



**People manager guide**

# **Disabilities which are not immediately visible**

---

# In this guide:

|  |           |
|--|-----------|
| <b>Introduction</b>  | <b>4</b>  |
| I don't think I have any disabled people working for me.                                     | 7         |
| Why do I need to know if someone in my team has a non-visible disability?                    | 9         |
| Duty to make reasonable adjustments  | 9         |
| Don't I need to know about an employee's disability for health and safety reasons?           | 16        |
| How will I know if someone needs an adjustment?  | 17        |
| Why won't employees who know they have a disability or long-term condition tell me about it? | 18        |
| Is disability a private matter?  | 22        |
| <b>Disabilities which aren't immediately visible and recruitment</b>                         | <b>29</b> |
| Application and monitoring forms   | 31        |
| <b>Disabilities which aren't immediately visible and retention</b>                           | <b>36</b> |
| Having difficult conversations   | 37        |
| Ongoing adjustments – ensuring continuity  | 43        |
| New managers   | 44        |
| <b>Other resources</b>   | <b>47</b> |
| <b>About us</b>  | <b>48</b> |
| Join us  | 50        |

---

# Introduction



## Disabilities which are not immediately visible

This guide is designed for people managers: supervisors, project and matrix managers and line managers.

It will also be helpful for Human Resources and Diversity & Inclusion teams and people with responsibility for owning and reviewing employment-related policies.

This guide will make it easier for you to enable people who work for you, who have disabilities or long-term conditions that are not immediately visible, to reach their full potential by making adjustments.

It will help you to:

- Understand what non-visible disabilities are.
- Identify how work can be done differently to maximise the potential of your disabled and non-disabled staff or those with long-term conditions.
- Recognise the signs that indicate that people who work for you might work in a different way because they have a disability or long-term condition that is not immediately visible.
- Decide if an adjustment is reasonable.
- Respond in an appropriate, sensitive and professional way when an employee tells you they have a disability or long-term condition.
- Manage the needs and expectations of your whole team including non-disabled staff who may also benefit from the changes made.
- Treat your disabled and non-disabled colleagues fairly while maintaining confidentiality.
- Make sure you do not break the law.
- Know where to go for more help and advice.

## Disabilities which are not immediately visible

As a people manager you have a vital role to play in enabling your team to work to the best of their ability and to meet their objectives and performance targets. You are responsible for creating an open and supportive environment at work where employees can talk about any problems they have with their work and seek help early.

This is particularly important when you are managing employees who have disabilities or long-term conditions which are not immediately visible. You are required by law to make changes or 'reasonable adjustments' to help all disabled employees, or those with long-term conditions, work to the best of their ability. Reasonable adjustments are not about treating some people more favourably than others but rather about recognising you need to treat people differently in order to treat them fairly and to enable them to realise their full potential.

Learning how to make adjustments and manage people with disabilities which are not immediately visible or long-term conditions is all part of being a good manager for all your staff. You should not think about managing disabled employees as separate to your duties as a manager as a whole – good managers know how to manage difference, whether apparent or not, in order to get the best from all members of their team.

# Sample

**As a people manager you have a vital role to play in enabling your team to work to the best of their ability.**

## Disabilities which are not immediately visible

# I don't think I have any disabled people working for me.

That's exactly why you should be reading this guide.

When we hear the word 'disability', often what comes to mind is images of white sticks, guide dogs, hearing aids and wheelchairs. However, there are only around 1.2 million wheelchair users in the UK, and only two thirds use their wheelchair regularly.[1] The term 'disabled people' covers a wide range of people with different impairments which may or may not affect how they do their job.

The legal definition of 'disability' is so wide that people you might not regard as disabled, or indeed do not think of themselves as disabled, are protected. It includes people whose disabilities are not obvious and those who acquire a disability while working for you. The majority of disabled people are not born with a disability but become disabled at some point in their working life. The prevalence of disability rises with age: only 8% of children have a disability, compared to 19% of working age adults and 45% of State Pension age adults[2] – so as we live and work longer, it's becoming even more likely that many of us will be working with a disability at some point in our lives.

## Disabilities which are not immediately visible

Many disabled people have conditions which are not immediately apparent, for example:

**Visual impairments.**

**Hearing impairments.**

**Speech impairments.**

**Some mobility impairments, like MS, Arthritis or a prosthetic limb.**

or...

---

1 Family Resources Survey 2016/2017

---

2 People with Disabilities in Employment – Commons Library Briefing 30 November 2018.

## Disabilities which are not immediately visible

...are not apparent at all. For example:

|   |   |
|---|---|
| <b>Diabetes.</b>  | <b>Dyslexia or dyspraxia.</b>                                       |
| <b>Epilepsy.</b>  | <b>Asthma or other respiratory conditions.</b>                      |
| <b>Autism.</b>  | <b>Cognitive difficulties.</b>                                      |
| <b>HIV.</b>   | <b>Cancer.</b>  |
| <b>Heart disease.</b>   | <b>Gastric conditions like irritable bowel syndrome or colitis.</b> |
| <b>Mental health conditions like depression, anxiety, schizophrenia or bi-polar disorder.</b> |   |

Be aware too that people with disabilities that you know about may have additional non-visible disabilities or long-term conditions. For example, if a colleague is diagnosed with cancer, they may also be more likely to experience a mental health condition.

**People with disabilities that you know about may have additional non-visible disabilities or long-term conditions.**



## **Why do I need to know if someone in my team has a non-visible disability?**

You may not need to know.

If the person with the disability, or long-term condition, is doing their job well and doesn't need you to make any changes to their working environment or working practices, then there is no reason for you to know or for them to tell you about their disability or long-term condition.

There is not usually any legal obligation for employees to tell their employers about their health or disability, and as a manager you don't need to know the specific details of someone's diagnosis or medical information. This may well be something that remains confidential between the employee and the occupational health adviser. You do, however, need to know how the individual's disability or condition affects their work so that you can identify and implement adjustments that will enable them to work as effectively as possible.

This is additionally complicated as employees may not realise how their disability or condition is affecting them at work. However, the effort of working around or concealing a disability - for example, trying to find somewhere private to take medication or to conceal medical appointments or to mask the fact that they are losing their sight or hearing or have undiagnosed dyslexia - may mean that an employee's energy is being expended on that rather than doing the best possible job for you. So, creating a culture where employees feel safe to talk about their disability or condition is crucial to being an effective people manager.

## **Duty to make reasonable adjustments**

You are required by law to make changes or 'reasonable adjustments' to help disabled employees, and those with long-term conditions, work to the best of their ability. Reasonable adjustments are not about treating some people more favourably but rather about recognising you need to treat people differently in order to treat them fairly and to enable them to realise their full potential.



## Disabilities which are not immediately visible

'Reasonable' in this context really just means that the adjustment is effective in enabling the individual to do their job and sustainable by the business and the rest of the team; this guide also explores some examples of where this is less clear.

Under the Equality Act 2010, this duty applies **when you know or could 'reasonably be expected to know' about an employee's disability or long-term condition**. In practice this means that, as a manager, you need to be able to identify situations where someone may be having difficulty at work related to a disability or long-term condition, even if that disability or condition is not immediately visible. It is increasingly legally risky to rely on the fact you weren't aware of someone's disability or long-term condition should things go wrong.

At the same time, you don't want to be collecting unnecessary personal information.

Just remember:

1. The individual may not want to share this personal information, and is usually not under any legal obligation to do so; and
2. You need to know about someone's disability, or long-term condition, as it relates to barriers they are facing at work – not every medical detail.

In some cases the barriers will be physical, such as doorways that aren't wide enough for a wheelchair user, but in the case of non-visible disabilities they are more often the way in which work is done, for example on a computer or within certain hours in the day.

It is important not to overlook difficulties **any** employee might be having at work and you should always investigate further to see if these problems might be caused by a disability, or long-term condition, that the employee may or may not be aware of as yet.

## How to make adjustments

You may have the skills, knowledge and authority to implement some adjustments yourself, like changes to working hours, shift patterns, or minor changes to the way work is shared amongst your team. For others you may need to call on your colleagues or external organisations for help. Most large organisations will have a reasonable adjustments policy or process to which you should refer.

## Disabilities which are not immediately visible

Always start with the person needing the adjustment. Talk to them to find out exactly what they are having problems doing so you have all the facts. Sometimes the person will be able to suggest a solution themselves, but don't expect every disabled person to be an expert either on their own disability (or health) or on the adjustments that are possible or might work for them.

Remember that they might be unaware of their disability or long-term condition. If it is a new condition, they may not realise the effect it might be having on their work, and neither you nor they may be aware of adjustments that are possible in your workplace.

### Types of adjustments

Not everyone with a disability or long-term condition, visible or non-visible, will need an adjustment. The way in which a disability affects someone's work is very individual to that person, and even people in the same role with the same diagnosis may not need the same adjustments.

The following list illustrates the range of adjustments that some people with non-visible disabilities have found helpful:

#### For people with concentration problems:

- Providing quiet workspaces to reduce auditory and visual distractions\*.
- Allowing the person to work from home from time to time.
- Planning for uninterrupted work time, i.e. using 'do not disturb' signs.
- Dividing large pieces of work into smaller tasks and goals.
- Alarms and/or memory aids to remind them when to carry out tasks.

#### For people with depression and anxiety:

- Allowing telephone calls during work hours to a doctor, nurse, psychotherapist, counsellor, friend or family member for support and advice.
- Allowing breaks to let the person use stress management techniques.
- Monitoring workload and targets regularly.
- Allowing for periods of uninterrupted work, e.g. with a 'do not disturb' sign or working from home.

## Disabilities which are not immediately visible

- Allowing the person to sit in a quiet place in the office.\*
- Allowing different working patterns so that a person experiencing anxiety during rush hour, for example, can travel at quieter times.
- Training for managers and colleagues on how to respond when the person needs support or other adjustments.

### For people who experience fatigue, weakness or are in pain:

- An adjustable workstation which allows the person to stand or sit.\*
- More frequent rest breaks.
- Reducing or eliminating the need to lift or walk, e.g. by moving the workstation closer to meeting rooms or office equipment.\*
- Flexible working hours if the person finds it hard to stand on public transport during rush hour.
- Part-time working or job sharing or allowing the person to work from home from time to time.
- Providing parking close to the worksite\*\*.

### For people who have respiratory problems like asthma:

- Arranging for pre-notification of any planned construction, painting or pesticide applications.
- An air purifier near the workstation.
- Using non-toxic/low odour solvents, cleaners and other supplies.
- Allowing the person to control the temperature near their workstation with a heater or a fan or to sit in a well-ventilated part of an office.\*

### For people with neurodiverse conditions, e.g. dyslexia:

- Coloured paper and computer screen backgrounds.
- Voice activated software and grammar and spell-check applications.
- Additional training or coaching.

Sample

## Disabilities which are not immediately visible

### For people with cognitive difficulties, e.g. following a stroke:

- Providing written rather than verbal job instructions.
- Helping the person to prioritise tasks.
- Additional training or coaching.

### For people who are sensitive to light or have seizures or blackouts, e.g. migraines or epilepsy:

- Lower wattage overhead lights, task lighting or natural daylight bulbs.
- Flicker-free lighting, i.e. replacing fluorescent lighting with full spectrum or natural lighting.
- Seating near a window for natural light but with blinds.\*
- More frequent rest breaks from computer work.
- Elimination of sharp objects in the vicinity of the person.
- With the employee's permission, specific first aid training for colleagues on what to do in the event of a seizure.

### For people whose disability or long-term condition might affect the way they communicate with others, like autism or a learning disability or personality disorders:

- Clear, unambiguous instructions about work tasks.
- Help prioritising tasks.
- Regular meetings with their manager.
- Pre-notification of any changes to routine, e.g. an away day.
- Helping the disabled person explain how they like to communicate with the rest of the team (if they are happy to do so).
- Preferring some types of communication over others, like using email or text, instant message or WhatsApp than the phone (or vice versa).
- Changes to the way you give feedback as a manager; some may prefer this in writing, others might prefer a less formal face-to-face meeting.
- Allowing a support worker onsite to help the person manage any changes to their work routines.

Sample

## Disabilities which are not immediately visible

### For people with gastric, bowel or bladder problems:

- Relocation to a workstation nearer to toilet facilities or exclusive access to a particular toilet.\*
- Relocation to a site nearer to the person's home to reduce commute times.
- Allowing the person to work from home.
- Access to a designated parking space to reduce commute times and/or proximity to toilet facilities\*\*
- The opportunity to make special dietary requests for work lunches, dinners etc.

\*NB Many businesses operate hot desk policies. It is however legally a reasonable adjustment to designate a desk or workstation for someone with a disability – including one that is not immediately visible – or a long-term condition as an exception to your hot desking policy. In these cases – particularly where the disability is not immediately visible – it can be helpful to agree with the employee how they would like this to be communicated to other team members so that it is not a cause of resentment. Remember that you must not share the details of an employee's disability or long-term condition without their consent.

\*\*The same is true of providing a designated parking area. As above, you need to agree with the employee how this is communicated. You may, for example, agree with the employee that other team members are just told that this has been allocated due to a disability.

These are just examples of adjustments. It is impossible to provide an exhaustive list: the key is to identify the specific barrier an employee is facing and think creatively about solutions that might help them perform in their role.

Remember too that everyone is different. Different people need different types of adjustments, sometimes for similar impairments or long-term condition. **In most cases they will be relatively simple, inexpensive or even free and easily implemented. In some cases, however, it will not be immediately apparent what needs to be done.**

You will need to speak to other people in your organisation and perhaps obtain reports from experts like workplace assessors, an Access to Work adviser, the employee's doctor, specialist organisations and your organisation's occupational health adviser if you have one.

## Disabilities which are not immediately visible

The most important thing is to talk to an employee to find out what they are having difficulty doing. However, this is not always easy and there is more on having difficult conversations later in this guide. Remember, **it's the employer's responsibility to make sure adjustments are put in place.** In practice, this usually means that it's your job as a people manager to ensure that reports are received, and adjustments implemented within a reasonable time frame. This may mean chasing your colleagues in occupational health or IT for example, or external organisations who have conducted assessments. If getting expert reports and assessments organised is going to take time, make sure you tell the employee what is happening and how long things are likely to take – especially if they are not able to come into work during this time otherwise they may feel very isolated and abandoned.

Some very large organisations have a dedicated adjustments team (or similar) that may do much of this for you. Check your organisation's reasonable adjustments policy if you're not sure. Even in these cases, you should keep track of how things are progressing for the benefit of your team.

### Confidentiality

Most importantly, do not tell anyone else about the employee's disability or long-term condition without their express and preferably written permission. If the employee gives you verbal permission only then you need to make a file note that records the conversation (and the permission) and the date that it took place.

Very few people need to know the details about an employee's health – perhaps only the medical adviser. What you and other people really do need to know is what the person is having difficulty doing at work and how their work can be changed with adjustments so they can realise their potential. Confidentiality is vital if you are to retain the trust of your staff.

**Do not tell anyone else about the employee's disability or long-term condition without their express and preferably written permission.**

## **Don't I need to know about an employee's disability for health and safety reasons?**

In some cases you will - it depends on the nature of the disability or long-term condition and the job the person does.

In the majority of cases a person with a visible or non-visible disability, or long-term condition, poses no more of a health and safety risk either to themselves or others than employees without a disability in the workplace.

However, risk assessments should be carried out for all employees who work in potentially dangerous environments e.g. at heights or with heavy machinery or who must drive as part of their job. Disabled employees in these roles have an obligation to tell their employer if they have been diagnosed with a condition that might pose a risk to their own safety or the safety of others.

This could be because of conditions like epilepsy or diabetes, or if they are taking medication which has side effects such as drowsiness. Remember, however, that if the DVLA, which must also be notified about such disabilities, permits the person to hold a driving licence then it is safe for them to drive as part of their work.

Your occupational health adviser should contact the person's own medical adviser to confirm that the DVLA has been notified and that the person can continue to drive.

If you're working in a potentially dangerous environment, your organisation is likely to have a detailed health and safety policy that includes employees with a disability long-term condition.

Your HR team might also find Business Disability Forum's briefing paper on 'Health and safety and the Equality Act 2010' a useful resource to make sure their policies are up to date with best practice.

Sample



## **How will I know if someone needs an adjustment?**

In some cases, the employee will tell you they are having difficulty with some aspect of their work, e.g. getting in at 9.00am, because they have a disability or long-term condition.

However as a manager you should be aware of the signs that someone might have a disability or long-term condition and requires support. Bear in mind that these signs might be linked to a disability, or health condition, the person may or may not know about as yet.

Keep an eye out for changes in behaviour, appearance, routines, performance or attendance.

For example, an employee:

- Working excessive hours or committing to an unrealistic number of projects.
- Appearing withdrawn, distracted or in pain.
- Becoming uncharacteristically gregarious, chatty or sociable.
- Exhibiting unusual attendance patterns, such as taking regular sick days or booking frequent time off as annual leave.

The key here is to identify changes in an employee's usual behaviour, routines, attendance, appearance or performance because they may be an indication that someone needs support., even if some of these signs could initially be viewed as being 'positive'.

Don't worry about whether someone meets the legal definition of disability. If a member of your team is having problems at work, talk to them, try to find out what would help and make any changes you reasonably can to help them do their job.

As you can't always be sure whether someone is disabled or not, it is best practice to make adjustments for anyone who is having problems at work. This way you will have done all you can to try to help someone work to the best of their ability, and means that you will recruit and keep talented people for your organisation.

# Why won't employees who know they have a disability or long-term condition tell me about it?

There are many reasons why a person with a non-visible disability or long-term condition won't tell their employer about it, sometimes even when asked outright.

For example:

- Fear of discrimination.
- Not believing it to be relevant to their ability to do the job.
- Not considering themselves to be disabled.
- The perceived stigma associated with some disabilities, like some mental health conditions or HIV.
- Fear of colleagues' reaction to their disability or long-term condition.

Remember, they might not tell you because their disability, or long-term condition isn't actually having any impact on their work. In these cases, you don't need to know anyway!

## Fear of discrimination

Many disabled people have had negative experiences in the past, often from a former employer, when they were diagnosed with or revealed a long-term condition or disability. This can lead to them concealing their disability, or long-term condition, from future employers. They might fear that they will not be offered the job or be treated differently if they tell potential employers about their disability or long-term condition. 60% of employees are worried that if they share information about their disability or long-term condition with their employer there may be repercussions.[3]

---

3 Nash, K., OBE. (2014). Secrets & Big News: Enabling people to be themselves at work.

## Disabilities which are not immediately visible

An applicant with a disability, or long-term condition, that is not immediately obvious may choose to conceal it if they believe they can do the job without having to tell anyone about it. In some cases, the disability, or long-term condition, will have no impact on their ability to do the job and so they may never need to tell their employer about it. In other cases, the employee may not have realised that their disability, or long-term condition, would affect their work until they start doing the job.

As a people manager, you should always consider the possibility that a new employee who seems to be struggling with a particular aspect of their job might have a disability or long-term condition. Look for warning signs like poor performance in a particular area, such as writing or comprehension skills, persistent lateness or more days off sick than you would usually expect.

Employees diagnosed with a disability or long-term condition while already working for you may fear they will lose their job if they tell you, particularly in an organisation already going through change.

Again, as a people manager, you should be looking for any signs that indicate you need to talk to the employee about the reasons for any poor or deteriorating performance and bear in mind this might be related to a disability or long-term condition. Ask yourself:

**“Might there be something else going on?”**

Remember too that an employee with a newly diagnosed disability, or long-term condition, might be struggling to come to terms with its effects.

This may mean they are either:

- Unwilling to accept that their disability or long-term condition is affecting their work performance and are therefore reluctant to talk about it; or
- They don't as yet know what effect the disability or long-term condition will have on them and may be apprehensive or anxious about it.

In both cases an employee is unlikely to know what adjustments they need. They may not even have come across the concept of 'adjustments' at work before, but you as the employer have an obligation to make adjustments once you are aware they have a condition that is having an impact on their work.

## Disabilities which are not immediately visible

This means that if you notice an employee's work or behaviour has changed, you need to talk to them to see if it might be disability-related and start the process of making adjustments to remove any barriers they may be encountering.

Someone with a newly diagnosed disability, or long-term condition, may need to go through several stages.

First, they may need to consider the effect the disability or long-term condition has on them in their day-to-day life, i.e. their symptoms and the effect of any treatment they might be receiving.

Then they may need to assess how their disability, or long-term condition, affects them at work. As an employer you have a vital role here, and your actions may determine whether they can continue to be a productive and effective member of your team or feel they need to leave.

With help from experts, you can help the person identify the barriers they encounter at work and ways in which they can be removed or reduced.

Experts that can help include:

- Occupational health advisers, who are usually either doctors or nurses.
- Occupational therapists who can provide practical advice on managing the effects of a disability, or long-term condition, at home and in the workplace.
- Disability employment advisers and Access to Work advisers who can arrange workplace assessments.
- IT specialists either within your organisation or external assistive technology specialists.
- Your HR or diversity teams.
- Condition-specific support such as job coaches for people with autism or learning disabilities.

The most important thing you can do is to let people who work for you know they can talk to you and that you will help them to overcome barriers they may face at work. Remember, identifying and making adjustments should be a collaborative process. You want everyone in your team to perform as well as possible whether they have a disability or not!

**Content has been removed for sample purposes. Pages 21 – 50 are available in the full booklet.**

# Sample

**© 2020 This publication and the information contained therein, are subject to copyright and remain the property of Business Disability Forum. They are for reference only and must not be reproduced, copied or distributed as a whole or in part without permission**