

Guidance notes for Managers

REASONABLE ADJUSTMENTS

When supporting a disabled person in the workplace the Equality Act requires the council to consider and make 'reasonable adjustments' to ensure that the disabled employee is not put at a substantial disadvantage, so they are able to perform in their role and ensure their safety in the workplace. A number of factors influence whether it is reasonable for an employer to make changes, including:

- The effectiveness of the adjustment – will it remove or reduce the difficulties the employee is experiencing
- Any health and safety implications – is there an impact in regards to health and safety of the individual or colleagues
- What (if any) impact will this have on other employees/ team members/ colleagues
- The practicalities of the adjustment – what effects will it have on the organisation
- The cost – funding options may be available such as through Access to Work
- Other help available – can you source other methods of support for the individual

Examples of reasonable adjustments

- Rearranging seating or furniture in the office space
- Amendments to the role – the individual completes the parts of the job they are able to and takes on other responsibilities whilst their colleagues will pick up the work they cannot complete
- Flexibility in working practice – the consideration of flexibility in working times, the provision of additional breaks, the ability to work from home (see Flexible Working Policy)_
- Allowing extra time for reading or written work or travel time between meetings
- Additional/ modified equipment – to support in the work place. Examples of this include specialised seating, ergonomic mouse, large screen, specialised software
- Appropriate communication methods (i.e. large print manuals)
- Holding an awareness session on a specific disability for colleagues (where the individual consents to this)
- Adjustment of trigger points/ target points

Advice should be sought in regard to reasonable adjustments please liaise with HR.

Managers should make a note of the reasonable adjustments agreed. It is difficult to specify the amount of variation required for reasonable adjustments as each individual's disability is different. Making the same adjustment for all may not remove the disadvantage. Where adjustments are made, the employee should be given time to readjust (usually 3 months). However if after this period they are unable to meet the levels of attendance expected and further adjustments are deemed unreasonable then it will be necessary to follow the framework under the short term/ long term depending on the length of absence.

Review of reasonable adjustments

- Regular review should take place between the employee and manager to ensure that the adjustments put in place, which may have included an extension of the trigger points resulting from occupational health advice, continue to be effective
- Specialist advice from third parties, such as OH advisers, Access to Work or IT Specialists may be needed before changes can be agreed and implemented.

Reasonable adjustments may be reviewed:

- At any regular one-to-one meeting, supervision or appraisal
- At a return to work meeting following a period of sickness absence or treatment
- Before a change of job or duties or introduction of new technology or ways of working
- Before or after any change in circumstances for either party including a change in the nature of the disability
- Reasonable adjustments must be reviewed formally on an annual basis as a minimum.

Absences relating to an employee's disability

The Equality Act 2010 does not require absence relating to the employee's disability to be automatically discounted for trigger points; nor does it require an employer to retain someone indefinitely if they are frequently absent due to a disability. However, when counting disability-related absences towards trigger points for unacceptable attendance procedures, the line manager must be able to demonstrate that:

- All reasonable adjustments have been considered to the number of day's absence which trigger a review under the procedure
- All reasonable adjustments have been made to reorganise a job around functions that the employee can perform, and that
- All reasonable adjustments have been made to working practices, the work place and it's location that place the disabled person at a significant disadvantage
- Consider the impact upon cost and service delivery