

# REASONABLE ADJUSTION A guide for the workplace



## THE LAW

The Equalities Act 2010 states that employers are required to make reasonable adjustments to any elements of a job which place a Disabled person at a substantial disadvantage compared to a non-disabled person.<sup>1</sup>

The reasonable adjustments duty arises in three situations:

- 1 where a provision, criterion, or practice applied by or on behalf of the employer,
- 2 where a physical feature of premises occupied by an employer, or
- 3 where the lack of an auxiliary aid,

places a Disabled person at a substantial disadvantage compared with people who are not disabled. An employer has to take such steps as it is reasonable to take in all the circumstances to avoid that disadvantage.

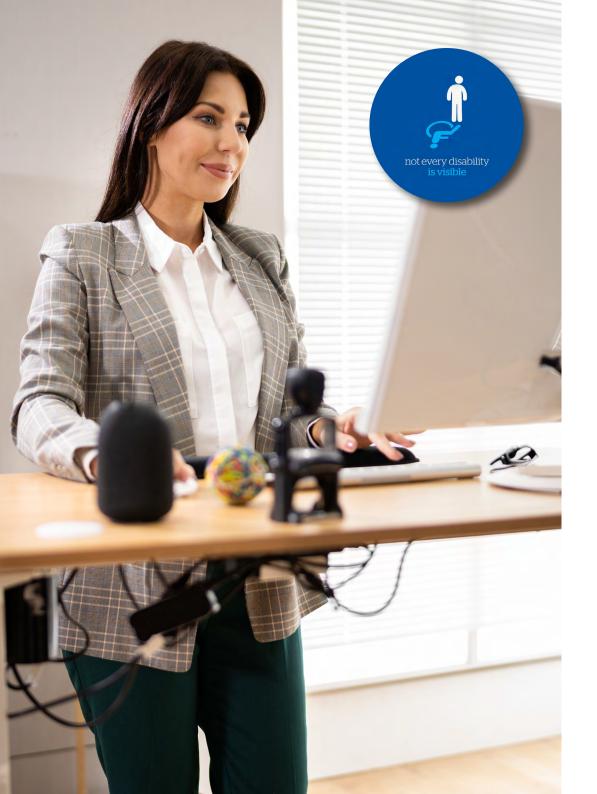
An employer must make reasonable adjustments for:

- employees and workers
- contractors and self-employed people personally hired for work
- job applicants

Further information can be found at <u>The law on disability discrimination -</u> <u>Disability discrimination - Acas</u>

1 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/138118/ Equality\_Act\_2010\_-\_Duty\_on\_employers\_to\_make\_reasonable\_adjustments\_for....pdf





# WHAT ARE REASONABLE ADJUSTMENTS?

Reasonable adjustments (RAs) as defined by the UK governments education hub<sup>2</sup> are changes that organisations and people providing services must make if someone's physical or mental disability puts them at a disadvantage compared with others who aren't disabled. This is separate to requirements related to physical changes that make a building accessible, such as disabled toilets.

They can include:

- finding a different way to do something
- making changes to the workplace or place of education
- changing someone's working arrangements
- providing equipment, services or support
- changing the recruitment process so a candidate can be considered for the job
- offering employees training opportunities, recreation and refreshment facilities
- adjusting attitudes and perspectives to understand the barriers a Disabled person may face in the workplace

Some examples of reasonable adjustments in practice can be found at <u>Examples of reasonable adjustments in practice | EHRC</u> (equalityhumanrights.com)

<sup>2</sup> What are reasonable adjustments and how do they help disabled pupils at school? – The Education Hub (blog.gov.uk)

## NOT A ONE SIZE FITS ALL APPROACH

Reasonable adjustments are person specific and will depend on each situation.

Consideration should be taken to understand if the adjustment:

- would reduce/remove the disadvantage by discussing with the individual
- is practical
- is affordable
- would harm the health and safety of others

The employer must also:

- make reasonable adjustments linked to someone's disability
- ensure the reasonable adjustment requirements are met

Employers are only required to make adjustments that are reasonable. Factors such as the cost and practicability of making an adjustment and the resources available to the employer may be relevant in deciding what is reasonable.

If an employer does not comply to reasonable adjustment requirements, the individual could make a claim of alleged unlawful disability discrimination to an employment tribunal.

The Employment Tribunal would then decide what adjustment should be made for the individual, and whether a decision to decline to make an adjustment on grounds of practicality or cost was correct or not.







# FUNDING

The employer is responsible for paying for any reasonable adjustments. Employers may be able to get help from Access to Work towards some costs where an individual requires support or adaptations. Find out more in the Employer's guide to Access to Work.

Access to Work usually provides a grant to pay for the cost of the support. For example, it can provide funds towards:

- special aids and equipment
- adaptations to equipment
- travel to and from work
- communication support at interview
- a wide variety of support workers





Access To Work Making work possible

## **DIGITAL ACCESSIBILITY**

In today's workplace technology plays a key role. A Disabled person may need assistive technology to enable them to complete their work. However, there are considerations that an employer can already put in place as standard to create a more inclusive digital environment.

Examples can include:

- enabling remote captions and transcriptions for virtual meetings
- allowing recording of content where appropriate
- ensuring technology is compatible with specialist software such as mind mapping, speech to text, screen readers, and voice recognition
- software is enabled to help with English, particularly grammar
- video materials to have subtitles
- accessibility checker as standard on presentations

Further reading on Assistive technology information can be found at **Resources | D&A | Diversity and Ability** 





#### FURTHER INFORMATION ON REASONABLE ADJUSTMENTS

- ACAS reasonable adjustment information.
  <u>What reasonable adjustments are Reasonable adjustments at</u> work - Acas
- Reasonable adjustments for Disabled workers or those with health conditions. https://www.gov.uk/reasonable-adjustments-for-disabled-workers
- The Equality and Human Rights Commission guide on Employing people: and workplace adjustments.
   Employing people: workplace adjustments | EHRC
- Advice for employers on workplace adjustments for mental health conditions.
   Microsoft Word - Mental Health Adjustments Guidance Final RT.doc
- Practical advice for employers on supporting people with a range of disabilities in the workplace produced by Maximus <u>disability guide</u>
- Diversity and ability discuss how the language around reasonable adjustments can be interpreted.
   What is a reasonable adjustment?
- Access to work for healthcare professionals.
  <u>Health Professionals: Access to Work Find Your Way | D&A | Diversity</u> and Ability
- Mechanisms for sharing required reasonable adjustments. health-adjustment-passport.pdf or About | AXS Passport
- Duty on employers to make reasonable adjustments for their staff. https://assets.publishing.service.gov.uk/government/uploads/system/ uploads/attachment\_data/file/138118/Equality\_Act\_2010\_-\_Duty\_on\_ employers\_to\_make\_reasonable\_adjustments\_for....pdf

#### **GENERAL DISABILITY INFORMATION FOR EMPLOYERS**

- Recruiting, managing and developing disabled people: a practical guide for managers.
   <u>Recruiting, managing and developing people with a disability or health</u> condition - A practical guide for managers (publishing.service.gov.uk)
- Information on becoming a disability confidant employer. How to become a disability confident employer
- Signposting for your healthcare professionals and learners.
  Accessing Disability Support A Toolkit for Health Professionals and Learners | D&A | Diversity and Ability
- Disability workforce reporting. The case for disability workforce reporting | CIPD
- Disability at work.
  Disability at work | CIPD
- Disability and employment statistics.
  Disabled people in employment House of Commons Library
  (parliament.uk)
- HCPC guidance on Disability and becoming a healthcare professional health-disability-and-becoming-a-health-and-care-professional.pdf (hcpc-uk.org)

This document was commissioned by BAPO; with funding from NHSE Workforce, Training and Education (WTE) Directorate.





# SUPPORT

- Support with sourcing or signposting to accessible learner accommodation or specific housing arrangements
- Support with disclosing Disability to others on placement when needed
- Support with stress management whilst on placement
- Support with soft skills such as communication with patients
- Support with managing the emotional load of clinical work
- Named contact to go to for support when necessary
- Clear protocol to be able to report any clinical concerns
- Wellbeing check-ins before and during placement



- Specialist software available or organisations software compatible with required specialist software
- Software enabled to help with English, particularly grammar
- Placement materials accessibility checked
- If clinical duties include virtual assessments of patients, the placement needs to ensure all equipment is accessible to the individual

# TRANSITION **CONSIDERATIONS**

- Opportunity to visit the placement ahead of time
- Considerations of any potential barriers and physical alterations required ahead of time, in terms of physical assessment of patients or manufacturing of a prosthesis or an orthosis
- Confirmation of accessible rooms. venues, and facilities
- Buddy or mentoring support during transitions as learners may move away from their support systems
- Specific accommodation requirements if moving to a new area

# **REASONABLE ADJUSTMENTS FOR CLINICAL PLACEMENT**

# **PLACEMENT INCLUSIVE PRACTICE**

- Access to relevant documents in a person's preferred format. For example, evacuation and safety procedures.
- Maintenance of confidentiality about a person's condition
- Mechanism to share required reasonable adjustments or a reasonable adjustments placement plan
- Additional time to complete clinical work if necessary

- Different work areas if required
- Consideration of the impact of different sensory environments e.g workshop
- Staff, learners and patients, where appropriate having sufficient information and awareness about the adjustments you need
- Staff clearly communicating their expectations
- Flexibility in attendance and punctuality if required

- Provision of opportunity to evidence clinical learning in a variety of ways
- Learning provided by the placement in multimodal (teaching that uses different methods) ways
- Glossary of terms for prosthetic and orthotic terminology, as this may differ to the learners university terminology (this could be a learning exercise that the learner completes)