

Employer toolkit

Supporting employees with epilepsy in the workplace

Recruitment – With references

Key points

- People with epilepsy can do most jobs
- It's up to the person when, and if, they tell you they have epilepsy
- During an interview, questions about health can only be asked if they are directly linked to an essential part of the job¹

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Recruiting someone with epilepsy

As for any recruitment decision, the decision to employ someone should be because you believe they are the best candidate for the job.

Employing someone with epilepsy can be an asset, because a diverse and inclusive workforce is beneficial for business. Research shows that hiring disabled people can have many advantages.² This includes improvements in productivity, cost-effectiveness, employee retention, reliability, and punctuality. There can also be competitive advantage from customer loyalty and satisfaction, profitability, a diverse workforce, and a positive company image.

“7.7 million working age people in the UK are disabled or have a health condition.”³

People have many skills and talents to bring to the workplace, regardless of any health conditions.

What the law says

Equality laws apply to all stages of the recruitment process from the job advert to the interview. By law, employers must not discriminate against people because of any health conditions they may have.⁴ However, if a disabled person and a non-disabled person both meet the job requirements, you can treat the disabled person more favourably.⁵

The Equality Act 2010 applies in England, Scotland and Wales. The Disability Discrimination Act 1995 applies in Northern Ireland.

Job advertising

Making a job accessible starts with the job advert and person specification.

Check that the person specification and skills and experience is clear about what is essential to the job. For example: travel might be an essential part of a job. If this is the case a person specification stating that a driving licence is essential could be indirect discrimination against people with epilepsy who cannot drive. Travel as part of a job may not make a driving licence essential.

Disclosing health conditions

People do not have to disclose health conditions when they are applying for jobs.⁶ However, you may ask for equality and diversity information, including asking about health conditions, confidentially, as part of equal opportunities monitoring. But you must not use this information in your selection process.⁷

There are very few jobs someone with epilepsy cannot do.

Job interviews

People might choose to tell you they have epilepsy before, or during a job interview. If someone has told you before interview that they have epilepsy, consider if reasonable adjustments might be needed for their interview. This might be things like extra time for doing an assessment activity or holding the interview at a time slot that makes travel by public transport easy to do.

“I would make sure that letters or emails inviting candidates to interview ask whether any reasonable adjustments are required. This should be a standard part of any interview/recruitment process for any candidate irrespective of whether you are aware of them having a disability.”

Ruth Carlin, Director, People Potential Group

During an interview, questions about health can only be asked if they are directly linked to an essential part of the job. For example, if the job involves lifting you could ask about a person's ability to do heavy lifting. If there are tasks required as part of a job where having epilepsy might pose a risk, that alone is not grounds to refuse a job offer. Doing a risk assessment and considering reasonable adjustments are the steps to take.⁸

What can employers ask about during recruitment?

Cherry from the Epilepsy Action Helpline talks about what employers can and can't ask about epilepsy during a recruitment process.

[Watch the video](#)

Case studies

Carl

"When I was invited to interview, I chose to tell them I have epilepsy. I explained my situation to the HR department and they were helpful. They asked about making reasonable adjustments for the interview.

"The interview was for a graduate scheme. The format on the day was a group interview with exercises and tests to complete during the day. Because I had always had extra time for exams they agreed to give me extra time to do the tasks on the day. This was reassuring for me."

Daniel

"I tell them about my epilepsy before interview. I do that because if I don't tell people and I have a seizure during the interview, they will think what's going on? And they won't be aware of what's happening. I wouldn't want to take the risk of having a seizure at interview and them not realising what was happening."

Finding out someone has epilepsy

It's up to the person when, and if, they tell you they have epilepsy.

A job applicant might voluntarily tell you they have epilepsy before a job interview or job offer. If this happens, acknowledge it and check if any reasonable adjustments might be needed for an interview. Be mindful that having a conversation about their epilepsy during a recruitment process, without good reason, could lead to discrimination. Do not make assumptions and do not use the information as part of the decision-making process.

People do not have to tell an employer about any disability. If having epilepsy is not going to affect the ability to do a job safely and effectively, people do not have to tell you. An example could be someone with well controlled epilepsy, or a person who only ever has sleep seizures.

There are usually advantages for people to be open about having epilepsy or other health conditions. The decision to tell an employer about having epilepsy can be difficult for some people. If they have had negative experiences in the past, they may be anxious about telling a potential employer.

To find out more go to:

[Reasonable adjustments](#)

[Supporting employees](#)

Disability Confident scheme

If your organisation has vacancies, actively appealing to disabled people can increase the number of applications. This can attract talent that you might otherwise miss. Organisations can choose to make it clear that they want disabled people to apply by signing up to the Disability Confident scheme.



Disability Confident is a government scheme. It encourages and supports employers to make the most of the talents disabled people can bring to the workplace.

The Disability Confident commitments are:⁹

1. Inclusive and accessible recruitment
2. Communicating vacancies
3. Offering an interview to disabled people
4. Providing reasonable adjustments
5. Supporting existing employees who develop a disability to stay in work

Job adverts that display the logo must guarantee an interview if people meet the essential criteria for the job.

For information about the scheme and how to sign up visit the .gov website:

[Disability Confident](#) – How to sign up to the employer scheme

More information

More information about how equality laws apply to recruitment:

[Equality and Human Rights Commission guide](#) - England, Scotland and Wales

[Equality Commission for Northern Ireland](#) - Northern Ireland

References

- ¹https://www.equalityhumanrights.com/sites/default/files/what_equality_law_means_for_you_as_an_employer_-_recruitment.pdf page 12 (Accessed online 20 November 2020)
- ² Lindsay, S., Cagliostro, E., Albarico, M., Mortaji, N., Karon, L., 2018. A Systematic Review of the Benefits of Hiring People with Disabilities. *Journal of Occupational Rehabilitation* 28, 634–655. <https://doi.org/10.1007/s10926-018-9756-z>
- ³ <https://www.gov.uk/government/publications/employing-disabled-people-and-people-with-health-conditions/employing-disabled-people-and-people-with-health-conditions> (Accessed online 20 November 2020)
- ⁴ <https://www.gov.uk/employer-preventing-discrimination/recruitment> (Accessed online 20 November 2020)
- ⁵ Government Equalities Office (2011) Equality Act 2010: What Do I Need To Know? A quick start guide to using positive action in recruitment and promotion, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/85014/positive-action-recruitment.pdf (Accessed online 15 February 2021)
- ⁶https://www.equalityhumanrights.com/sites/default/files/what_equality_law_means_for_you_as_an_employer_-_recruitment.pdf page 28 (Accessed online 20 November 2020)
- ⁷https://www.equalityhumanrights.com/sites/default/files/what_equality_law_means_for_you_as_an_employer_-_recruitment.pdf page 46 (Accessed online 20 November 2020)
- ⁸https://www.equalityhumanrights.com/sites/default/files/what_equality_law_means_for_you_as_an_employer_-_recruitment.pdf page 13 (Accessed online 20 November 2020)
- ⁹ <https://commonslibrary.parliament.uk/research-briefings/cbp-7540/> People with disabilities in employment – August 2020 (Accessed online 20 November 2020)

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