattern here in terms of school or respondent type.

- In one instance the school (a SAT Secondary school) completed the disability field if it was a 'yes' but would deliberately leave it 'not obtained' otherwise rather than inputting a no/refused even if this was known, as they weren't as concerned with the granularity of responses. This meant their data was largely incomplete.

- In a couple of cases (one a LA maintained primary school, the other a MAT of primary schools) participants said they were not currently recording any disability data on their MIS because they didn't believe that they had to, and they were concerned about holding data they didn't need to because of GDPR legislation. This links back to their understanding of the purpose of collecting disability data, which they perceived to be primarily relating to being able to support staff members, rather than for understanding diversity and inclusion across the

workforce. In these instances, their data was totally incomplete (i.e. all staff were listed as 'information not yet obtained').

"When GDPR was brought in we shied away from collecting special category data. If we don't need it, we don't collect it. We would only record disability where we need to in order to help the employee achieve their role. I think we are probably a bit nervous really about getting it right… so we err on the side of caution." *(HR Director, MAT, Primary Schools)*

Importantly with the exception of those MATs who were aware of the need to collect more complete data on the diversity of their workforce for their boards in the future, none of the schools in this sample were particularly concerned about the gaps in the data on their MIS because they were not aware of the importance of complete data.

The local authority staff members we spoke to said that data on characteristics including disability was also being recorded on the LA HR/payroll system. When a new staff member joins a LA maintained school the data would be completed provided that information was filled in on their application form, otherwise it would be left blank/not obtained. The LA respondents in this sample were unable to comment on the completeness of the disability data held on their central HR systems, however they noted these were not being used to generate the SWC report, this was coming solely from the data held by the individual schools.

Access to data

At present, individual staff in schools did not appear to have direct access to their personal data but this was likely to change in the future for MATs.

In the LA maintained schools and SAT schools in this sample, the leadership team and the School Business Manager / HR Manager would typically have access to both the personnel files and staff data held on the MIS and staff members could request access to their own personal details but could not directly change or update them. None of these schools indicated there would be any change to their processes soon.

In MAT schools the central HR function would typically also have access to the personnel files and the MIS data on staff in all schools within the trust, though at present the actual data inputting was happening at the individual school level.

However, some MATs told us they were in the process of changing to a centralised HR MIS that was separate to the individual school MIS. The ambition was for this centralised HR system to house the personal details of the workforce, including characteristics such as disability. The 'account' for each staff member would be set up by the central admin team but then would be a 'self-serve' system whereby individual staff members would access and update their personal details on an ongoing basis. This would replace the

current MIS as a repository for staff personal details and they hypothesised may be used to generate SWC reports in the future for the entire trust.

> "We don't look at the current system that is why we are bringing in the new central HR system. At the moment we would have to get the info from each school and then aggregate it manually if we want to do any analysis on the workforce." (HR Director, MAT, Secondary Schools)

The local authority staff members confirmed that at present individual schools and their staff members did not have access to the LA HR/Payroll system but one LA colleague stated that 'self-serve' access to both view and update personal details was something that was available to centrally employed LA staff members and may be rolled out to all schools in the borough in the future. However, none of the LA staff members mentioned the potential for SWC data to be generated from the central LA HR/Payroll database. Their view was that the responsibility for recording the data used for SWC would still firmly sit with the individual schools.

Updating the data

There was a mixed picture across the sample in terms of whether they were updating the disability data on the school workforce. The schools in this sample felt that updating disability data primarily affected the accuracy of the data rather than its completeness. This was because it could allow the school to pick up disabilities that had developed since a staff member joined which turns them from a 'no' to a 'yes'. However, it was also acknowledged that asking staff about their disability status could lead to a 'no' or 'refused' answer being provided, where previously their status was 'information not yet obtained', thereby leading to more complete data.

Some schools were sending out an annual or bi-annual form to staff to check if the personal details held for them were correct. Within this sample this practice seemed to be more common in primary schools than secondary schools.

Disability was sometimes included on the update form but not always. When we questioned this, schools told us the focus was on the details they felt were likely to change frequently such as contact details. It seems they didn't always consider disability as a dynamic characteristic, but on prompting they acknowledged they probably should.

> "Some staff have been here a long time and so if they develop a disability that data is not actively collected by us. It would be up to them to inform us. We do send out an annual update form but we don't ask them if they have developed any disability in that last year and so we never go back and update this information but we do update other information like contact details on an annual basis." (*School Business Manager, MAT, Primary School*)

A common theme, particularly amongst secondary schools, was that they did not have a system in place to monitor and update changes in staff personal details after joining. Instead, they relied on individual staff members making them aware of any changes. Some of the secondary schools we interviewed could not say why they didn't have a system for updating staff personal details on an on-going basis, and felt it was probably something helpful to implement. However, others were of the opinion that update forms tended to achieve a low response rate and were time consuming to chase up and so were not always worthwhile.

Those MATs planning to move to a centralised 'self-serve' HR system pointed out that, in future, staff would be required to keep their own personal details up to date.

The other way that staff disabilities might come to light after joining was through risk assessments or health assessments being carried out if a staff member had a long period of absence due to sickness. In some cases, this could reveal a disability that had developed since the staff member joined or perhaps hadn't been previously disclosed.

In particular, schools mentioned carrying out individual staff risk assessments before they returned to work after lockdown and this process had revealed some previously unknown medical conditions that made staff clinically vulnerable.

> "Throughout Covid we have had over a 100 risk assessments on members of staff. It was helpful to bring to the surface any disabilities that weren't known about." *(Head Teacher, SAT, Secondary School)*

However, for the reasons discussed earlier under 'the problem of non-disclosure' (page 15) those schools were unsure as to whether those conditions could or should be classed as disabilities and took the view that it was up to the staff member to actively declare them as such before records would be changed.

Schools believed that if they were subsequently alerted to a disability by a staff member this would probably be updated on the MIS, but they couldn't be certain of this. However, if a staff member simply updated their disability status to 'no' on an update form where previously it was unknown, they might not update this on the school MIS.

Reporting on the data

Very little analysis or reporting was being done internally on disability by the schools in this sample, though as already discussed, some MATs told us this would be a requirement in the future. By contrast, all schools described reporting on the gender pay gap and some academies also described reporting on ethnicity from a diversity perspective.

The only reporting that was being done on disability was for the SWC but this wasn't the case for all schools. A couple of the participants (both working in LA maintained schools)

said they were not sending disability data to the SWC, as they did not believe they were required to do so by the LA. There was uncertainty among some participants who were unsure if disability data was sent to the SWC (we did not observe any particular pattern in terms of types of school here). The others were aware it was being sent but they all agreed that the disability data submitted was rarely reviewed by the schools themselves.

The SWC report was described as being created automatically from the school MIS by the School Business Manager or HR Administrator and it appeared that unless any errors or queries are flagged when the report is generated the data is not interrogated further. None of the schools recalled an error ever being flagged with the disability data.

> "It [disability data] is included in the [SWC] reporting. It is an automatic process. If you are happy with the integrity of the data you submit it or it will give you errors, which we then look in to." *(HR Director, SAT, Secondary School)*

Whilst Local Authorities were responsible for submitting SWC data on behalf of LA maintained schools (and indeed one colleague interviewed offered a paid-for SWC data checking service to schools), they would only liaise with schools to address queries that were flagged by the Collect portal system through which they send the SWC data to DfE.

None of the LA staff members could recall having a problem with the disability data and so assumed that at present the disability question is not flagging any missing data as an error or that the error could be got around by submitting 'data not obtained'.

> "The return is made through Collect which is an online portal. If the data looks different to the previous year, there are checks and balances made so you have to make robust and appropriate responses to missing data. I am not clear on how much of the disability data is populated for our LA but I know the data can only be submitted with gaps in if an acceptable reason given – it might be 'data not collected'." *(LA Colleague)*

In MATs it was often the case that the central HR team would perform a similar data checking role to their own schools and help to resolve any queries/errors, though it was still up to the individual schools to submit the data. Similarly, they did not recall errors being flagged with the disability data at present.

Storing and reporting on data for other characteristics

A common theme amongst the sampled schools was that they stored and reported more complete data for other characteristics such as age, gender and ethnicity on their MIS.

This was mainly because they were aware of a need to report on these characteristics from a diversity and inclusion perspective. All mentioned monitoring the gender pay gap, and some schools, mainly academies in this sample, monitored ethnicity.

> "We have to report on gender pay gap and ethnicity because of where we are based. Our schools have to operate within particular communities and our staff team are reflective of that. There is a focus on reporting on those protected characteristics so we have better data. If there was a statutory requirement to report on disability I wonder if the data might be better." *(Head of HR, MAT, Secondary Schools)*

Two schools (we did not observe a pattern in type of school here) also believed they had better data on these characteristics because their school MIS systems required them to populate these fields or would flag incomplete responses as errors when the SWC report was generated.

> "Ethnicity is a key one so it comes up as an error [on the SWC report] if it's missing, but not disability." (*HR Manager, LA maintained, Secondary School*)

This appears to represent a misunderstanding of SWC validation rules for ethnicity and disability where both allow responses of 'information not yet obtained' and both would flag a blank field as an error. Disability information should be provided by the staff member themselves and they can refuse to provide it. There are therefore options in the SWC for 'refused' and 'information not yet obtained' when reporting disability status.

Improving the collection of data on disability in the workforce

Respondents made a number of suggestions for how the collection of data on disability for the SWC could be improved.

The following suggestions were made in terms of improving the completeness of the data:.

Make schools aware of the purpose of collecting complete data

The schools in this sample said that if they were made aware by DfE that they needed to collect complete data on disability on their school MIS for the SWC they would be willing to do this. However, respondents suggested that guidance on exactly what information was needed, why it was needed and what was going to be done with the data would be helpful to share with staff members.

> "Ultimately, we need to tell staff what info we need, why we need it and what we are going to do with the data to benefit them…. We need to show that if they tell us about it [disability] how that is a good thing. It is how we sell that to them." (*HR Director, MAT, Primary School*)

In particular, those schools which had expressed concerns about disability data collection and whether it was appropriate under GDPR legislation, felt official guidance from DfE

was essential before they could proactively approach their staff about completing their disability status.

Current guidance for recording disability states that it is for schools to decide how best to collect disability information and for staff themselves to decide whether to declare that they have a disability, and that they can refuse to provide it. Schools must also comply with the Public Sector Equality Duty.

Flag incomplete data as an error

The research participants in schools questioned whether it could be made mandatory to complete the disability field on the MIS database with a 'yes', 'no' or 'refused' response and/or ensure that 'information not yet obtained' answers get flagged as errors to be investigated at the time of data entry and/or when generating the SWC report.

Schools were generally of the view this was something they could approach their MIS provider about individually, though one School Business Manager asked whether DfE could speak directly to some of the larger MIS providers, to address this on a wider scale.

It is important to note that whilst schools reported this, the data collected from school MIS systems for the SWC conforms to the CBDS (Common Basic Data Set) standard which requires responses on 'Yes', 'No', 'Information not yet obtained' and 'Refused.' This is common across a range of public datasets and is used for other SWC data fields such as ethnicity. It is therefore unlikely to change without a full review of how it would impact other data collections.

One local authority colleague also suggested that 'information not yet obtained' answers on disability could be flagged by the Collect portal to be queried at the LA level before allowing submission[7].

Remove ambiguity at data capture stage

The participants in this sample suggested that schools and LAs should be encouraged to adopt a consistent wording when asking about disability status on all the forms filled in by staff on joining, ensuring all questions have the options of 'Yes', 'No' and 'Prefer not to say' available. They also suggested schools should encourage (or, if possible, make it mandatory for) staff to provide one of these 3 answers. This would ensure schools collected complete data in the first place, which can then be inputted on the school MIS from which the SWC is generated.

Address concerns about being discriminatory

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[7] It should be noted that at present, given the scale of 'not obtained' responses in the SWC data on disability, flagging them as errors in Collect would not be practical. Information on disability was either refused or not yet obtained by schools for 52 per cent of staff in the November 2020 census.

Alongside explaining the purpose of collecting complete disability data, schools were keen for explicit guidance as to how and whether they could approach staff for clarification of their disability status.

In particular, the respondents in this sample who were not trained HR professionals, typically the School Business Managers, expressed a desire for clear direction here.

As has already been mentioned, a strong theme reported by participants in this research was that complete data is not the same thing as accurate data. Two further suggestions were made which were seen primarily to affect the accuracy of the data though, as explained earlier in the report, they could also affect completeness:

Addressing the issue of non-disclosure

Tackling non-disclosure was felt to be important. However, schools suspected this might be a longer term and more challenging issue to address.

Some participants suggested that the very act of raising awareness of the importance of collecting complete data on disability in the context of diversity in the workforce could help. They hypothesised it might potentially make staff members who are reluctant to disclose a disability feel more comfortable about doing so. However, it was acknowledged that changing attitudes to disability in the workplace was ultimately a long-term goal, the remit of which extended far beyond schools and DfE to society as a whole.

> "An obvious one is to require people to report but that is superficial as the data might not be accurate. There is a broader piece of work in raising awareness about the whole issue of disability in the workplace and bringing the focus back. I think it has lost out to other things." *(HR Director, MAT, Secondary Schools)*

When it came to tackling the issue of unintentional non-disclosure a common theme amongst schools in this sample was that more guidance as to what constitutes a disability could be helpful to share with staff. This would prove particularly useful in distinguishing between the incidence of 'all' disability in the workforce rather than just those disabilities requiring adjustments which they felt were more likely to be declared.

> "We want guidance on what is a disability and what we should be saying to staff about this. For example, I know we have a staff member who has migraines, nothing is listed on her record. It is a grey area." *(HR, Director, MAT, Primary School)*

However, some participants, particularly those who were HR professionals in this sample, reflected this could be a tricky balance to get right in terms of giving enough information to be helpful but not so much as to overwhelm and confuse. Further research and exploration may be required within this space. Schools were looking for guidance that provided clarity regarding the 'grey areas' they raised such as whether

managed disabilities 'count', what constitutes a medical condition versus a disability and how to classify conditions that flare up and down.

Generally, schools were in favour of opening up the conversation around disability and encouraging broader disclosure – they felt it would benefit individual staff members' wellbeing but could also prevent future absences, if for example, the necessary adjustments were made to help a staff member manage their disability better in the workplace.

However, it's worth noting that some HR leaders at MATs expressed concerns about a potential increase in workload to conduct the necessary risk assessments and manage any subsequent adjustments required, should new guidance encourage more staff members to disclose a disability. They stressed the need for advance warning of any proposed new guidance that was to be shared with staff members, so they could prepare.

> "There may be some stuff that comes out of the woodwork and that would be a positive. I would see it as a supportive thing but head teachers might feel differently as they have to deal with it. But you have to take the longer-term view if we can get the right support around that staff member, say if it is mental health issue, then they won't end up taking time off later." *(Head of HR, MAT, Secondary Schools)*

Establish a process for updating disability status

Those schools with a staff details update process already in place (mainly primary schools in this sample) felt it would be an easy win to include disability as part of the update forms/requests they were already sending to staff.

> "We send out a record of what we hold on staff – address, telephone number – we do that data cleanse at the start of the school year. We could add the disability field on there and allow that to be filled in. " *(HR Manager, LA maintained, Secondary School)*

Those schools not currently conducting any sort of periodic update on staff details, were generally open to the idea of doing this if the benefits were explained and it didn't contribute to increased workload.

Those MATs moving towards a centralised self-serve HR system acknowledged that the onus would be on staff to update their own status in future, but suggested checks could be implemented (e.g. a forced annual confirmation that details have been approved as up to date).

> "I will be asking all staff logging on to review their information and to make sure all fields are completed and are accurate…I think there should be an annual refresh

at least – where all staff have to go onto the system and they have to sign to say they have done it with an electronic form." (*HR Director, MAT, Secondary Schools*)

The long-term impact of Covid-19 on the school workforce

The long-term impact of Covid-19 on the school workforce was not reported as a significant concern in this research. The majority of schools in this sample did not believe they had any staff members suffering with long-term impacts from Covid-19, or 'long Covid'. As stated in the methodology, this is qualitative research based on a small sample (20) of participants in schools and local authorities who had a role in the collection and reporting of disability data, and therefore may not be representative of the wider views of schools.

There was a degree of confusion around exactly what constituted 'long Covid' with some interpreting it in terms of time taken to recover (e.g. if it takes more than 12 weeks to recover) others that it is related to specific long term health impacts (e.g. brain fog) that continue once the individual no longer has Covid-19.

Commonly schools described situations where a very small number of staff had taken longer than the standard 10 days to recover from Covid-19 and owing to continued fatigue, required a staged return to work for a period of weeks. However, the period of recovery, while longer than standard, was not long enough to constitute 'long Covid' and those staff had now fully recovered with no on-going issues and as such it was of no further concern to those schools.

Whilst at those times there was an additional pressure on resource with other staff members covering for these absences, this had been much more problematic during standard Covid-19 absences that were much more widespread at the height of the pandemic.

A few schools reported having a staff member diagnosed with long-Covid. In one case that staff member was still able to carry out their role without any adjustments. However, in the other cases significant adjustments were required and so occupational health assessments were conducted to determine the appropriate response.

None of these schools reported considering whether long-Covid would be recorded as a disability, in those instances where it had arisen it was recorded as staff absence or sickness. Schools felt it would be up to the individual staff member to actively declare their condition as a disability and this had not happened to date. These schools were of the view that these were quite isolated cases rather than a worrying trend, so it wasn't something they were concerned about monitoring.

"I have not received any guidance that they should be [classed as disabled]. Some people might be reluctant to allow it to be on their record – it might be a medical note - I could do with more guidance." (*HR Manager, LA maintained, Secondary School*)

However, one MAT we spoke to was taking a broader view. They mentioned that they had noticed an uplift in staff experiencing mental health issues since the pandemic and it was something they were looking at further. It is, however, important to note that this is the view of a single MAT and was not found more widely in the sample for this research.

Conclusions

This research has revealed a number of perceived barriers to schools collecting complete data on disability within the workforce (i.e. all staff recorded as 'yes', 'no' 'refused'). In summary these were:

- A lack of awareness of the need for collecting complete data on disability for the purpose of reporting on diversity and inclusion in the workforce internally or in the SWC.

- Schools are more likely to report 'information not yet obtained' for disability than other characteristics. Inconsistent wording of disability questions on application or new joiner forms (e.g. whether there is a 'no' or 'prefer not to say' option provided) has led to ambiguity as to whether a new staff member is not disabled or has chosen not to provide an answer.

- The possibility disability questions on application or new joiner forms are being skipped entirely because a staff member does not wish to disclose a disability and they are not required to, which also creates ambiguity.

- Concerns about following up with staff to clarify their disability status for fear of being, or seeming to be, discriminatory.

- Concerns from a couple of schools about whether it was appropriate under GDPR legislation to store complete disability data on their MIS because of the perception it wasn't needed for reporting purposes.

Schools described two further barriers which they felt primarily affected the accuracy of the data. These were:

- The potential for non-disclosure by staff – either deliberate or particularly unintentional non-disclosure which could lead to underreporting of disability in the workforce.

- A lack of process for monitoring and updating the disability status of staff once they have joined which could result in an inaccurate recording of their disability status.

Encouragingly, the schools in this sample were willing to take steps to improve the completeness of their data. However, they all stressed the need for guidance from DfE in order to achieve this.

Recommendations

Based on the findings in this research there are some possible actions DfE may be able to take in relation to providing guidance, which are suggested below. These include:

- Communicating the need for complete data from a diversity and inclusion perspective.

- Making sure schools are aware of how to achieve more complete data by, in particular:

  - Explaining the need for consistent wording of the disability question in school's application and joining forms with 'yes', 'no' and 'prefer not to say' given as options.

  - Asking schools to encourage a response from all staff.

  - Underlining the importance of then accurately recording a 'yes/no/refused' response for each staff member on the school MIS.

- Providing guidance on how to achieve more accurate data by:

  - Encouraging schools to regularly ask for and update staff members' disability status, while being mindful of adding to workloads.

  - Providing further guidance on how to improve disability reporting[8] and raising awareness within schools as to what is classed as a disability under the Equality Act [9] to help tackle unintentional non-disclosure. Schools acknowledged this could be a difficult area to get right and should DfE wish to do this, consideration could be given to conducting further research to develop this guidance.

- Providing reassurance to schools on the legitimacy and importance of doing all of the above could also help to address the concerns raised around being discriminatory and acting in line with GDPR legislation.

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[8] Voluntary reporting on disability, mental health and wellbeing - GOV.UK (www.gov.uk) there is some published guidance on general disability reporting and data collection provided by DWP which could be a useful basis for further guidance provided by DfE
[9] Definition of disability under the Equality Act 2010

Appendix

DfE Disability Data Research Discussion Guide for Interviews

Length: 45 mins

Method: Online/telephone

1. Set Up (2 minutes)

Moderator to introduce themselves and BMG Research.

Moderator to thank participant for agreeing to take part in the research and recap on the purpose of the research….

We are conducting this research on behalf of the Department for Education. The focus of this particular piece of research is to understand how schools currently collect data on disability within their workforce and identify ways that this process can be made easier and more effective. So we are talking to a number of people within schools and local authorities who are responsible for collecting workforce data. It's important to emphasise there are no 'right' or 'wrong' answers to the questions I am going to ask you: it is your opinions, thoughts and experiences that we are interested in.

Length: the interview will take around 45 minutes.

Confidentiality: Your responses are strictly confidential which is required by the Market Research Society.
- We will not identify any individuals or share the personal details of those who took part.
- Views stated are not linked to individuals so the more open and honest you can be the better.
- We may use some of the things you say in our reports, but we won't reveal who said them.

Recording: we would like to record the conversation for the purposes of accurately capturing all the information you share with us. The recording will be used for analysis purposes only and will not be shared with anyone outside of BMG research.

Moderator to check if the participant has any questions.

2. Introductions (3 minutes)

- Please could you start by telling me a little bit about the school you are currently working in?

- Probe if not mentioned: is it primary/secondary; is it local authority maintained or an academy; single sex or co-ed; where is it located; do you know the current Ofsted rating?

- Can you tell me your job title and briefly describe your role and key responsibilities?

  - How long have you been in the role?
  - Have you held other roles within this school? If so, how were they different?
  - Have you worked at other schools?
  - If yes, what types of schools? What roles did you hold?

3. Collecting Disability Data (10 minutes)

Now I'd like to focus in on how disability data on the workforce at your school is collected. It may be that you have an established system in place, it may be much more fluid and ad hoc, that's fine I just want to understand how it works in your particular school.

- When it comes to collecting information about disability in the school workforce, is there a set definition you work with to define what constitutes a disability or is it more open ended?

- If there is a definition:
  - Are you able to share it with me?
  - Do you know where it has come from? (Probe to see if from DfE/gov.uk if not mentioned).
  - Do you know how long it has been in place?
  - What conditions do you include within your definition/consideration of disability?

    - Are these self-reported or do you require for example medical notes?
    - *Potentially prompt on other categories/conditions not mentioned e.g. do you categorise the types of disabilities in any way such as mental/physical/temporary/permanent etc.?*

- If there isn't a definition:
  - Why is this? (e.g. is it too difficult to define / it isn't felt to be necessary etc.)

Ask all…

- Is data on disability in the workforce currently being collected at your school? If it is:
- Who is collecting the data? Is it you or someone else?
- How is it collected?
    - What system does the school use to collect the data (probe for name)?
- How detailed is the information you record? Is it a Yes/No or do you record anything more than this (e.g. type or specific condition)?
- Why is it collected? What is it used for?
- Does the school require staff to return information on disability or is it up to the individual staff member? For what reasons?
    - When collecting the data do you offer staff members an opt-out option such as 'prefer not to say'? Do you find staff members are reluctant to disclose this information? For what reasons?
    - Are all staff required to report on disability or only certain staff members (e.g. new joiners, certain roles within the school).
- (If relevant) How does the collection of data on staff disability at this school compare with other schools you've worked at?

If it is not being collected:
- Why is data on disability not being collected at the moment?
- Do you know if has been collected in the past or if there are plans to collect it moving forwards?
- ***These participants would then skip to section 5.***

4. Storing and Updating Disability Data (10 minutes)

It would be great if you could now just walk me through in detail exactly how the disability data is captured, stored, updated and reported on in your school….

- When in the school year do you gather data on disability?
    - *Probe if not mentioned: Is it when a new staff member joins; when a staff member reports a disability to you, is it done annually, or termly or is there something else that prompts this data to be captured?*
- Is this disability data collected alongside other characteristics (such as age, gender, marital status etc.)? Why/why not?
- How often is the disability data updated? Is that the same for other characteristics?
    - *If not mentioned probe around the fact that disability can be temporary/dynamic (e.g. a cancer diagnosis requiring chemotherapy).*
- Does the school rely on self-declarations on disability or are occupational health/medical notes required for example, when reasonable adjustments are needed?
- When is the disability data reported on?
- Where/who is the disability data reported to?

- *Prompt if not mentioned - is it the School Workforce Census? Does it go elsewhere e.g. to governors/trustees etc?*
  - *Does the nature/granularity of the disability data vary according to where it is reported?*
- Who reports on the data? Is it the same person who collects the data or someone else? Why is that?
- Who stores the data? Is it the same person who reports and/or collects the data?
  - *Where is the data stored internally?*
  - *Who else has access to the data?*
- At what point is the data deleted?
  - *By whom?*

5. Challenges faced in obtaining complete data (10 minutes)

I now want to get your thoughts on how the collection and reporting on data on staff disability could be improved. (If relevant) You may feel your school is already doing a good job, but I am still interested in any thoughts you have.

- Do you feel your school is capturing good data on disability in the workforce? What makes you say that?
- What do you see as the challenges or barriers to collecting (good) disability data on the staff in your school?
  - Do these feel significant? Or relatively minor?
  - How are they overcome, if at all?
- Do you find the same challenges apply when collecting data on other characteristics – which are age, ethnicity, gender, marital status, religion, sexual orientation, gender reassignment, pregnancy & maternity.
  - Are some characteristics easier to collect data on than others? For what reasons?
- To what extent do you feel incomplete data on disability is a result of individuals not disclosing the information?
  - (If this is felt to be an issue) Why do you think staff members are reluctant to disclose this information?
- What do you think your school could do to improve its collection of data on disability amongst staff members?
  - Who would be responsible for implementing this? (e.g. HR, Management, Governors, LA, DfE etc.?)
  - (If not mentioned) Could the information system/service provider/platform you use be improved in some way?
- How much of a priority is it to collect disability data on staff in your school? Is it perceived to be important/useful?
  - Do other characteristics feel more important to capture? Why is that?

I wanted to focus in specifically now on the School Workforce Census.

- (If not already mentioned) Are you familiar with this?
  - If yes: What do you know about it? What is its purpose?
  - If no: here's is a brief description [SEE APPENDIX]
- Are you involved in submitting the data for the SWC?
  - If yes, how do you feel about the process of submitting data? How easy is it to report the data? In particular the disability data?
  - If no, who does this at your school?

At present DfE are finding that in a large number of cases, almost 1 in 2 in fact, the disability status of individual school workforce members is not being reported on in the School Workforce Census and we are trying to get to the bottom of why that is and understand what, if anything, could be done to achieve more complete reporting on disability in the SWC.

- Does this low level of reporting of disability data on the SWC surprise you?
- Why do you think this is happening?
- What do you think your school/schools in general could do to improve reporting on this metric on the SWC in particular?
- What do you think DfE could do to help schools to improve their reporting on disability within the SWC?

6. Long-term effects of Covid-19 on the workforce (5 minutes)

I'd just briefly like to touch on the issue of the long-term health effects of Covid-19 which might be classed as disabilities.

- Are you aware of the long-term health effects of Covid-19? What about within the workforce of your school in particular?

  - Is this something that has been discussed?
  - What kinds of effects/disabilities are emerging?
- Are you finding that your school is needing to adapt to the needs of staff affected by the long-term effects of Covid-19? In what way?

- How much of a priority or concern would you say the long-term effects of Covid-19 on staff are at your school? How does this translate to data capture?

  - Is it something you are monitoring/including in your disability data? For what reasons?

7. Wrapping Up (2 minutes)

The interview is now coming to a close…

- Before we finish, I just want to check whether you have any other comments you'd like to make on the subject of capturing data on disability in the school workforce?

Moderator to thank participant for their time and close the interview.

APPENDIX NOTES FOR MODERATOR:

SWC Description

The SWC is an annual data collection that takes place each autumn. The census collects data on all teaching and support staff in regular employment, including those working for:

Local authorities on central contracts

Local-authority-maintained schools

Academies

Free schools

Pupil Referral Units

The SWC predominantly focuses on administrative data such as the number of staff in each educational establishment. Part of the SWC includes collecting data on the characteristics of the workforce, this includes age, gender, working patterns, ethnicity and disability.

This is how the data on disability is currently collected for SWC….
YES Yes
NO No
NOBT Information not yet obtained
REFU Refuse

These are the current instructions for SWC

It is for schools to decide how best to collect this information and for staff themselves to decide whether they want to declare that they have a disability. It will be important to assure staff that the information they disclose will be handled sensitively and confidentially and used to improve opportunities and outcomes for them. 45,000 public bodies across Great Britain are covered by the Public Sector Equality Duty, which came into force under the Equality Act 2010.

(Below as FYI for moderator not to read out is the definition of disability used in the Equality Act)

You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities

What 'substantial' and 'long-term' mean
'Substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed. 'Long-term' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection.