



People manager guide

Making adjustments

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Introduction



Who needs to know about making adjustments?

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.

It is designed to equip people in the above roles with the knowledge to support all employees who have or may have a disability or long-term condition to thrive in their jobs by:

- Identifying who needs an adjustment.
- Identifying how work can be done differently to maximise the potential of your disabled and non-disabled staff (who may also benefit from the changes made).
- Deciding if an adjustment is reasonable.
- Treating your disabled colleagues fairly.
- Making sure you do not break the law.
- Knowing where to go for more help and advice.

As a people manager you have a vital role to play in enabling your team to work to the best of their ability. You are key to creating an open and supportive environment at work where employees can talk about any issues, and to helping them develop and contribute to organisational goals.

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.

Making adjustments

By making adjustments you should be removing barriers faced by disabled people in the workplace because of their disability, or long-term condition. Once barriers have been removed the performance of disabled employees can and should be held to the same standard as their non-disabled colleagues.

Learning how to make adjustments and manage people with both visible disabilities and those which may not be immediately visible is part of being a good manager. You should not think about managing disabled employees as separate to your other duties as a manager – good managers know how to manage difference, whether apparent or not, in order to get the best from all members of their team.

Sample

Reasonable adjustments are about recognising you need to treat people differently in order to treat them fairly and to enable them to realise their full potential.

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

You may be surprised to find that in fact you do.

When we hear the word 'disability', often what comes to mind are images of white sticks, guide dogs, hearing aids and wheelchairs. However, whilst considering physical accessibility is very important, the vast majority of disabilities are not immediately visible and may include:

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|---|--|
| Visual impairments. | Hearing impairments. |
| Speech impairments. | Diabetes. |
| Dyslexia or dyspraxia. | Epilepsy. |
| Asthma or other respiratory diseases. | Autism. |
| Cognitive difficulties. | HIV. |
| Cancer. | Heart disease. |
| Gastric problems like irritable bowel syndrome or colitis. | Mental health conditions like depression, anxiety, schizophrenia or bipolar disorder. |

The vast majority of disabilities are not immediately visible.

Making adjustments

It's also important to remember that many disabled people have fluctuating conditions which affect them differently at different times and which may in turn result in fluctuating performance depending on the effect of their disability on them at any given time.

The term 'disabled people' covers a wide range of different people with different conditions, which may or may not affect how they do their job. Indeed, the legal definition of 'disability' is so wide that people you may not regard as disabled, or indeed do not think of themselves as disabled, are protected under the Equality Act 2010. That includes people whose disabilities are not obvious and those who acquire a disability while working for you. Most 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 [1] – 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.

However, there is little point in trying to work out if someone meets the legal definition of disability. It is a legal – not a medical – definition. The only way to know for certain if someone meets the definition is by going to a tribunal or court. A doctor or occupational health adviser will not be able to tell you. The most they will say is that the person is 'likely' to be protected by the disability provisions of the Equality Act.

**It's likely that many of us
will be working with a
disability at some point
in our lives.**

1 Family Resources Survey 2016/2017.

Making adjustments

The best practice approach, that will make it easier for you to do your job as a manager, is to focus on the adjustments that are needed for someone to do their job. It's important to remember that you also have a legal obligation to make reasonable adjustments for any disabled person who is having significant problems at work whether or not they have explicitly told you about their disability. This means you must consider it possible that someone who is not performing well might have a disability, or condition, that might not be immediately apparent or be in the process of managing a newly-diagnosed disability that may be affecting them at work.

They may not be aware they have a disability themselves. It is down to you to try to find out why they are underperforming at work, to get more information if necessary and to identify and implement adjustments that will help the person to improve their performance and maximise their contribution.

By focusing on identifying and removing the barriers they are facing, you will improve the performance of everyone in your team and find that whether or not they would legally be considered disabled becomes less and less important.

The more you are known to be a fair and reasonable manager, the more likely it is that people working for you will tell you about disabilities or long term conditions they have, or barriers they face, because they know that you will make adjustments should they need them.

**Focus on the adjustments
that are needed for
someone to do their job.**

Why do I have to treat disabled people differently from everyone else?

The way that society and workplaces are organised present barriers to some disabled people that place them at a disadvantage. This means employers need to remove these barriers. It is easy to think that treating everybody equally means treating them the same. However, because of the disadvantages disabled people face, employers may need to do something differently to enable them to work effectively and productively, i.e. they need to treat disabled people differently to treat them fairly. This is the essence of making an adjustment.

A barrier can be physical, for example, a set of stairs, or a written document. They can also be found in policies or practices common to the workplace e.g. fixed working hours or locations, performance management policies or expected ways of communicating.

Adjustments remove or reduce the effect of these barriers. For the examples given above, adjustments might be providing a ramp as an alternative to the stairs, an audio version of the document – or software to read it aloud. Working hours and locations can be made flexible, and managers can agree different ways to communicate with their employees e.g. phoning, emailing, face-to-face, or in writing. These are small changes that can remove a barrier somebody is facing and enable them to do their job.

Employers also have a legal duty to make reasonable adjustments under the Equality Act 2010.

Although the law only requires you to make reasonable adjustments for disabled people you probably already remove barriers and make changes for non-disabled people so that they can work for you – they just aren't called 'reasonable adjustments'. Many employers have flexible working policies and enable all their employees to request working patterns that fit their needs, for example allowing someone with childcare or other caring responsibilities to start work at 10am or leave at 4pm so they can manage childcare or to work from home.

How will I know if someone needs a reasonable adjustment?

The law says you must make reasonable adjustments for disabled people who are having, or will have, problems doing the job because of their disability. More importantly, as a good employer, you will want to do everything you can to make sure that everyone who works for you can work as productively and effectively as possible – and that can mean making adjustments.

Although some people will tell you that they have a disability many will not because:

- They don't think of themselves as disabled, e.g. someone with diabetes.
- They don't think they need any adjustments or perhaps don't want to recognise that they do, e.g. someone who has a progressive or fluctuating condition.
- Although they are unwell or having difficulties at work they don't yet know why.
- They are worried about how you or the organisation might react and that they will either not get the job or lose their job.
- They fear harassment or bullying.

You must make adjustments for people you know or think might be disabled if they are having problems doing their work because of their disability.

As a manager you should be looking out for signs that someone might have a disability that is impacting on their job. Bear in mind that these signs might be linked to a disability that the person may or may not know about as yet. Look out for changes in behaviour, appearance, routines, performance or attendance. Remember that some of these signs could initially be viewed as 'positive' but might be an indication of an underlying issue.

Making adjustments

For example, an employee may start to behave differently, for example:

- 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 that might indicate they need support.

Don't worry about trying to work out if someone meets the legal definition of disability. If a member of your team is experiencing difficulties 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 needs them. This way you will have done all you can to help someone work to the best of their ability and may mean you recruit and keep the most talented people for your organisation.

Disability Equality Duty

Public authorities and those carrying out public functions are required by the Equality Duty to promote equality of opportunity for disabled people. The duty also means that authorities need to think in advance about the needs of both disabled employees and potentially disabled employees. Public authorities should bear this in mind when reading this guide.

How to make adjustments



You will have the skills, knowledge and authority to implement some adjustments yourself but for others you may need to call on your colleagues or external organisations for help.

Most large employers will have a reasonable or workplace adjustments policy and process which you should follow. The place to start is always with the person needing the adjustment. Talk to them to find out exactly what issues they are facing 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 on the adjustments that can be made. They might be learning to cope with the effects of their disability and neither you nor they may be aware of adjustments that are possible in your workplace.

Sample

Recognising differences and knowing when and how to change the way work can be done is called making a reasonable adjustment.

Scenario one

Maria, Computer based job

When Ken receives a fit note from Maria, a member of his team signed off with back pain, he remembers noticing that Maria had recently seemed to be in discomfort or pain.

Maria frequently flexed her wrists and when standing placed her hand on her back. On her return to work Ken arranges a 'back to work' interview where he asks her if she thinks work had contributed to her back pain. Maria tells him her GP has advised her not to work at a computer.

As Maria's job is completely computer-based Ken cannot see what he should do. He asks Maria what she finds most difficult and she tells him she has shooting pains up her right arm when she uses her mouse and her wrist swells up at night. She also had to stand up frequently because she thought her chair was giving her back and neck ache which had led to migraines at night that stopped her sleeping. Maria is worried that not being able to use a computer will mean she will lose her job.

Ken tells Maria that he needs to speak to others in the organisation and asks for her permission to mention her back and arm problems to the HR and IT teams. Maria gives her permission and they agree that her work will be restricted to reading reports from home until a solution can be found. Ken talks to HR who help him to organise a workplace assessment for Maria. The assessor talks to Maria about her work and watches her at her desk.

Maria tells him her GP has advised her not to work at a computer.

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The assessor then produces a detailed report making various recommendations including that Maria should have:

- An adapted keyboard that places less strain on her wrists when she types.
- A different mouse that she doesn't have to clutch so tightly.
- Speech-to-text software and training for Maria so that she can dictate emails.
- A chair adapted to Maria's size and shape; she is a small woman and needs a chair that can be raised to the right height for her desk that will support her back and neck properly.
- An adjustable sit-stand desk to allow Maria to stand for periods in the day while working at her computer.

The report also notes that Maria rarely moves from her desk during the working day and usually eats lunch at her desk. It suggests Maria should get up and walk round the office several times a day and that she should leave her desk at lunchtimes to walk outside.

Ken and Maria discuss the report and Ken promises to keep Maria informed about when the equipment is due to arrive. In the meantime, she continues to read from home. Maria agrees she should walk around and get herself a drink regularly throughout the day but often forgets to do so.

They decide she should put having a drink and a walk into her online diary which will send her an alert every hour telling her it's time for a break. Ken says he will make sure everyone on the team has a proper lunch break of at least 30 minutes during which they leave their desks.

A month after the equipment has been installed the pain in Maria's neck, back and arms has almost disappeared and she hasn't had a migraine in weeks. She also feels more alert because she is drinking more water and the walk at lunchtime helps clear her head and improve her thinking. The whole team has reported the benefits of having a proper break and leaving their desks at lunchtime.

Types of adjustments

Adjustments you might need to make could include:

- Equipment, e.g. voice activated software, an adapted keyboard or mouse or a new chair.
- Being flexible and changing working arrangements, e.g. allowing someone to change the hours they work (for example, so that they don't have to travel during rush hour) or to work from home sometimes or always.
- Changing the working environment, e.g. making a door easier to open, providing natural daylight bulbs, or changing the height of shelves. This can also include making an exception to a hot desk policy for example, so that someone who needs a fixed desk for mobility reasons or because – say – they experience extreme anxiety if they do not know where they will be able to sit or need a quieter environment.
- Changing expectations – for example, removing the requirement for an employee to attend large meetings if these are a particular cause of anxiety and are not critical to a job (but remember that the employee will still need to be kept up to date and in touch in other ways)
- Redeployment - moving someone to a more suitable job when a vacancy arises if no adjustments will enable them to do their existing job. This is the final adjustment we recommend that employers consider once all other options have been exhausted.

These are just examples of adjustments and not an exhaustive list.

Different people need different types of adjustments, sometimes for similar impairments. It will depend on things like how they are affected by the condition they have, and the role they work in. So, for example, what works for one person with Dyslexia may not be the best solution for another. Treat people as individuals and work with them to find out what they need.

Making adjustments

In most cases adjustments 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 and you will need to speak to other people in your organisation and perhaps obtain reports from experts like workplace assessors, the employee's doctor, specialist organisations, your organisation's occupational health adviser, or via Access to Work.

The most important thing is to talk to the employee to find out what they are having difficulty doing. Getting expert reports and assessments organised can 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 as otherwise they may feel isolated and abandoned.

Most importantly, do not tell anyone else about the employee's disability or medical condition without their express, and preferably written, permission. Very few people need to know the details of an employee's medical condition – perhaps only the medical adviser. What you and other people really do need to know is what the person is having problems doing and how their work can be changed so that these problems can be overcome, i.e. what adjustments are needed. Confidentiality is vital if you are to retain the trust of your employees.

Work with the employee to help them share any information they want to with others in the team e.g. on how best to work with them or communicate with them. If you are making adjustments which are likely to be visible to other employees (e.g. an exception to a hot desk policy), agree with the employee how best to communicate this.

In most cases adjustments will be relatively simple, inexpensive or even free and easily implemented.

Scenario two

Lloyd, medical condition

Carla is concerned about the amount of time off sick Lloyd has been taking in the last few months. She arranges a meeting to talk to Lloyd about his sickness absences and asks him if he is having any problems at work.

Lloyd apologises for the time he has taken off and insists that it is nothing to do with work. He seems reluctant to say more and so Carla asks if he will see the occupational health adviser. Lloyd agrees.

Lloyd tells the occupational health adviser that he discovered a few months ago that he had prostate cancer and the time off sick has been for hospital appointments, treatment and check-ups.

The cancer is responding well to treatment but he is embarrassed about being ill and doesn't want Carla or his colleagues to know about it.

The occupational health adviser agrees not to reveal any details about Lloyd's condition to Carla. He and Lloyd talk through the adjustments Lloyd needs at work which are very simple – Lloyd will need time off work from time to time to attend hospital appointments. Lloyd agrees that the occupational health adviser should write a report for Carla saying Lloyd will need time off for medical appointments. No details of the medical treatment are included in the report.

Carla and Lloyd meet to discuss the report and Carla is happy to be flexible and agrees to record the time off that Lloyd needs as disability leave* as Lloyd can tell her in advance when his appointments are. In the past he had not told anyone and simply called in sick on the day. Knowing when the appointments are makes it easier for Carla to plan around the appointments. Carla doesn't press Lloyd for any more details and the time he needs is accepted by his colleagues without question. Lloyd is relieved not to have to worry about his job and colleagues any longer.

*For more on disability leave see Business Disability Forum's people manager guide 'Attendance management and disability'.

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

Sample

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