

Reasonable Adjustments Policy

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This policy will be reviewed periodically to ensure compliance with changes in employment law and equality and diversity legislation. In the event that this policy or procedure is not compliant, the relevant legislation shall prevail.

Changes to this policy will be subject to consultation and agreement with the University's recognised Trade Unions before implementation

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1. POLICY STATEMENT

Brunel University London is fully committed to pro-actively advancing equality of opportunity in employment for all employees and to developing supportive working practices and employment policies that support a positive work life balance as such Brunel University supports the spirit of the social model of disability and applies this in its approach to providing adjustments

In particular, this Reasonable Adjustments Policy sets out the University's commitment to promoting disability equality, eliminating unlawful discrimination in all its activities and working towards ensuring that all staff with disabilities realise their potential. The University values the diversity of all its staff and is committed to ensuring that the highest equality and diversity standards are maintained.

2. POLICY AIMS AND OBJECTIVES

The purpose of this policy is to assist in maintaining a healthy working environment for all employees. In particular, it sets out:

- the University's duty and commitment to improving accessibility for all staff seeking support or adjustments to their working environment; and
- Some of the basic principles of our legal duty to provide reasonable adjustments for disabled staff.
- This policy covers the agreed approach of the university toward employees, workers contractors and potential employees, who are disabled, who believe that they may be disabled or become disabled

3. SCOPE

This policy applies to all employees, workers and contractors of the University. The scope of this policy covers conditions including, but not limited to: physical disability, sensory impairment, mental health conditions and neurodiversity conditions.

4. THE EQUALITY ACT

Under the Equality Act 2010, the University is required to provide reasonable adjustments for disabled employees to ensure that they may not be disadvantaged at work.

A disability is defined by the Act as those who have:

- a physical or mental impairment which has a 'substantial' and 'long-term' adverse effect on that person's ability to carry out normal day-to-day activities.

This means that in general:

- The person must have an impairment that is either physical or mental.
- The impairment must have adverse effects which are substantial.
- The long-term substantial adverse effects must be on normal day-to-day activities.

Chronic illnesses such as HIV, Multiple Sclerosis (MS), and Cancer are deemed as disability from the point of diagnosis under legislation. This means that someone with one of these conditions will automatically be considered to be disabled from the moment of diagnosis even if the impact of their condition would not otherwise meet the definition. Likewise someone who is registered blind or visually impaired will automatically be considered to be disabled

4.1 What is ‘substantial’ and ‘long term’?

‘Substantial’ means that the impact of the condition is more than minor or trivial – e.g. it takes much longer than it usually would to complete a daily task like getting dressed.

The Equality Act states that ‘Long-term’ means it must be likely to last or reoccur over a period of 12 months or more, for example, a man experienced a period of anxiety and depression. This had a substantial adverse effect on his ability to make social contacts and to visit particular places for three months before improving. Six months later he had another period of depression which had the effect that he was no longer able to leave his home or go to work. The depression continued for five months. As the adverse effects reoccurred over a period in excess of 12 months, the long-term element of the definition of disability was met.

4.2 What is ‘impairment’?

Impairments can be physical or mental but examples may include:

- Chronic pain;
- Mobility related impairments caused by accident or illness;
- Sensory impairments, such as those affecting sight or hearing;
- Impairments with fluctuating or recurring effects such as rheumatoid arthritis, chronic fatigue syndrome (CFS) and epilepsy;
- Progressive, such as motor neurone disease and muscular dystrophy.

It is not possible to give an exhaustive list of conditions

Example of types of reasonable adjustments that may be implemented can be found in [Appendix A](#)

It is important to remember that impairments can be both visible and invisible.

5. REASONABLE ADJUSTMENTS

The duty to make reasonable adjustments is embedded in the Equality Act. It states that employers have a legal duty to take all reasonable steps to remove the disadvantage that a disabled person may face at work because of their disability.

The duty to make reasonable adjustments may include the need to make adjustments to physical features of premises, policies and procedures and to provide auxiliary (additional) aids and services.

The aim behind providing a reasonable adjustment is to ensure that everyone is treated in an equitable way. Ensuring equality requires treating people according to their different needs. Therefore, it is not about treating everyone in the same way.

It is best practice for those involved in the decision making for reasonable adjustments to discuss with the individual the best possible resolution.

5.1 What is a Reasonable Adjustment?

A reasonable adjustment involves making a change to the way someone works their working environment, or to the way we work with them, and has the effect of minimising the person's impairment in the workplace so that they are able to undertake the duties of their role. This could, for example, involve providing the individual with a piece of equipment that helps them to read their computer screen or a flexible working arrangement that helps a person combine their work with their impairment or health needs.

It is useful for both the employee or staff and line manager to document any adjustments requested and implemented using a Workplace Adjustment Agreement. A template of the 'Workplace Adjustment Agreement' can be found in [Appendix B](#).

Examples of types of reasonable adjustments that may be implemented can be found in [Appendix B](#).

Whilst the Equality Act does not define what is reasonable, the consideration of whether an adjustment is 'reasonable' is judged against the following:

- Whether the adjustment will help in overcoming the difficulty that the employee has;
- The extent to which it is practical for the University to make the adjustment(s);
- The cost and availability of resources, including external assistance and finance;
- The extent to which making the adjustment(s) would disrupt the University activities;
- The size of the employer and its resources.

6. REASONABLE ADJUSTMENTS FOR EXISTING EMPLOYEES

The University has a duty to make reasonable adjustments for any employee, worker or self-employed contractor working for the University. This applies equally to employees with existing, developing or new conditions, including flare ups, the same guidance applies regarding the provision of reasonable adjustments.

When speaking with an individual about their impairment, assumptions should never be made about whether an individual needs any reasonable adjustments or what those adjustments might be. It is therefore, important to hear from the individual and look to agree a reasonable approach with them, taking into account the needs of the individual, their colleagues, their manager and the University.

In some case an Occupational Health referral may be required to seek professional guidance and support. Occupational Health may require the employee to complete a health check questionnaire which provides Occupational Health information which helps them to:

- Advice on any adjustments to your work or workplace which may be necessary to ensure that any health condition you may have is not made worse by your work.
- Identify any medical condition which could pose a safety risk to you, your colleagues, students or members of the public.
- Check that you are not particularly vulnerable to any hazards that your job may contain.

You may be contacted by the Occupational Health Professional who is dealing with your health check questionnaire. They will either telephone you to get some more details so that the assessment can be completed there and then or make you an appointment with an Occupational Health Advisor or Physician to discuss matters.

6.1 Available Support

Internal – Managers, Human Resources and Occupational Health will discuss any reasonable adjustment that the individual requires. These could be related to workload allocation, work patterns, desk location, office furniture, working hours, travelling required for the role and accessibility to those locations, equipment, training, time off for appointments/treatment etc.

External – Access to Work: Helps an individual overcome disability issues in the workplace by providing support and can help to pay for work related costs.

Access to Work can cover all of the agreed costs to help overcome disability issues if the individual:

- Is about to start paid work; or
- Has been working for less than six weeks when they apply for assistance.

The University may have to contribute to the costs if the individual has been working for six weeks or more.

Detailed information on the process for contacting Access to Work can be found in [Appendix C](#).

External – Access to Work Mental Health Support (Reemploy): The Reemploy ‘Access to Work Mental Health Service’ provide independent support and advice for people who are working and who experience mental ill health issues that affect their work.

This is separate from the University’s Occupational Health provision and employees are able to self-refer. Further information on the service can be found [here](#).

Care first are our chosen Employee Assistance Programme (EAP) –

The Employee Assistance Programme (EAP) is free and available to members of staff across the University 24 hours a day, 365 days a year.

Information is available through an online portal and a telephone helpline. Brunel University London has partnered with Care First an external organisation to provide this service, it is

Independent from the University and completely confidential.

Call 0808 168 2143 or visit www.carefirst-lifestyle.co.uk quoting ‘**brunel**’ as your username and ‘**employee**’ as your password.

Care First Zest

CARE FIRST ZEST As a separate value-added service to the core Care first platform, Zest is a mobile enabled site providing customisable content illustrating the benefits of a healthy, balanced lifestyle within the context of the workplace, and providing a range of compelling interactive tools with which you can tailor your personal health plans.

The [Equality and Diversity Team](#), can be contacted for further information and guidance on the support available for individuals.

The University recognises the following [Trade Unions](#):

- GMB
- UCU
- UNISON
- UNITE

Any employee who is a member of one of these unions may seek advice and support from them – this includes support at meetings.

6.2 Timescales

Agreed adjustments should be put in place as promptly as possible. Delays implementing adjustments can be very distressing for the employee and potentially have an adverse impact on the activities of the University.

Given the impact on individuals caused by the absence of adjustments and the further disadvantage that this causes them, the University will endeavour to ensure that adjustments are made within four weeks of their recommendation. Where this is not possible the employee will be informed of the reasons for this and the anticipated time frame for implementation.

The manager is responsible for liaising with the individual and keeping them updated. When an adjustment is being considered but cannot be implemented immediately (e.g. adjustments to building), the employee may be exempt from certain duties until the adjustments are put in place.

6.3 Implementation, Monitoring and Review of Adjustment

Once an adjustment has been agreed with the employee and is implemented, the adjustment will be monitored and reviewed in the early days and then periodically as needed to assess how effective the adjustment has been in removing any barrier(s) at work annually.

If adjustments are temporary, for example, an alternative duty, clear timescales for review will be discussed and agreed at the outset.

In some cases, it may be appropriate for a trial period to be implemented to 'test' whether or not an adjustment is going to be suitable or effective.

Refer to [Appendix D](#) for "Top Tips on Supporting (Disabled) Employees."

7. REASONABLE ADJUSTMENTS FOR POTENTIAL AND NEW WORKERS

Under the Equality Act, the duty to make reasonable adjustments extends to those who:

- Apply for a work with the University, or
- Tell the University that they are thinking of applying for a work.

With this in mind, careful consideration should be given to the following processes/activities to ensure that the University is compliant with the Equality Act:

7.1 Job Description/Person Specification

The job description should accurately reflect the duties and responsibilities of the job and the person specification must only contain criteria which is job related and can be fully justified.

7.2 Disclosure of Disability Application process

The University currently uses an online application process, which enables applicants to apply and track their application. However, application forms can also be made available, upon request, in alternative formats such as Word or Braille.

7.3 Disclosure of Disability

As part of the application process individuals are given the opportunity to disclose whether they have an impairment.

Disclosing an impairment is an individual decision, and there is no obligation on anybody to do so. However, there are many reasons why disclosing an impairment to the University is a positive action. However disclosure will enable the individual to better support. The nature of an individual's impairment if disclosed will be kept in strict confidence.

7.4 Shortlisting Process

In line with the University's [Recruitment Guide](#) where an applicant declares an impairment and meets all the 'Essential' criteria identified in the Job Specification an invitation to interview will be offered.

A disability disclosure should never be used to inform decisions related to whether the candidate is able to satisfy the essential criteria at interview. Instead, the University is required to ascertain what reasonable adjustments need to be put in place to support the applicant to undertake the essential aspects of the role.

Once the shortlisting process has been completed, successful applicants will be invited for an interview.

In line with the University's [Recruitment Guide](#) where an applicant declares a disability and meets all the 'Essential' criteria identified in the Job Specification an invitation to interview must be offered.

The University does not use disability disclosure inform decisions related to whether the candidate is able to satisfy the essential criteria at interview. Instead, the University is required to ascertain what reasonable adjustments need to be put in place to support the applicant to undertake the essential aspects of the role.

Once the shortlisting process has been completed, successful applicants will be invited for an interview.

7.5 Interview / Tests

Where an applicant has advised that they require a reasonable adjustment(s) for interview, the HR Team will liaise with the applicant and arrange for the appropriate adjustments to be put in place. Examples of adjustments could include:

- A sign language interpreter at interview;
- A hearing loop;
- Extended time to prepare a presentation;
- Interviews conducted in an accessible venue;
- Parking provided near the interview location.

At this stage applicants are given the opportunity to indicate in advance if they require any reasonable adjustments and discuss any suggested adjustments that aim to help overcome any disadvantage during the interview and testing stages. The Equality, Diversity and Inclusion Team may also be consulted regarding reasonable adjustments for the interview and assessment(s) stages.

Any tests/assessments should be relevant to the post. Examples of reasonable adjustments that may be provided include: changes to the format used, additional information relating to the assessment to be provided, allowing a support worker to be present, or allowing additional time to be given to complete the test (allowing at least 25% additional time).

The Chair of the panel and if required other panel members should be briefed and consideration should then be given to applicant's situation. The HR Team will provide advice and guidance to the Chair, if required.

At this stage applicants are given the opportunity to indicate in advance if they require any reasonable adjustments and discuss any suggested adjustments that aim to help overcome any disadvantage during the interview and testing stages.

The Equality, Diversity and Inclusion Team may also be consulted regarding reasonable adjustments for the interview and assessment(s) stages. It is important not to make assumptions about what a disabled person can and cannot do. The majority of disabled people need little or no special support for an interview. Interviews should be specific, examining the skills, training, experience and ability of the interviewee as they relate to the job specifications, not based on assumptions about the interviewee's impairment.

Information regarding any reasonable adjustment(s) required to attend the interview will only be used for the purposes of facilitating the candidate to attend and participate in the interview.

APPENDIX A: EXAMPLES OF TYPES OF REASONABLE ADJUSTMENTS

Adjustments to the Working Environment

- Moving tasks/activities to more accessible areas
- Making alterations to work equipment or furniture (e.g. desk, mouse, chair, and monitor)
- Making alterations to premises (e.g. providing a handrail)

Adjustments to the Job

- Providing additional training
- Modifying instructions or reference manuals
- Providing a mentor to an employee while they regain their confidence at work
- Modifying systems/processes (e.g. to reduce pressure or give the employee more control)
- Arranging telephone conferences to cut travel
- Temporarily providing alternative work
- Considering redeployment to a more suitable role

Adjustments to Working Arrangements

If a person is off sick allowing a phased return to normal working hours or workloads to build up strength and confidence.

- Changing working hours to allow easier travel to work
- Allowing flexible working to ease work/life balance
- Allow more structured breaks from work

APPENDIX B: WORKPLACE ADJUSTMENTS AGREEMENT

Your name	
Job title	
Department	
Line manager's name	

We want to give everyone the best possible chance of working to their full potential with us. So wherever possible, we adapt our ways of working to try and meet the needs of our staff.

That's why we've introduced this "Workplace Adjustment Agreement" – to help us work together to meet your needs and our shared needs as an organisation. This document helps us to keep an accurate record of what has been agreed.

We're ready to talk about everything with an open mind, listening to any suggestions and considering any possibilities – with the aim of agreeing an arrangement that will help you to fulfil your potential while you're working with us.

Your "workplace adjustment agreement" is a live document that you and your manager should review regularly and amend as appropriate. For example, this may be:

- at any regular one-to-one meeting;
- at a return-to-work meeting after you've been off sick;
- at six-monthly and/or annual appraisals;
- before your job or duties change, or new technology or ways of working are introduced;
- before or after any change in circumstances for you or the university;

Identifying a workplace adjustment may be an iterative process as different approaches will be needed to suit different needs. You may be the best expert when it comes to your particular needs (unless this is new to you) you may wish for us to seek advice from your GP or medical advisors.

Once you've completed this form and detailed what you think you may need, your line manager will share this form with Human Resources to discuss adjustments which may need to be made.

Remember that we may need to get expert advice from third parties such as occupational health advisers, Access to Work or IT specialist

The University will make the necessary adjustment that removes barriers (where reasonable) so that a disabled person is not put at a disadvantage when compared to a non-disabled person. This is in accordance with The Equality Act 2010

Our adjustments fall into two categories:

- assistive software such as Dragon speech-to-text software
- Hardware equipment such as double-eared headsets.
- Working hours and patterns – such as a change to working pattern, a reduction in contractual time (days/hours).
- Work location and duties – such as working from home, or redeployment..

Wellness at work – for people who have fluctuating mental or physical disabilities

On a "good day", my impairment has this impact on me at work

When things aren't going so good, I believe that my condition/impairment has impact on me in the following way

I need the following tailored adjustments	The tailored adjustments we've agreed (contact Access to Work if relevant)	How will this/these adjustment(s) help you?	When the adjustments were/will be put in place?	Comments/notes

Emergency contacts

If I'm not well enough to be at work, I'm happy for my line manager to get in touch with any of the following emergency contacts – in the order of preference shown below.

Relative (preference [])	Other (preference [])
<p>Name:</p> <p>Relation to me:</p> <p>Phone number:</p> <p>Mobile phone number:</p> <p>Address:</p>	<p>Name:</p> <p>Hospital:</p> <p>Phone number:</p> <p>Mobile phone number:</p> <p>Address:</p>
<p>Name:</p> <p>Relation to me:</p> <p>Phone number:</p> <p>Mobile phone number:</p> <p>Address:</p>	<p>Name:</p> <p>Relation to me:</p> <p>Phone number:</p> <p>Mobile phone number:</p> <p>Address:</p>

Employee agreement:

I'll tell you if there are changes to my condition that have an effect on my work – and/or if the agreed adjustments aren't working.

If you notice a change in my performance at work, or feel that these tailored adjustments aren't working, I'd be happy to meet you privately to talk about what needs to be done.

Employee signature	
Date	
Line manager's signature	
Date	

APPENDIX C: ACCESS TO WORK

Access to Work is a government scheme that can financially help towards additional costs incurred by people with disabilities in their workplace. They are based through Jobcentre Plus and can offer:

- Guidance and practical help.
- Workplace assessments.
- Advice on adaptations in the workplace, or supplying specialised equipment.
- Support service for mental health conditions.

Access to Work will consider the needs, and make an offer of a grant towards the costs. **If you are a new member of staff, the grant is up to 100% of the approved costs, providing the application is made within the first six weeks from your start date at the University.**

For current staff already employed by the University and require support, the grant is up to 80% of the approved costs after the first £1,000 as the University has over 250 employees. The University will then cover the remaining 20%.

When cost sharing applies, Access to Work will refund up to 80% of the approved costs between a threshold and **£10,000**.

Purchase of any equipment or support is made via the University's [Equality and Diversity Team](#), who then claims back the contribution from Access to Work.

Further information can be found on the Access to Work Website: <https://www.gov.uk/access-to-work>

HOW TO MAKE AN APPLICATION

There are two options:

- 1) You can apply online using the following link: <https://www.gov.uk/access-to-work/apply>

or

2) Make a telephone application using the number below (this can take approximately 15 minutes).

Telephone: 0345 268 8489 Textphone: 0345 608 8753

Email: atwosu.london@jobcentreplus.gsi.gov.uk

Please have the following information to hand when making the application:

- Full Name
- Date of Birth
- National Insurance Number
- Home Address, Telephone Number and Email Address
- Place of Work, Address, Telephone Number and Email Address
- Job Title and Brief Job Description
- Description of Disability
- Name, email address and phone number of a workplace contact, please state: [Equality and Diversity Manager \(Staff\)](#).

The application will then be referred to an Access to Work Adviser who will contact you to assess your case, normally within one week.

If your application is successful, please notify the [Equality and Diversity Team](#).

APPENDIX D: TOP TIPS ON SUPPORTING (DISABLED) EMPLOYEES

- Don't make assumptions about what support an employee might need. You will need to discuss any specific needs or adjustments with the employee.
- Engage with people. Dwelling on definitions and diagnoses is unlikely to be helpful as, too often, a diagnostic 'label' leads to preconceptions as to what a person can - or cannot - do. The most productive approach is to talk to the person, get a clear understanding of what they can do, rather than what they can't do and so understand problems or issues and work on the basis of the person's capabilities.
- Talk at an early stage. The earlier you notice that an employee is experiencing difficulties or requires an adjustment the better for all concerned. Your early actions can help prevent the situation becoming worse.
- Identifying early signs of distress. Some of the key things to look out for are changes in a person's usual behaviour, poor performance, tiredness and increased sickness absence.
- Try to engage with someone even if they're reluctant to talk. First, make it clear that the discussion will be absolutely confidential. Then you should consider - from the employee's point of view - why they might be reluctant to talk. Will any disclosures be treated sympathetically and positively? If this employee has seen others with similar problems being discriminated against, they may be cautious. You should be clear about confidentiality and who will be told what. You cannot offer 100% confidentiality but can clearly explain the limits of your confidentiality (such as personal information is confidential but issues that may have a health and safety risk will need to be discussed further).
- Managing the rest of the team. Be aware of the impact one employee's disability could have on the rest of the team, whether as a result of reasonable adjustments that have been made or because of a person's particular symptoms or behaviour while unwell. You need to ensure that any hurtful gossip or bullying is dealt with promptly and effectively to ensure that staff members are not being bullied or harassed on account of a disability, which is unlawful under the Equalities Act.
- Keep in touch during disability related absence. Managers often fear that contact with someone who is off because of a disability related absence will be seen as harassment. However, the overwhelming view from people who are absent due to a physical or mental

health condition or illness is that they wish to keep in touch in some way. It is important that the communication does not create additional pressure on the employee, but supports them.

- Occupational Health is there to provide support and advice to both staff and management, but ultimately they do not replace regular supportive management or the employees GP. It is up to management to decide whether or not the recommendations made can be reasonably accommodated.
- Managers should be proactive in discussing a potential disability with staff, before initiating a referral to Occupational Health. It is important to make staff aware of why they are being referred in order to prevent anxiety.