

Reasonable Adjustments for Disability – Guidance for Managers

The Legal Framework

Under the Equality Act 2010 a person is disabled if they have a physical or mental impairment which has a substantial and long-term effect on their ability to carry out normal day-to-day activities. People with a mental health concern or progressive condition are also covered by the Act.

The University has a duty to provide reasonable adjustments to a disabled employee. Failure to provide an adjustment that is *reasonable*, is discrimination. The Act refers to removing “barriers” in the workplace. This means the University, and you as a manager, must take reasonable steps to make changes to the workplace or the way work is done so that a disabled employee is not disadvantaged at work because of their disability.

Background

The following provides guidance to managers of current employees with a disability who may require reasonable adjustments to remove or minimise barriers in the workplace. Reasonable adjustments should be provided in consultation with the disabled employee and others as necessary, for example Occupational Health (OH), People Directorate, IT Help Desk, Facilities, the budget-holder. Confidentiality and Data Protection principles should be applied.

Reasonable adjustments can include:

- Providing a sign language interpreter at a training event
- Providing or modifying equipment or software, eg providing a special keyboard if they have arthritis
- Providing additional training or supervision
- Modifying procedures for testing or assessment
- Making physical changes - eg installing a ramp for a wheelchair user or an audio-visual fire alarm for a deaf person
- Allowing employees who become disabled to make a phased return to work - eg working flexible hours or part-time
- Considering broader health conditions and circumstances to identify adjustments with no cost implications. For example someone with social anxiety could be assigned their own dedicated desk rather than being required to “hot desk”

There must be an assessment of the proposed adjustment to determine if it is “reasonable”.

Knowing your team

This guidance and the Reasonable Adjustments form will help you to take into account the relevant factors when considering reasonable adjustments. However, not all disabled people are comfortable with declaring a disability and you will need to be aware of individual preferences. You are not expected to be expert in these matters but to seek input from the employee, People Directorate and OH as appropriate. It is the individual's preference and responsibility to disclose any disability. Therefore whether reasonable adjustments are considered/put in place is determined by the individual.

Process

It is recommended that the form "Reasonable Adjustments" is used to assess and consider the reasonable adjustments. This will also ensure an appropriate record is kept of the consideration given.

As line manager you are responsible for leading the process, with input from the employee, as well as other parties as necessary. It may be necessary to liaise with the IT Helpdesk or facilities management where adjustments will involve equipment, software or changes to the built environment.

Every effort should be made to research and implement reasonable adjustments in a timely way. You should keep the employee informed of any delays.

Where it's appropriate to do so, a referral should be made to OH for guidance on removal of barriers/adjustments. The employee may need to request assessment and advice from Access to Work, available through JobCentre Plus.

The form should be completed in discussion with the employee and retained by you, with a copy to the employee, People Directorate and OH.

What is "reasonable"?

It is the employer's decision as to whether it considers an adjustment is reasonable. We should always try to resolve any difference of opinion through internal discussion. Ultimately however it would be for an Employment Tribunal or appeal court to decide if an employee brought a claim.

The following are some of the factors which may be taken into account when deciding what is reasonable.

- whether the step would be effective in removing or minimising the barrier
- practicality of the adjustment
- financial and other costs

- the extent of disruption caused
- extent of the employer's financial or other resources
- type and size of the employer

Guidance should be sought from the People Directorate.

Financial authority

Where there is a cost the employee is expected to seek support through Access to Work. Financial authority from within the University must be obtained for provision of adjustments which aren't fully funded by Access to Work.

Rights, responsibilities and confidentiality

The University has legal obligations for its duty of care to employees, for providing reasonable adjustments in line with the Equality Act and for compliance with the Data Protection Act. You should inform the disabled employee that in order to comply with these obligations it may be necessary to share information between relevant parties/related organisations in order to achieve effective implementation of any reasonable adjustments. You should seek confirmation that the individual is content with this. As far as possible information regarding an employee's particular health condition should be kept confidential when seeking to implement a reasonable adjustment. Disabled employees have a responsibility to co-operate fully with the procedure for agreeing adjustments including assessment.

Implementation and review

Once the adjustment has been agreed and implemented you should carry out reviews as appropriate, for example after 3 months, twice a year as part of the appraisal process or where there is a significant change to objectives or work requirements. The employee may request a review if appropriate.

Adjustments not agreed

If you reach the view that there is no adjustment or further adjustment that can be made you should discuss this with the People Directorate and decide on next steps. You will need to be very clear about the reasons why you believe the adjustment is not reasonable. Completing the form will help you. You will need to explain reasons to the employee.

What if you or your employee moves job?

If you move job or leave, you should pass on the Reasonable Adjustments form to the new manager. If the employee moves to a new post, it may be necessary for

the new manager to complete a new form, as the nature of the adjustments needed may change in the new post/location or current adjustments may no longer be reasonable.

New Joiners

The People Directorate will liaise with new joiners and the recruiting manager where a successful job applicant requires reasonable adjustments.

Further information is available at:

[Access to Work – Factsheet \(Gov.UK\)](#)