Testing Disabled People

Practical guidelines for fairer assessment

P S L

When dealing with a disabled candidate
what should always be borne in mind is
not the disability but the person involved.

Contents

Disabled people* represent an under-utilised section of the population with regard to employment.

Unemployment amongst disabled people wanting to work is much greater than for the general population and testing is often seen as a possible obstacle to employment both by employers and job applicants.

This document provides some guidelines on testing disabled people. These guidelines are based on three primary sources: the provisions of the Disability Discrimination Act (1995), the Disability Rights Commission's Code of Practice 'Employment and Occupation' (April 2004) and the current best practice approaches to testing recommended by PSL.

The intention of this document is to give advice with regard to testing disabled people both in terms of possible legal requirements and more practical considerations. Testing should not be an obstacle to employing disabled people and it is important to ensure that it is not so. Indeed, the Disability Discrimination Act (DDA) makes it unlawful to have a selection or other assessment procedure that might present such an obstacle.

* The preferred phrase of the British Council of Organisations of Disabled People and the Disability Discrimination Act.

Legal considerations

The Disability Discrimination Act 1995 (DDA) brought in measures to prevent discrimination against disabled people. It protects the rights of disabled people and the provisions of the Act make it unlawful to discriminate against disabled people in four main areas:

- employment
- access to goods, facilities and services
- the management, buying or renting of land or property
- education

The first of these areas (covered by Part 2 of the Act) became law in December 1996, the others being introduced over time. Part 2 of the Act states that disabled people should not be discriminated against in seeking employment or when actually in employment itself. Employers must comply with the duties set out in Part 2, as must others to whom those duties apply.

Legal Definition of Disability

Legally, it is said that you are disabled if you have a mental or physical impairment which has an adverse effect on your ability to carry out normal day-to-day activities. This adverse effect should be substantial and long-term (meaning that it has lasted for at least 12 months, or is likely to last for more than 12 months or for the rest of your life).

This definition covers anyone who has a disability of almost any kind, including those related to progressive conditions such as HIV/AIDS, multiple sclerosis and arthritis. Past disabilities are also covered as are disabilities which have affected the ability to carry out normal day-to-day activities but do not any more although they may in the future.

Day-to-day activities as defined in the Act involve at least one of the following areas:

- speech
- hearing
- eyesight
- mobility
- manual dexterity
- co-ordination
- continence
- ability to lift, carry or move everyday objects
- memory
- ability to concentrate, learn or understand
- understanding of the risk of physical danger

The Act indicates that any correction or treatment should not be taken into account, for example a person with a hearing impairment is still deemed to be a disabled person even if the use of a hearing aid enables them to hear adequately.

The only exceptions are glasses and contact lenses, for example a short-sighted person is not deemed to be a disabled person even though they are likely to need corrective lenses to enable them to see adequately.

Provisions of the Disability Discrimination Act (DDA)

The Act makes it unlawful for an employer to discriminate against a disabled person in relation to the recruitment and retention of staff.

The Act does not prevent employers from appointing the best person for the job; the best or most suitable person should be appointed regardless of whether they are disabled or not disabled. However it is does not prevent employers from treating disabled people more favourably than those who are not disabled.

Legal discrimination as defined by Part 2 of the Act falls into four distinct areas:

Direct discrimination
The disabled person is treated less favourably than a person not having that particular disability on the grounds of their disability.

Such discrimination must be determined by comparing the employer's treatment of a disabled person with that of a person without the disability in question but whose circumstances are the same.

Failure to make reasonable adjustments
The duty to make reasonable adjustments arises where a provision, criterion or practice applied by or on behalf of the employer, or any physical feature of the employer's premises substantially disadvantages a disabled person. What constitutes reasonable adjustments in terms of assessment and testing will be explained later in this document.

'Disability-related discrimination'
This is similar to direct discrimination but where the less favourable treatment relates to the disability but is not the disability itself.

Such discrimination must be determined by directly comparing the employer's treatment of a disabled person with that of a person to whom the disability-related reason does not apply.

Victimisation of a person
This is less favourable treatment of a person because they have brought, or given evidence or information in connection with, proceedings under the Act (or is believed or suspected to have done so). This applies whether the person involved is disabled or not.

One point not mentioned thus far is the issue of justification. If the less favourable treatment referred to in Direct discrimination and 'Disability-related discrimination' can be justified as being essential to the job, then such treatment is not unlawful.

For example, a blind candidate's application for the post of Trainee Electrical Engineer is unsuccessful due to the fact that her stated disability would mean that she could not carry out many of the major functions of

the job. Despite the fact that she has been treated less favourably due to her disability, such treatment is not unlawful.

A candidate with a pronounced stammer applying for the post of Call Centre Telephone Operative is unsuccessful due, in part, to the fact that his stated disability would mean that he could not carry out many of the major functions of the job. Unlike the previous example, it is possible that certain speech impaired candidates could do the job; in this case the level of speech impairment is important. Nevertheless despite the fact that he has been treated less favourably due to his disability, such treatment is unlikely to be unlawful.

In each of these cases, it is unlikely that there would be blind applicants for the Electrical post or speech impaired applicants for the Call Centre post. However if the blind candidate had applied for the Call Centre post and the candidate with the stammer had applied for the Electrical post, any unfavourable treatment due to their stated disability is likely to be unlawful.

Disability Rights Commission – Code of Practice

The Disability Rights Commission Act 1999 led to the establishment of the Disability Rights Commission (DRC) in April 2000. The DRC is a statutory body whose duties were set out as follows:

- To help eliminate discrimination against disabled people

- To promote equal opportunities for disabled people

- To encourage best practice in the treatment of disabled people

- To advise the Government on the working of disability legislation

With these duties in mind, the DRC has been working on producing new codes of practice with regard to most aspects of the original DDA.

One of the first produced is the Code of Practice on Employment and Occupation. This code of practice takes into account changes in the DDA and judicial interpretations of the original act since it came into force in 1996. It also considers the provisions of an EU Council Directive of 2000. In making these legislative changes, Parliament has also signalled the need to progress the reform agenda on the employment of disabled people by increasing the level of protection available.

Written in April 2004, the Code of Practice sets out the general understanding of the law as it applies from October 2004 onwards. It provides many practical examples of lawful and unlawful practice as well as providing an insight into what would be considered 'best practice'.

Implications for testing

The DDA and the new Code of Practice have major implications for occupational testing as they do for most aspects of selection and assessment. When occupational tests are used as part of a selection process they must be free of requirements that might place a disabled person at a substantial disadvantage. The only exception to this is where those requirements can be justified. Justification of a requirement is not simply about proving that the skill or attribute being tested is essential for the job. It must also be proved that the disabled person could not meet the job criterion by way of a 'reasonable adjustment' being made either to the selection procedure or to the job itself.

The most important implication is that the complete selection process needs to be mindful of the rights of disabled people especially the concept of reasonable adjustment.

The first issue is the establishment of appropriate role descriptions. Normal job analysis methods will help with their establishment but some extra consideration needs to be given to what reasonable adjustments could be made to the working environment to enable a wider range of people (specifically including disabled people) to apply for and carry out the requirements of the role efficiently and effectively.

Having established the role descriptions, consideration should be given to ensure that disabled people are not disadvantaged in applying for the role or taking part in the selection process itself.

Where tests are being used, it is important to ensure that the test assesses skills and attributes relevant to the job itself. This is true whether the applicant is disabled or not disabled. Tests should be part of the selection process and not the selection process itself so it is essential that different types of information from different sources are utilised in making selection decisions.

The use of tests is always lawful as long as their use can be justified. However some tests do not lend themselves to assessing certain disabled candidates appropriately, for example, a spatial reasoning test for a candidate with a visual impairment. If such candidates are required to take these tests reasonable adjustment must be made to the test conditions (including the time given to complete the test) and/or to the tests themselves. Any changes to the tests must be done in consultation with the test publishers and it may be stated by such publishers that modification of the tests may be inappropriate. If this is the case, PSL would tend to advocate the guaranteed interview scheme which guarantees an interview to disabled applicants who met the essential criteria for a post.

Modifications to the psychometric test administration, timing and scoring can be made and specific examples will be given later in this document.

Initial contact with the candidate

There are certain issues that must always be borne in mind when selecting people for a post particularly with regard to disabled applicants.

The issue of 'reasonable adjustment' becomes important in terms of the performance of the role itself, the recruitment criteria established for selection and the selection process itself.

Can 'reasonable adjustment' be made to ensure that disabled applicants are not unlawfully disadvantaged? This question should be considered at all points in the selection process particularly when candidates start to apply for the post itself.

Advertisement

It is good practice to consider what information should be included in advertisements with regard to possible disabled applicants. Many suitable disabled people may be discouraged from some posts because of the use of certain language or the complete absence of references to disabled people in advertisements or company literature. In cases where organisations have identified a lack of disabled applicants or indeed a lack of disabled employees within their organisation, it is normally lawful for an employer to advertise a post as being open to disabled people only. However there is no requirement that a disabled applicant should be treated more favourably than a non-disabled applicant aside from the duty to make 'reasonable adjustment'.

If tests are being used, it is best practice to include some reference to the fact that testing is used in correspondence resulting from the initial application (i.e. candidates requesting application forms or requesting more information

would be informed). Reference should also be made to the fact that 'reasonable adjustment' will be made for applicants who consider themselves to have a disability.

Application forms

Employers should provide application forms and information about a post in a format that is accessible to a disabled applicant, particularly if this information can be provided with little extra effort. Accessible formats include websites accessible to disabled people who use particular software on their computers (e.g. screen readers), e-mails, large print, Braille, audio tape, floppy disc or CD ROM). Where applications are invited by completing and returning an online application form this should be accessible to disabled people or an accessible alternative should be provided. Nevertheless online application forms are likely to be more accessible to disabled people than paper-and-pencil ones.

There is no legal requirement to pre-empt the accessible formats required i.e. application forms do not have to be provided in different accessible formats before any disabled person has applied. However it is best practice to have or have considered different accessible formats in advance. As previously suggested, it is likely to be a reasonable adjustment to provide accessible formats on request from disabled candidates or their agents, and failure to do so would be unlawful.

It is also likely to be a reasonable adjustment for an employer to accept applications in different formats as long as they contain the necessary information. For example, a disabled candidate might provide biographical information on audio tape rather than on a written application form. Again, failure to accept such an application would be unlawful.

Arranging the assessment day

An employer is not required to make changes in anticipation of applications from disabled people. It is only if the employer knows or could be reasonably expected to know that a particular disabled person (e.g. a current employee) is applying and is likely to be disadvantaged by the arrangements made, that the employer may have to make changes.

A reasonable adjustment used by many employers is a guaranteed interview scheme for disabled candidates who meet the essential criteria for the post. In such cases, the employer exempts the disabled candidate from parts of the process such as psychometric testing on the basis that adjustments to the tests used (be it in terms of format, timing and scoring) are not easily done or are likely to be unsatisfactory. The major point to bear in mind relates to whether the disabled candidate is being disadvantaged in a way that might be viewed as unlawful. It is for these and many related reasons that PSL generally advocates the use of a guaranteed interview scheme, especially with selection processes which include timed tests and online testing in general.

The adjustments required to tests or testing procedures in order to make them more accessible may often change the nature of the tasks and the nature of the skills tested. Consider the following example.

In-tray exercises, as commonly used as part of managerial and graduate selection, tend to require lots of reading and the use of organisational charts, calendars and timetables. Such materials could be provided in Braille for a blind candidate although this is likely to result in dealing with many more pages than usual, information being presented in a more complex format and possibly a specific unit of information such as an organisational chart being spread over a series of pages rather than a single page. There is also the ability of the blind candidate to read Braille quickly and accurately. Some more skilled Braille readers can skim words quickly or read a line from the right and left at the same time; others need to read Braille letter by letter. Many blind applicants will not be able to read Braille at all, indeed it is estimated that fewer than 3% of UK blind or partially sighted people can read Braille proficiently. The original task has become compounded with the individual's ability to read Braille, remember spatial relationships and manipulate more pages. The in-tray exercise could be changed, as could the time given. However these changes change the nature of the task itself. Hence the in-tray exercise could be said to be a different, more difficult task than for non-disabled candidates.

The best people to help assess what adjustments might be suitable are the disabled applicants themselves. Applicants should be given the opportunity to indicate any effects that their disability is likely to have on their performance during the selection process and what adjustments might be reasonably made to ensure that they are not being disadvantaged.

However, the lack of such an indication does not mean that no adjustment needs to be made. If a disabled applicant turned up for testing or interview and was substantially disadvantaged because of the arrangements, the employer is likely to be required to make reasonable adjustments from the time that they first learn of the applicant's disability.

Meeting a disabled candidate

When dealing with a disabled candidate what should always be borne in mind is not the disability but the person involved. Many employers, both consciously and unconsciously, view disabled candidates as problems that need to be dealt with and not as valuable sources of skilled and dedicated labour.

Much of the uneasiness is related to a lack of awareness of or information about disability and often a tendency to concentrate on what people cannot do (or cannot do in the same way as people without that disability) rather than the things that they can do.

Once disabled candidates have been invited to an assessment event (possibly involving testing), one of the most important points is to put the candidates at their ease; this is true of disabled and non-disabled candidates alike.

Disabled candidates are more likely to have experienced discrimination and may feel more anxious about assessment procedures. They are also likely to have less experience of applying for jobs which may add to their anxiety. What has to be reiterated is that what is being assessed is the candidate's ability to do the job and not their disability.

One of the most stressful scenarios can involve travelling to the assessment event itself. Disabled candidates will often need to prepare their journey more meticulously than non-disabled candidates. Disabled candidates should be asked what assistance might sensibly be given to aid them in reaching and accessing the location for the assessment event.

When talking to disabled candidates face-to-face there are a few points of general etiquette to bear in mind.

- Talk to the candidates themselves and not their interpreters or companions. For example, with deaf candidates who are accompanied by BSL (British Sign Language) interpreters, people often direct their bodies towards the interpreters and speak to the interpreters rather than the candidates.

- Offer assistance but do not assume that candidates need it; wait until it is accepted or rejected.

- Talk to disabled candidates in the same way as to any other candidates. Disabled people often feel they are being patronised; blind people often recount being spoken to in a very slow and deliberate manner by people who do not normally speak that way or being virtually shouted at.

  - Talk to candidates with a speech difficulty as you would to anyone else but be more aware of cues which indicate that they would like to speak. Make sure that you let them finish what they are saying and avoid any temptation to finish sentences for them.

  - Talk to candidates with a hearing difficulty in a clear and deliberate manner. Make sure that you are looking directly at them and avoid turning your back or covering your mouth. Try to avoid being self-conscious when they seem to be staring at you – they are trying to 'hear' what you might be saying. Also, be prepared to provide written explanations if required.

  - When addressing blind or partially-sighted candidates make sure that you introduce yourself and any others present, and inform the candidates what is going to happen. You might give a general description of the layout of rooms being used and make sure that other people entering those rooms introduce themselves.

Meeting a disabled candidate (continued)

- When addressing disabled candidates with motor difficulties (mobility, manual dexterity or co-ordination), you may find it easier to talk to a candidate who uses a wheelchair when sitting down rather than standing up but try to avoid 'hunkering' down.

- When addressing disabled candidates with learning difficulties, be as clear as you can. Explain things slowly, offering to explain things again and making sure that the candidates understand what you have said. Offer to write things down if necessary and avoid any jargon or technical phrases.

- Do not be concerned about the use of normal day-to-day phrases, such as 'I see what you mean' to a blind person or 'I hear what you are saying' to a deaf person.

- Avoid making assumptions about the disabilities that candidates have and remember that many disabilities are not immediately visible.

Despite the specific points made above, disabled candidates should not be considered a homogenous group. Candidates with the same type of disability can and do differ greatly. The best people to ask for information about the implications of a disability are the disabled candidates themselves and before planning an assessment event which may (or does) include a disabled candidate, you should give the person an idea of what the assessment event involves and ask the person what they might need (much of which they may have themselves).

Test administration and specific disabilities

The following section looks at some particular modifications and adjustments that might reasonably be made to tests and test conditions. This section is divided into six areas, grouped by nature of disability; this is for the sake of convenience and is not to suggest that the candidates should be grouped in such a fashion.

Candidates with visual disabilities

The use of the words 'blind' and 'partially-sighted' covers a wide range of visual impairment, and it should not be assumed that a candidate with a visual impairment has no sight at all. This is why it is essential to contact candidates before the testing sessions, ascertaining how they prefer to communicate and what adjustments might be made.

Many 'blind' candidates are likely to have some sight or see certain things but not others. Lighting tends to be a vital issue so rooms with insufficient, patchy or uneven lighting should be avoided – this is true of testing conditions in general. Large print versions of tests might be sufficient in some cases but consideration needs to be given to the answer sheet as well. Many 'partially-sighted' candidates may use magnifiers or may prefer to use materials scanned into a computer (please check with the publisher before scanning tests) and reading from a magnified or otherwise adjusted computer screen.

Braille versions of tests are available from some publishers but it should be remembered that many candidates with a visual impairment will have little or no proficiency in Braille. Other formats for tests might include audio versions such as audio tape, computer simulated speech or amanuensis (when someone reads out the test to the candidate and writes down the answers for them). It should be noted that all of these methods are likely to require more time for the test both for the candidate and the administrator. It should also be noted that questionnaires administered by amanuensis may result in slightly different responses than those administered using computer simulated speech. This is due to the tendency of candidates in general to moderate self-perceived extreme choices and to present themselves more favourably when dealing with an administrator face-to-face.

The use of large print or other mechanically magnified versions also is likely to have an impact on the time given to take the test and the times for completion and administration need to be adjusted accordingly.

Candidates with hearing disabilities

For most written tests, little or no adjustment to the test itself is required for candidates with a hearing impairment. The major issue tends to surround the test administration. Many but not all candidates with hearing disabilities can lip read so it should not be assumed that an interpreter is not required. Check with the candidate as to whether they would like to have an interpreter present and whether they need the test instructions 'signed' by an interpreter. Good written instructions may suffice but if candidates feel that they are being disadvantaged (and probably are being disadvantaged), any decisions based on the results of such a test are likely to be seen as discriminatory and therefore unlawful.

If testing a candidate with a hearing disability in a group of candidates, ensure that this candidate is in a position with an unobscured view of the administrator (possibly at the front) and if an interpreter is present make sure that they are adjacent to the candidate. If possible, administration should be conducted on a one-to-one basis.

During the administration, look directly at the candidate and not (if present) at the interpreter.

The usual considerations need to be made with regard to working through the examples and questions from the candidate. Deaf candidates may be able to lip read very well but not speak relatively fluently and therefore the administrator may need to provide paper to a deaf candidate for them to write down questions. The administrator should also be prepared to write questions down or provide written explanations as required.

Some forms of assessment are unsuitable for candidates with a hearing disability. Group exercises (whilst not impossible) are likely to be very problematic to a candidate with a hearing disability (identifying who is speaking, what is being said, contributing themselves). Role plays and presentation exercises are also problematic due to the fact that many candidates with a hearing disability may have difficulties with oral communication. Another issue to bear in mind is that many candidates with a hearing impairment, especially people who are deaf from birth, may often have British Sign Language (BSL) as their first language and whilst they may lip read English proficiently, English is in fact their second language.

Candidates with a motor impairment

The major issue for testing candidates with a motor impairment is ensuring that they can access the buildings, rooms and materials involved. The candidate should be asked what equipment and access they will need. Rooms may need to be able to accommodate wheelchairs or additional supporting people; the heights or angles of tables, desks and chairs might need adjusting. The candidates may use specialised equipment or computer programs themselves so power points, computers and web access may be required. For example, whilst many candidates may have no problem reading a written test, they may be unable to turn the pages of a booklet. In most cases, such candidates are likely to have their own devices for turning a page.

An easy and usual adjustment tends to be to the answer sheet. Many candidates with a motor impairment would find it impossible to fill in a small circle as required on most answer sheets so other ways of indicating the answer may be required e.g. using a computer or specialised equipment, or providing the answers orally and getting someone else (possibly the administrator) to complete the answer sheet for them. The time taken to answer is likely to be affected by the method of response so adjustments to the time allowed should be made. The administrator should also be aware of issues of fatigue; very long tests and very long test sessions should be avoided.

Candidates with dyslexia

Candidates with dyslexia can be characterised as having difficulty with words and language, and often difficulty with organising and planning. They may have differences in the brain area that deals with language, differences which affect the skills needed for learning to read, write and spell. About 4% of the UK population are severely dyslexic with a further 6% having moderate or mild difficulties and as such, people with dyslexia represent the biggest group of disabled candidates.

People with dyslexia may have advantages over others in terms of their ability to think innovatively and creatively. These tend to play little part in most ability tests where the answers are given in a pre-determined multiple-choice format and have specific and exact administration instructions and timings. Most written tests represent a major challenge for many candidates with dyslexia due to the amount of reading required and the need to work in a speedy and highly accurate fashion.

Candidates with dyslexia tend to have some difficulty with the test instructions.

They find it easier to follow instructions if they are being read out by an administrator rather than just being presented in written format. They may need more support with the instructions especially with the examples but difficulty with the examples should not be seen as an indicator of poor performance on the test itself. Therefore it is important to ensure that opportunity to complete examples is given and that tests which require an administrator to read out the instructions fully are used.

The usual reasonable adjustment made for candidates with dyslexia regards the time allowed for the assessment. Ask candidates what extra time they received for GCSEs, Highers or A Levels and apply this proportionally to the test they need to take. Note how far the candidate has progressed through the test after the normal full time for the test. Check the accuracy of their responses during that time (what percentage of the questions attempted did they get right) and do the same at the end of the extra time given. This accuracy measure may prove to be a better measure of their ability as it is likely to be less affected by speed.

If more than one test is being administered to a candidate with dyslexia, try giving the least time sensitive test first. When testing graduates and managers this is likely to be a verbal reasoning test. Tell the candidate that they will receive extra time but ask them to stop after the normal full time given for the test. Check how far they get through the test in the time given and work out how long it takes them to complete a single item. Multiple this by the number of items in the test and this will give the total time that should be allowed. If they have completed half of the test items, they should be allowed 100% extra time on the test; if they have completed two-thirds, they

should be allowed 50% extra time on the test. This is often the best strategy for establishing how much extra time to give. With subsequent tests, the extra time allowed should be the same as for the verbal test.

Candidates with a speech impairment

For most tests, little or no adjustment is required for candidates with a speech impairment. One consideration is the fact that candidates with a speech impairment are less likely to ask questions during the administration session. Test administrators might specifically ask such candidates on a one-to-one basis if they have any questions rather than expecting them to respond in a group situation.

Candidates with a learning disability

Many employees would not test candidates with a learning disability (or disabilities). The most important consideration in testing such candidates is to ensure that they understand what they are being asked to do. Use existing test administration instructions but be prepared to explain things as many times as necessary and ensure that candidates are fully aware of the need to work quickly and accurately. It is more appropriate to test such candidates on an individual basis rather than as part of a group administration. Nevertheless PSL would recommend that candidates with a learning disability are not tested in general due to the fact that the test may be assessing their disability (which is likely to be unlawful).

Scoring and interpretation

The majority of the concepts behind psychometric testing involve the use of standardised methods and procedures. These include the nature of the task that candidates undertake (i.e. candidates complete the same task), the conditions under which the candidates take the test/questionnaire (i.e. the materials, the instructions, the time allowed, the methods of response), the way in which the test/questionnaire is scored and the system by which these scores are interpreted.

Aptitude and Ability Tests

Once tests have been modified for disabled candidates, the interpretation of scores becomes difficult. Some of the basic 'rules' of standardisation have been breached and this has some knock-on effects. The test can be scored as usual but the interpretation of the scores can be problematic due to the apparent lack of an appropriate norm group. A norm group composed of disabled candidates would not be appropriate due the fact that the candidates are likely to have a variety of different disabilities or that their disabilities may affect performance on the test in a variety of ways. The best norm group for comparison is the one most suitable to the post, not to the candidate involved (this is true of testing in general).

As most ability and aptitude test scores are based on the number of correct answers, disabled candidates can have standardised scores which are much lower than average often due to their speed. The amount of error in this score is likely to be much greater than usual so two SEMs rather than the usual one SEM might be used.

Another way of looking at the performance is to look at how accurate the disabled candidates have been – what percentage of the attempted questions have they answered correctly. This is possibly a better indicator of performance for candidates who may consider themselves to be dyslexic although an alternative strategy for candidates with dyslexia has been described earlier.

The most important consideration should be whether the disabled candidate has shown a level of performance which indicates suitability for the post rather than a direct comparison with other candidates who do not consider themselves to have a disability. This may mean 'passing' disabled candidates who fall below a 'cut-off' or considering disabled candidates who rank below non disabled candidates on the basis of their test results. There is a need for greater flexibility in interpreting the significance of the obtained scores and such scores should not be used as the sole arbiters of a candidate's suitability. This more flexible (possibly more lenient) approach to interpreting scores is not unlawful especially when supporting information of ability from other sources is considered.

Personality Questionnaires

Many employers shy away from using personality questionnaires with disabled candidates if they have exempted them from the ability tests. Even candidates whose disability may relate to personality or brain-function disorders can be asked to complete personality questionnaires. Only where their disability relates directly to test taking or is likely to disadvantage them due to their disability should personality questionnaires be avoided (as this would be unlawful).

The observations made above pertaining to timed aptitude and ability tests are not necessarily true of questionnaires. A direct comparison with a suitable existing norm group, the same method of scoring and the same type of interpretation as for non disabled candidates is appropriate. In interpreting the results, the fact that the candidates involved are disabled need not be borne in mind (unless their disability is specifically personality-related).

In fact, as timing is not an issue, personality questionnaires actually lend themselves more easily to adjustment for disabled candidates than ability tests.

Feedback to Candidates

The guidance with regard to feedback tends to be the same as that surrounding the testing itself. Feedback should be accessible to all and the results presented in the way in which they are being interpreted by the employer. If written feedback is made available to candidates, a reasonable alternative format should be provided for candidates with a visual impairment (telephone feedback being the best alternative).

The usual considerations should be given with regard to personality questionnaire feedback, especially with regard to oral feedback. Oral feedback of a personality questionnaire is likely to include informing the candidate of the findings, validating and checking the findings with the candidate, gathering extra information which pertains to the post or scenario and ensuring that the process has been a positive one for the candidate.

If such feedback is being provided to a candidate with a hearing impairment, check with the candidate if they can lip read or may need an interpreter. As mentioned previously, the candidate tends to be the best judge of what adjustments might be easily or might need to be made.

The Web and online testing

The attraction of the Web

The internet can be an extremely effective medium for providing large amounts of information to large numbers of people with a minimum of effort on the part of the person or organisation supplying the information.

Major changes in technology and general access to the Web have allowed test publishers and developers to produce tests just for the Internet. PSL has been at the forefront of internet testing and assessment since 1999 and over 1.5 million candidates have completed online assessments with PSL since then.

The advantages of internet testing (usually known as online testing) include:

- the ease of access for the candidates (candidates can take the tests in their own time, on their own PCs without the need for travelling to an employer's premises – this last point is very important for disabled candidates).

- scalability (lots of people can be tested simultaneously).

- speed (tests can be administered, scored, reported and results acted on quickly and efficiently).

- resources and costs (rooms and staff are not needed for test administration, no travel expenses).

- integration with Applicant Tracking Software (results can be automatically integrated into candidate databases holding other relevant information from other sources).

Issues with internet testing

The advantages to those accessing the information provided on the Web tend to relate to the ease with which large amounts of information can be sourced. However this ease of access is not always the case for applicants with disabilities, and it is for this reason that in recent times a number of organisations have provided guidelines to ensure that information provided via the web is accessible to those with disabilities.

- The World Wide Web Consortium (W3C), an organisation which sets the best practice standards for the Web jointly run by the Laboratory for Computer Science (LCS) at Massachusetts Institute of Technology (MIT) in the USA, the National Institute for Research in Computer Science and Control (INRIA) in France and Keio University in Japan, have developed an initiative which addresses web accessibility.

- W3C's Web Accessibility Initiative (WAI) is sponsored by a wide range of organisations including the US Department of Education's National Institute on Disability and Rehabilitation Research; the European Commission's Information Society Technologies Programme; The Government of Canada; IBM; Lotus Development Corporation and Microsoft Corporation. Given the importance of the Internet, access is vital for people with disabilities. Enormous amounts of relevant information about what to avoid and what to include on websites is available from the W3C website at www.w3.org/WAI.

Such guidelines are being adopted to an ever greater extent by a number of organisations in an attempt to ensure that their websites are as accessible as possible to people with disabilities.

However, accessibility guidelines are often difficult to enforce in the context of an internet assessment and testing paradigm. This is because internet testing is an inherently different way of utilising the capabilities of the Web.

Whilst a typical internet site might be focused on the provision of information, an online testing site is focused on the elicitation of information in a way that is as analogous as possible to a paper and pencil testing environment. To enable this to happen it is necessary to control the applicant experience in a way that makes it virtually impossible for many applicants with disabilities to complete a test without the test provider adapting the testing process.

The need for control of the candidate experience is magnified by the fact that when aptitude tests are administered via the internet they are often administered in an un-proctored (uninvigilated) situation. Thus features have to be designed into the online testing engine that prevent candidates from tampering with the assessment by, for example, resetting a test timer. Such security features often make it very difficult for tests to work effectively with a number of third party accessibility software solutions that are available.

Below are listed some of the typical issues that are faced by disabled candidates when they attempt to complete timed assessments via the Web.

Candidates with visual impairments

Many blind people use screen readers to access the internet, software which reads text on a screen and outputs that text to a speech synthesiser or refreshable Braille display. Others may use text-based browsers such as Lynx and have developed a range of strategies such as tabbing through the headings or links on Web pages rather than reading each word in sequence.

Partially-sighted people tend to use screen magnifiers and enhancers often displaying the Web pages on extra large monitors. They may also prefer to use very large font sizes (24 point) and highly contrasting colours (such as yellow on black).

Difficulties that candidates with a visual impairment may come across include:

- complex images (such as charts and graphs) that are provided as pictures or not described in text;
- tables that are not marked up clearly with column and row headers;
- video images that are not described in text or audio;
- forms that cannot be tabbed through in a logical sequence;
- Macromedia Flash or Java Applet presentations with no text alternative;
- the use of document formats which can not easily be read by a screen reader;
- web pages which are difficult to navigate due to loss of context when enlarged;
- web pages with fixed font sizes not easily changed; and
- web pages with poorly contrasting colours.

With psychometric tests, the fonts and colours used tend to be an integral part of the test construction. With online tests, the pages used tend to have fixed fonts, font sizes and colours, and candidates do not have the permissions to change these. Also because of the methods used to present information whilst controlling candidate behaviour, many are not readable by text browsers or screen readers.

Difficulties that may be encountered on the Web include:

- audio content with no captions or transcripts; and
- voice activated input being required.

Many candidates with hearing disabilities find using the Web easier when taking tests. The written test instructions on online tests tend to be more detailed than the normal paper and pencil versions (due to the fact that no administrator is there to clarify issues). By contrast, this may sometimes slow comprehension for people whose first language is BSL instead of standard written/spoken European English.

Candidates with a motor impairment

To use the Web, people with motor disabilities affecting the hands or arms may use a specialised mouse; a special keyboard with a layout that matches their range of hand motion; a pointing device such as a head-pointer or mouth-stick or eye-gaze system; and voice-recognition software.

Difficulties that may be encountered on the Web include:

- time-limited response options;
- forms that cannot be tabbed through in a logical order; and
- browsers and websites that do not support keyboard alternatives for mouse commands.

The major issues here relate to timed online tests. Candidates are likely to take much longer to complete the test due to their disability. Also, to control candidate behaviour during the tests many online tests require the use of a mouse with no keyboard alternatives.

Candidates with hearing disabilities

Unless the tests involve some audio elements, online tests are always likely to be suitable for such candidates.

Candidates with dyslexia

Online testing presents much the same challenge as other forms of testing for candidates with dyslexia. Candidates with dyslexia tend to rely on getting information through a variety of sources at the same time. Some candidates with pronounced dyslexia may prefer to use a screen reader plus synthesised speech; this will enhance what they are reading by hearing the text being read.

Difficulties that may be encountered on the Web include:

- lack of alternatives to written text; and

- distracting or irrelevant video and audio elements which cannot be turned off.

As for many disabled candidates, the timed nature of many ability tests is a major issue. Required adjustments to time are more easily made with paper and pencil tests on a face-to-face basis; a strategy for working out a possible time adjustment was mentioned earlier in this document.

Solution options

A number of solutions can be offered to the issues presented above.

For example, it is possible that an online testing system can be used which allows the administrator to control the time allocated to a given applicant, in much the same way as the time could be adapted for a paper and pencil test. It is also possible that versions of a test can be designed which forego many of the candidate control mechanisms in favour of an approach offering accessibility.

However, in doing so the majority of the standardisation within testing may be compromised, thus reducing the reliability of the results received.

The test administrator needs to ask him or herself whether or not the adaptations needed to make an internet delivered test accessible for a given individual with a given disability outweigh the benefits that accrue from using an online test for that individual. For example, most of the advantages associated with online testing involve the reduction of time and cost for the employer, with a minimal reduction in the confidence which can be placed in the results.

On balance, PSL do not advocate the use of online tests with most disabled candidates. In actual fact many of the tests do not lend themselves well to adaptation or modification both in terms of content and method of administration. However, failure to make adjustments would be unlawful.

There are two recommended solutions. One option is to require a disabled candidate to take a paper and pencil, rather than online, test. Offline tests can generally be adapted much more easily than online ones. Most publishers will make an alternative version of the tests available but as previously mentioned these are approximations and may still disadvantage disabled candidates. The second option is to ensure that disabled candidates are not disadvantaged by using a guaranteed interview scheme thereby exempting disabled candidates from taking any psychometric tests, either offline or online.

Useful information

The following section contains some contact details (names, addresses, websites, email contact) for a wide variety of organisations involved in providing information about the rights of disabled people. It also contains the details of organisations involving in providing information about specific disabilities and providing practical assistance to disabled people. We have also provided some links to particularly useful documents.

General disability contact details

AbilityNet
PO Box 94
Warwick
CV34 5WS
Tel: 0800 269 545
Website: www.abilitynet.org.uk
(There is a range of centres across the UK)

Association of Disabled Professionals
BCM ADP
London
WC1N 3XX
Tel: 020 8778 5008
Email: AssDissProf@aol.com
Web: www.adp.org.uk

Disability
Disability Unit
Department for Work and Pensions
Level 6, Adelphi
1-11 John Adam Street
London
WC2N 6HT
Tel: 0800 882200
Textphone: 0800 243355
Email: feedback-disability@dwp.gsi.gov.uk
Website: www.disability.org.uk

DEAC – Disability Employment Advisory Committee
Department for Work and Pensions
DEAC Secretariat
Room N809
Moorfoot
Sheffield
S1 4PQ
Tel: 0114 267 7242
Website: www.deac.org.uk

Disability Rights Commission (DRC)
DRC Helpline
FREEPOST MID02164
Stratford Upon Avon
CV37 9BR
Tel: 08457 622 633
Textphone: 08457 622 644
Website: www.drc-gb.org
(A number of email addresses are available from the website)

Employers' Forum on Disability
Nutmeg House
60 Gainsford Street
London
SE1 2NY
Tel: 020 7403 3020
Minicom: 020 7403 0404
Email: website.enquiries@employers-forum.co.uk
Website: www.employers-forum.co.uk

PSL – Psychometric Services Limited
Hygeia Building
66-68 College Road
Harrow
HA1 1BE
Tel: 0208 585 2345
Email: info@psl.com
Website: www.psl.com

RADAR – The Royal Association for Disability and Rehabilitation
Head Office
12 City Forum
250 City Road
London
EC1V 8AF
Tel: 020 7250 3222
Minicom: 020 7250 4119
Email: radar@radar.org.uk
Website: www.radar.org.uk

Remploy Interwork
Stonecourt
Siskin Drive
Coventry
CV3 4FJ
Tel: 0845 8452211
Minicom: 0845 6009228
Email: interwork@remploy.co.uk
Website: www.remploy.com

Skill: National Bureau for Students with Disabilities
Head Office
Chapter House
18-20 Crucifix Lane
London
SE1 3JW
Tel/Minicom: 020 7450 0620
Email: skill@skill.org.uk or info@skill.org.uk
Website: www.skill.org.uk

General disability document links

Disability Discrimination Act (1995)
http://www.legislation.hmso.gov.uk/acts/acts1995/1995050.htm

Disability Rights Commission (1999)
http://www.legislation.hmso.gov.uk/acts/acts1999/19990017.htm

DRC Code of Practice – Employment and Occupation
http://www.drc-gb.org/Uploaded_files/documents/Employment%20Code%20-%20final%20draft.doc

DRC Code of Practice – Employment and Occupation (Consultation Document)
http://www.drc-gb.org/Uploaded_files/documents/DRC%20Final%20Draft%20Consultation%20Report%20-%20Employment%20Code.doc

DRC – Attitudes and Awareness Survey (2003)
http://www.drc-gb.org/uploaded_files/documents/10_518_ResearchSummary2003attitudesawarenesssurvey.doc

Specific disability contact details

Arthritis Care
18 Stephenson Way
London
NW1 2HD
Tel: 020 7380 6500
Email: enquiries@arthritiscare.org.uk
Website: www.arthritiscare.org.uk

The National Autistic Society
393 City Road
London EC1V 1NG
Tel: 020 7833 2299
Email: nas@nas.org.uk
Website: www.nas.org.uk

RNIB – Royal National Institute for the Blind
105 Judd Street
London
WC1H 9NE
Tel: 020 7388 1266
Email: helpline@rnib.org.uk
Website: www.rnib.org.uk

Blind in Business
Wingate Annexe
St. Alphage House
2 Fore Street
London
EC2Y 5DA
Tel: 020 7588 1885
Email: info@blindinbusiness.org.uk
Website: www.blindinbusiness.org.uk

Headway - The Brain Injury Association
4 King Edward Court
King Edward Street
Nottingham
NG1 1EW
Tel: 0115 924 0800
Email: helpline@headway.org.uk
Website: www.headway.org.uk

SCOPE - Cerebral Palsy Helpline
PO Box 833
Milton Keynes
MK12 5NY
Tel: 0808 800 3333
Email: cphelpline@scope.org.uk
Website: www.scope.org.uk

Cystic Fibrosis Trust
11 London Road
Bromley
Kent
BR1 1BY
Tel: 020 8464 7211
Website: www.cftrust.org.uk

RNID – Royal National Institute for Deaf People
19-23 Featherstone Street
London
EC1Y 8SL
Tel: 0808 808 0123
Textphone: 0808 808 9000
Email: informationline@rnid.org.uk
Website: www.rnid.org.uk

Sense – The National Deafblind and Rubella Association
11-13 Clifton Terrace
Finsbury Park
London
N4 3SR
Tel: 020 7272 7774
Textphone: 020 7272 9648
Email: enquiries@sense.org.uk
Website: www.sense.org.uk

Diabetes UK
10 Parkway
London
NW1 7AA
Tel: 020 7424 1000
Email: info@diabetes.org.uk
Website: www.diabetes.org.uk

BDA - British Dyslexia Association
98 London Road
Reading
RG1 5AU
Tel: 0118 966 2677
Email: admin@bda-dyslexia.demon.co.uk
Website: www.bda-dyslexia.org.uk

Epilepsy Action
New Anstey House
Gate Way Drive
Yeadon
LEEDS
LS19 7XY
Tel: 0113 391 0300
Email: epilepsy@epilepsy.org.uk
Website: www.epilepsy.org.uk

The Haemophilia Society
Chesterfield House
385 Euston Road
London
NW1 3AU
Tel: 0800 018 6068
Email: info@haemophilia.org.uk
Website: www.haemophilia.org.uk

The Royal Society for Mentally Handicapped Children & Adults
(MENCAP)
123 Golden Lane
London
EC1Y 0RT
Tel: 020 7454 0454
Email: information@mencap.org.uk
Website: www.mencap.org.uk

The National Association for Mental Health (MIND)
15-19 Broadway
Stratford
London
E15 4BQ
Tel: 020 8519 2122
Email: contact@mind.org.uk
Website: www.mind.org.uk

SANE
1st Floor
Cityside House
40 Adler Street
London, E1 1EE
Tel: 020 7375 1002
Website: www.sane.org.uk

The Multiple Sclerosis Society
372 Edgware Road
London
NW2 6ND
Tel: 020 8438 0700
Email: (Enquiry form on website)
Website: www.mssociety.org.uk

The Muscular Dystrophy Campaign
7-11 Prescott Place
London
SW4 6BS
Tel: 020 7720 8055
Email: info@muscular-dystrophy.org
Website: www.muscular-dystrophy.org

The ME Association (Myalgic Encephalomyelitis)
4 Top Angel
Buckingham Industrial Park
Buckingham
Buckinghamshire
MK18 1TH
Tel: 01375 642 466
Email: (Enquiry form on website)
Website: www.meassociation.org.uk

The British Polio Fellowship
Eagle Office Centre
The Runway
South Ruislip
Middlesex
HA4 6SE
Tel: 0800 0180586
Email: info@britishpolio.org
Website: www.britishpolio.org.uk

The Sickle Cell Society
54 Station Road
Harlesden
London
NW10 4AU
Tel: 020 8961 7795
Email: info@sicklecellsociety.org
Website: www.sicklecellsociety.org

The Association for Spina Bifida & Hydrocephalus
ASBHA House
42 Park Road
Peterborough
PE1 2UQ
Tel: 01733 555 988
Email: postmaster@asbha.org
Website: www.asbha.demon.co.uk

The Spinal Injuries Association
76 St. James's Lane
Muswell Hill
London
N10 3DF
Tel: 020 8444 2121
Email: sia@spinal.co.uk
Website: www.spinal.co.uk

The Stroke Association
Stroke House
240 City Road
London
EC1V 2PR
Telephone: 020 7566 0300
Email: info@stroke.org.uk
Website: www.stroke.org.uk

Psychometric Services Ltd

Hygeia Building, 66-68 College Road, Harrow, Middlesex, HA1 1BE

Tel: 020 8585 2345   Fax 020 8585 2346   E-mail: INFO@PSL.COM   Website: WWW.PSL.COM