ESG Topics: Disability Inclusion

1. About this page  
     
   This page is designed to help fund managers familiarise themselves with the topic of disability inclusion as it relates to investment and subsequent business operation. It is not intended to be a detailed technical guidance document.

Fund managers should carefully consider each of their investee company’s specific characteristics and circumstances, and that the context and opportunities of disability inclusion change over time.

Fund managers may need to engage external experts, including Organisations of People with Disabilities (OPDs, sometimes referred to as DPOs or Disabled People’s Organisations), in some situations. Further technical guidance for companies is provided in the reference materials at the end of this page, and in the accompanying [Disability Inclusion Guidance Note for CDC Investee Companies](http://toolkit.cdcgroup.com/wp-content/uploads/2021/03/CDC-Disability-Inclusion-Company-Guidance-FINAL.pdf), available in an [accessible format here](http://toolkit.cdcgroup.com/wp-content/uploads/2021/03/CDC-Disability-Inclusion-Guidance-Note-for-Companies-Accessible.docx).

1. Introduction   
   People with disabilities are “… those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others” ([United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) (UNCRPD) Article 1).

There are more than [1 billion people with disabilities](https://apps.who.int/iris/bitstream/handle/10665/70670/WHO_NMH_VIP_11.01_eng.pdf;jsessionid=6E3BCFAAA9D465CADF814DDC4D143ECB?sequence=1) globally, approximately 15 per cent of the global population. 80 per cent of people with disabilities live in low- and middle-income countries. People with disabilities commonly experience many different types of barriers to their full and equal participation in society, including:

* Attitudinal barriers such as discrimination and stigma.
* Institutional barriers such as discriminatory policies or a lack of understanding of disability inclusion.
* Environmental barriers (barriers in the constructed environment) such as physically inaccessible infrastructure or inaccessible information and communications.

From the UNCRPD human rights-based perspective of disability, it is the responsibility of governments, the private sector, and civil society to reduce and remove the barriers that hinder people with disabilities’ participation in society. IFC Performance Standard 2 on Labour and Working Conditions similarly requires companies to promote the fair treatment, non-discrimination, and equal opportunity of workers; establish, maintain, and improve the worker-management relationship; comply with national employment and labour laws; protect workers; promote safe and healthy working conditions and the health of workers; and avoid the use of forced labour.

Companies should consider how inclusive their business operations are of people with disabilities, and address any barriers to their inclusion. Companies can also benefit from disability inclusion, as outlined in section 3.

# Why companies and fund managers should address this topic

Including people with disabilities as employees, customers and service users can have the following benefits:

* Broadens a company’s customer base. People with disabilities are often excluded as customers and service users, even though they make up approximately 15 per cent of the population, and the number of people with disabilities is [dramatically increasing](https://www.who.int/news-room/fact-sheets/detail/disability-and-health).
* Brings valuable skills, experience, and perspectives to a company.
* When people with disabilities are recognised (many disabilities are invisible) and accommodated for, this can improve staff wellbeing and retention, leading to increased productivity among workers. An [Accenture study](https://www.accenture.com/_acnmedia/PDF-89/Accenture-Disability-Inclusion-Research-Report.pdf#zoom=50https://www.accenture.com/_acnmedia/PDF-89/Accenture-Disability-Inclusion-Research-Report.pdf) of 45 US companies leading on disability inclusion found that they achieved on average 28 per cent higher revenue, double the net income and 30 per cent higher economic profit margins compared to other companies.
* Drives innovative product and service design to ensure that all customers can use and benefit from products and services, which can also improve sales.
* Improves brand reputation and minimises financial risks and legal liabilities.

People with disabilities have the right to work and to participate fully in all aspects of life, on an equal basis with others. This is reaffirmed by the [UNCRPD](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html), which also prohibits discrimination and identifies where adaptations must be made for people with disabilities to effectively exercise their human rights and fundamental freedoms. More than 180 countries have ratified the UNCRPD, and many countries also have national legislation to prohibit discrimination against people with disabilities, enforce [quotas](https://www.ilo.org/global/topics/disability-and-work/WCMS_735532/lang--en/index.htm) for employing people with disabilities, and regulate accessibility (the extent to which infrastructure and communications are accessible to people with disabilities).

The UNCRPD includes articles on the rights of people with disabilities to:

* Equality and non-discrimination (Article 5)
* Accessibility (Article 9)
* Freedom from exploitation, violence and abuse (Article 16)
* Expression and opinion, and access to information (Article 21)
* Respect for privacy (Article 22)
* Education (Article 24)
* Health (Article 25)
* Habilitation and rehabilitation, including in employment (Article 26)
* Work and employment (Article 27)
* Adequate standard of living and social protection (Article 28)
* Participation in political and public life (Article 29)
* Participation in cultural life, recreation, leisure and sport (Article 30)

# Advice for fund managers

Fund managers should assess the extent to which a company is compliant with applicable laws and regulations, and is inclusive of people with disabilities as employees, managers, consumers, and service users. Key questions to consider include:

* What are the relevant laws and regulations regarding disability inclusion that apply to this company? Is it aware of them and complying with them? For example, does the company comply with anti-discrimination legislation? Does it make reasonable adjustments for employees with disabilities? Does it meet employment quotas for people with disabilities? Does its products and services meet accessibility regulations?
* Is the company taking a proactive approach to ensuring their operations, products and services are disability inclusive? For example, does the company have a disability inclusion policy or strategy and budget? Does the company regularly assess and improve its inclusivity through direct engagement with people with disabilities and their representative organisations? Are the company’s products and services accessible to people of different impairments (physical, mental, visual, hearing, intellectual)?
* Is there evidence that the company is taking action to prevent and respond to discrimination, abuse, and exploitation of people with disabilities? For example, does it provide training on disability inclusion for staff? Does it engage people with disabilities in market research of its products and services?

Fund managers should ensure that, at a minimum, all companies comply with local and national regulations on disability inclusion, including anti-discrimination and disability laws, quota regulations, and accessibility regulations. They should check that the company has not been prosecuted, fined, or otherwise exposed for violating disability inclusion regulations. The International Labour Organisation (ILO) publication [Promoting Employment Opportunities for People with Disabilities: Quota Schemes, Volume 2](https://www.ilo.org/global/topics/disability-and-work/WCMS_735532/lang--en/index.htm) outlines countries’ quota systems and anti-discrimination legislation related to employment as of 2020. For example, Kenya has a quota of 5 per cent and a Persons with Disabilities Act, 2003; Nigeria has a quota of 10 per cent for all employment and a Nigerians with Disabilities Decree, 1993; and Pakistan has a quota of 5 per cent and a Government directive: Disabled Persons (Employment and Rehabilitation) Ordinance 1981.

Companies can implement a range of measures to promote disability inclusion in the workplace and marketplace. Some are listed below. Fund managers can assess which of these practices the company undertakes and which it might be encouraged to adopt. Fund managers should consider requiring that companies allocate sufficient resources to be disability-inclusive, for example for reasonable adjustments and universal design (see section c) and disability inclusion training (see section b).

a) Engaging with people with disabilities and their organisations

It is important for companies to continuously engage with a wide range of people with disabilities and their representative organisations to ensure that they are included in all aspects of the business. Many companies benefit from ongoing partnerships and collaborations focused on disability inclusion with Organisations of People with Disabilities (OPDs, sometimes referred to as DPOs), [National Business and Disability Networks](http://www.businessanddisability.org/country-profiles/), employer federations, employment services, education and training providers, and government departments. These disability inclusion partnerships and networks can help to build mutual understanding between companies and people with disabilities, and increase companies’ capacities to be disability inclusive.

People with disabilities and their representative organisations can be engaged as expert advisors, for example to assess and advise on the accessibility and inclusivity of a company’s operations, products, and services; to co-design a company’s disability inclusion strategy; to provide disability inclusion training; and/or to lead market research with customers with disabilities.

b) Leadership and company culture

Fund managers can encourage companies to develop a supportive and disability-inclusive culture. Attitudinal barriers towards disability are often deeply rooted and can limit the effectiveness of actions that focus only on addressing the accessibility of company operations, products, and services. To be truly disability inclusive, companies need to develop a supportive and inclusive culture.   
  
Elements of a supportive and inclusive culture include:

* Commitments to disability inclusion from senior company leadership, dedicated financial resources for disability inclusion measures, and a designated champion to help its ongoing promotion and monitoring.
* Governance and accountability at board level, which may be part of governance to oversee diversity and inclusion.
* Internal policies and procedures for disability inclusion.
* Providing training and awareness-raising on disability inclusion for all staff, especially managers.
* Verifying numbers of staff internally who identify as having a disability, and where they are comfortable, engaging their support to build internal disability networks.
* Partnerships with OPDs and/or participation in networks on disability inclusion.
* Positive recognition and representation of people with disabilities in the company’s internal and external communications.

c) Accessibility

Accessibility in this context refers to the accessibility of the company’s operations, products, and services to people with disabilities with different impairments. For example, whether company buildings or products are accessible to people with physical and sensory disabilities, and whether company advertisements, websites and internal communications are accessible to people with sensory and intellectual disabilities.

To help ensure accessibility, companies can conduct regular [accessibility audits](https://www.pseau.org/outils/ouvrages/handicap_international_conduct_an_accessibility_audit_in_low_and_middle_income_countries_2014.pdf) and develop plans to improve accessibility with expert assistance. Accessibility audits can also be integrated into procurement processes. When designing products and services, companies should employ [universal design principles](http://universaldesign.ie/What-is-Universal-Design/The-7-Principles/) – making all products and environments usable to the greatest extent possible by everyone, regardless of their impairments, age and/or gender. Universal design benefits all customers and service users.  
  
In many countries [reasonable accommodation](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_103324.pdf) (sometimes referred to as reasonable adjustments) is a legal requirement. This means that companies are required to make appropriate modifications or adjustments to what an employee with disabilities does and/or how they do it, without imposing a disproportionate or undue burden on the employer or employee, and where they are necessary for the employee to carry out their work. For example, a company might provide adjusted workspaces, hardware, software, changes to a job design, changes to how colleagues communicate, or flexible working arrangements such as working from home. It is important that companies have procedures for making reasonable adjustments, which ensure that employees with disabilities are consulted with on an individual basis to identify and agree on the adjustment.

d) Policies and procedures

Companies must comply with legislation and regulations related to disability inclusion. In addition, CDC encourages companies to strive for good practice. Many companies develop an internal disability inclusion policy, procedures and plans including commitments and actions to:

* Define what ‘disability’ and ‘disability inclusion’ means, aligning with UNCRPD definitions.
* Comply with all national legislation and local regulations related to disability inclusion, including anti-discrimination legislation, quota regulations, accessibility regulations, and rehabilitation and return-to-work regulations.
* Ensure the company’s operations (e.g., recruitment processes, training, grievance mechanisms), products, services and communications are accessible to people with disabilities.
* Promote the inclusion of people with disabilities as equal and valued employees across all levels and functions of the company, and support their progression within the company.
* Promote the inclusion of people with disabilities as equal and valued customers and/or service users.
* Develop return-to-work policies or programmes for employees who acquire a disability during their employment.
* Prevent and respond to discrimination, exploitation, abuse, harassment, and violence against people with disabilities in their operations.
* Measure and report on disability inclusion to the company’s senior management and board.

e) Rehabilitation, job retention and return-to-work programmes

Companies should be equipped and prepared to prevent and manage accidents and injuries that occur at work (see the [ESG topic note on occupational health and safety](https://toolkit.cdcgroup.com/esg-topics/occupational-health-and-safety/) for further guidance), and all employees, including those with disabilities, should have equal access to company benefits, including health and life insurance, as per Article 25 of the UNCRPD on rights to health. Companies should check that their insurance providers do not have blanket or general policies of refusing to provide insurance or only providing insurance on certain terms to people with disabilities.

It is in companies’ interest to support employees who acquire disabilities to retain their jobs and return to work by developing a job retention and return-to-work policy or strategy. Return-to-work strategies can include early intervention and referral to rehabilitation and support services; gradual return-to-work options such as part time work with increasing hours; alternative job options until the employee can return to their original job; retraining for a new job with the company; and/or seeking technical support to identify adjustments that might be required or other work opportunities within the company.

# Further information and guidance

General resources:  
[United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html)  
[IFC Good Practice Note: Non-Discrimination and Equal Opportunity](http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/learning+and+adapting/knowledge+products/publications/publications_gpn_nondiscrimination)  
[Global Business and Disability Network](http://www.businessanddisability.org/charter-principles-based-self-assessment/) and [National Business and Disability Networks](http://www.businessanddisability.org/country-profiles/)   
[Disability Inclusion Helpdesk: research and advisory resources](https://www.sddirect.org.uk/our-work/disability-inclusion-helpdesk/)

Employment resources:

[Managing Disability in the Workplace: The ILO Code of Practice.](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_103324.pdf)   
[ILO Global Business and Disability Network Charter company self-assessment tool](http://www.businessanddisability.org/charter-principles-based-self-assessment/).   
[ILO: The Competitive Advantage of Hiring Persons with Disabilities: An employer’s guide to disability inclusion at the workplace.](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_543490.pdf)

[Inclusive Futures: The Disability-Confident Employers Toolkit.](https://inclusivefutures.org/disability-confident-employers-toolkit/)

[Ethical Trading Initiative: Base Code Guidance: Disability inclusion in the global supply chain](https://www.ethicaltrade.org/sites/default/files/shared_resources/ETI%20Base%20Code%20Guidance%20Disability.pdf)

Accessibility resources:  
[International Organization for Standardization: Standards on Accessibility](http://www.iso.org/iso/home.htm)   
[The Centre for Excellence in Universal Design: What is Universal Design?](http://universaldesign.ie/what-is-universal-design/)  
[AusAID: Accessibility Design Guide: Universal design principles for Australia’s aid program.](http://dfat.gov.au/about-us/publications/Pages/accessibility-design-guide-universal-design-principles-for-australia-s-aid-program.aspx)   
[Web Content Accessibility Guidelines (WCAG](https://www.w3.org/WAI/standards-guidelines/wcag/))

Inclusive services resources:  
[DFAT: Disability Inclusive Education: Foundation Level module](https://www.dfat.gov.au/sites/default/files/foundation-disability-inclusive-education.docx)  
[DFAT: Disability Inclusive Education: Practitioner Level course](https://www.dfat.gov.au/sites/default/files/practitioner-disability-inclusive-education.docx)  
[Kuper, H. and Heydt, P. (2019). The Missing Billion. Access to health services for 1 billion people with disabilities](https://www.lshtm.ac.uk/research/centres/international-centre-evidence-disability/missing-billion)

Glossary of key disability inclusion terms:

Accessibility: the extent to which people with disabilities can access products, services, facilities, information, communications, and/or environments, on an equal basis with others.

Impairment: a physical or mental condition that causes or is likely to cause a loss or difference of a physiological or psychological function.

OPDs or DPOs: Organisations of People with Disabilities, which are run by and for people with disabilities. Sometimes referred to as Disabled People’s Organisations.

People with disabilities: people who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Reasonable accommodation / adjustment: necessary and appropriate modifications or adjustments that do not impose a disproportionate or undue burden, where they are needed in a particular case, to ensure people with disabilities’ participation and benefit on an equal basis with others.

Universal design: the design of products, environments, programmes, and services to be usable by all people to the greatest extent possible, without the need for adaptation or specialised design.

List of Acronyms

DFAT: Department of Foreign Affairs and Trade, Australia

DPO: Disabled People’s Organisation

IFC: International Finance Corporation

ILO: International Labour Organisation

OPD: Organisation of People with Disabilities

UNCRPD: The United Nations Convention on the Rights of Persons with Disabilities, which is an international, legally binding instrument for the human rights of people with disabilities.

WCAG: Web Content Accessibility Guidelines