

SUPPORTING DISABLED EMPLOYEES IN THE WORKPLACE GUIDANCE

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INTRODUCTION

The Council is committed to helping all our employees perform to their full potential and supporting individuals who have a disability according to the needs they may have. This document is designed to act as guidance for employees and managers in gaining a better understanding of the legal responsibilities and how to support disabled employees in the workplace.

The Council is committed to making appropriate reasonable adjustments for disabled employees, job applicants and potential job applicants.

RESPONSIBILITIES

EMPLOYEES

- To make managers personally aware of their disability and any known reasonable adjustments they require as soon as possible.
- To ensure that their personnel record in Business World On! is up to date regarding their disability status to enable effective monitoring of Council procedures and reduce the risk of discrimination occurring.
- To work with managers to get reasonable adjustments in place.

MANAGERS

- To support employees with a disability in the workplace and put in place appropriate reasonable adjustments.
- To regularly review the reasonable adjustments in place to ensure they are still effective.
- To allow employees to take any equipment purchased as a form of reasonable adjustment, with them should they move internally within the council.

DEFINITION OF DISABILITY

The Equality Act 2010 defines a disabled person as "A person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities"

For further information on the definition of disability, please refer to the [Equality Act 2010 Guidance](#).

REASONABLE ADJUSTMENTS

When supporting a disabled person in the workplace, the Equality Act requires the organisation to consider and make 'reasonable adjustments' to ensure the disabled employee is not put at a substantial disadvantage, and is able to perform in their role and ensure their safety in the workplace.

The prime responsibility for arranging appropriate adjustments will lie with the line manager, who will consult with the employee concerned.

HOW TO PUT IN PLACE A REASONABLE ADJUSTMENT?

Where an employee requires or may require an adjustment to their working arrangements or environment, he/she should bring this to the attention of his/her line manager as soon as possible. In some cases a disability may be identified by Occupational Health through the management referral report which will be shared with the employee by the line manager.

The DSE online workstation assessment must be followed before referring to occupational health if they feel any health issues are related to the DSE operations.

Please refer to [G13 Display Screen Equipment \(DSE\) Policy](#) for further information.

During discussions with their line manager it is advised that an individual outlines how their disability affects them in work and outside of work (as this may impact on their work) and what reasonable adjustments they may need in the workplace. In most cases, the person with the disability will have the best knowledge about the adjustments they require.

Where advice is required on potential reasonable adjustments managers can access this through the following means:

- Health and Safety risk assessments.
- Workplace assessments by Occupational Health: this is an assessment of a person's working environment and is carried out via the phone or face to face by Occupational Health. It is the line manager's decision if a workplace assessment is required and their responsibility to request one from Occupational Health using the referral form. For more information see [G10.10](#) and [G10.5](#).
- Management referral for an Occupational Health assessment: Managers may wish to refer an employee to Occupational Health for advice on potential reasonable adjustments. Managers should discuss this with the employee before making the referral to Occupational Health, using the referral form. For more information see [G10.5](#).
- Where required, an outside specialist may be consulted with the agreement of the disabled employee.

See [flowchart](#) for recommended process for arranging reasonable adjustments.

WHAT IS MEANT BY REASONABLE?

When considering what adjustments are reasonable managers will need to consider the following:

- The effectiveness of the adjustment – will it remove or reduce the difficulties the employee is experiencing?
- Any health and safety implications – is there an impact in regards to health and safety of the individual or colleagues?
- What (if any) impact will this have on other employees/team members/colleagues?
- The practicalities of the adjustment – what effects will it have on the organisation?
- The cost – Funding may be available from external sources eg [Access to Work](#).
- Other help available – can you source other methods of support for the individual?

RECORDS OF REASONABLE ADJUSTMENTS

All reasonable adjustments should be recorded on the [reasonable adjustment agreement form](#) to provide an accurate source of information on what has been agreed.

This can then provide a basis for future discussions on reasonable adjustments and minimise the need to re-negotiate adjustments if the employee changes manager.

The reasonable adjustment agreement form allows an employee to:

- Explain the impact of their disability at work.
- Suggest adjustments that will make it easier to do their job.
- Offer further information from their doctor, specialist or other expert.
- Request via their line manager, an assessment by Occupational Health, Access to Work or another expert.
- Review the effectiveness of the adjustments agreed.
- Explain any change in circumstances.

The reasonable adjustment agreement form allows the line manager to:

- Understand how a particular employee's disability affects them at work.
- Explain the needs of the business or organisation.
- Consider whether or not the employee needs to be referred for an assessment by an Occupational Health or another adviser to help both parties understand what adjustments are needed.
- Review the effectiveness of the adjustments already agreed.

REVIEW OF REASONABLE ADJUSTMENTS

Regular review should take place between the employee and manager, at least annually, to ensure that the adjustments put in place continue to be effective.

Specialist advice from third parties, such as Occupational Health advisers, Access to Work or IT specialists may be needed before changes can be agreed and implemented.

Reasonable adjustments may be reviewed:

- At any regular one-to-one meeting, supervision, or appraisal.
- At a return to work meeting following a period of sickness absence or treatment.
- Before a change of job or duties or introduction of new technology or ways of working.
- Before or after any change in circumstances for either party including a change in the nature of the disability.

EXAMPLES OF REASONABLE ADJUSTMENTS

- Re-arranging seating or furniture in the office space
- Amendments to the role – the individual completes the parts of the job they are able to and take on other responsibility whilst their colleagues will pick up the work they cannot complete.
- Flexibility in working practice – the consideration of flexibility in working times, the provision of additional breaks, the ability to work from home. See [Flexible Working Policy](#).
- Allowing extra time for reading or written work or travel time between meetings.
- Use of the [Disability Leave Policy](#).
- Additional/modified equipment - to support in the workplace. Examples of this include specialised seating, ergonomic mouse, large screen, anti-glare screen filter, or specialised software. If any IT equipment or software is required please see section on [Specialist IT Equipment](#).
- Provision of a reader, interpreter or signer.
- Adjustments to systems/processes in place eg colour coding a filing system.
- Appropriate communication methods (i.e. large print manuals).
- Holding an awareness session on a specific disability for colleagues (where the individual consents to this).

Further information and examples of reasonable adjustments are available on [Lincs2learn](#).

REASONABLE ADJUSTMENTS IN SELECTION PROCESSES

As part of the Council's commitment to the Department for Work and Pensions "Disability Confident" scheme managers are required to interview all applicants who declare a disability and meet the minimum criteria of a job. This means that all those who demonstrate through their application that they fulfil the person specification are invited for interview.

Disabled applicants are encouraged to declare their disability for this reason, and also to ensure that any reasonable adjustments will be made to support them during the application process.

The Council will endeavour to make any adjustment to support an individual during this process. This can range from ensuring rooms are physically accessible to providing an interpreter. When an individual declares a disability the Council holds this information to ensure reasonable adjustments are made, this data will have no bearing on the individual's application or judgement around their ability to perform in post.

SPECIALIST IT EQUIPMENT

Where specialist IT equipment or software is required a workplace assessment should be undertaken by Occupational Health who will then provide a report on the DSE workstation and equipment required. Managers can then log a call with the IT Servicedesk to receive a quote for the IT equipment. In some cases Occupational Health may recommend providing software with a particular functionality but not provide a specific version. Access to work may then be able to recommend a type of software to meet these functionality requirements. Please check with the IT Servicedesk if the software required is compatible with the Councils' systems before purchasing software.

TRANSFER OF REASONABLE ADJUSTMENT PROVISIONS AND AUXILLARY AIDS

Should an employee move position within the organisation, the reasonable adjustments that they had provided should move with them to their new role (where this will support them in carrying out the new role) and not retained by the service area that purchased them. This will prevent further equipment/software being purchased by the Council and will enable the employee to transfer to their new role with minimum disruptions.

The reasonable adjustments record can be used by the employee to share information on their disability and requirements for reasonable adjustments with the new line manager. Where the employee has moved into a different role there will be a need to review the adjustments in place and see if these will still be the most appropriate means of supporting the employee in performing in this new role.

SUPPORT AVAILABLE

When looking at making a reasonable adjustment for a disabled employee the manager may wish to consider the policies highlighted at the end of this document. For further information, please refer to the [Employment Manual](#) on LCC Connects.

Further advice and guidance around additional support for disabled employees and managers is available in [Appendix A](#).

SUPPORTING AN EMPLOYEE WHO BECOMES DISABLED

If an employee becomes disabled whilst working at the Council, it is recommended the individual discusses their disability with their line manager as soon as possible, to ensure that they are given support and reasonable adjustments.

During discussions with their line manager it is advised that an individual outlines how their disability affects them in work and outside of work (as this may impact on their work) and what support they may need in the workplace.

It is important to ensure that the employee can continue to work in their current role whilst ensuring they can continue to work safely. Please see section above on how to put in place reasonable adjustments and [Appendix A](#) on the additional support available.

UPDATING OF PERSONAL RECORDS

Employees should ensure that their personnel record in Business World On! is up to date regarding their disability status.

The Council records and monitors the disability status of an employee for the purposes of ensuring appropriate support and procedures are in place (eg recognising need for disability leave to apply).

This data is held securely and confidentially, and will only be discussed in the strictest of confidence with those who need to be made aware.

ABSENCE MANAGEMENT

Disability related sickness absence arises where the employee's sickness absence is related to their disability. Disability related sickness should be recorded by line managers using the Business World On! system.

Reasonable adjustments for disability related sickness absence may be made as part of the absence management procedure. In the event of a disabled employee being absent from work managers should refer to the [Absence Management Policy](#) which offers support and guidance in managing and supporting individuals who are absent.

FURTHER INFORMATION

[Reasonable Adjustment Agreement Form](#)
[Flowchart of Process for Reasonable Adjustments](#)
[Equality & Diversity in Employment Policy](#)
[Flexible Working](#)
[Home Working](#)
[Job Share](#)
[Redeployment](#)
[Disability Leave](#)
[Absence Management](#)
[Disability Confident Scheme Guidance](#)

APPENDIX A

SUPPORT SERVICES AVAILABLE

Service	Support given	Contact details
People Management	HR advisers will be able to support in giving advice on how to support the individual through the use of flexible working policies etc.	Email: people_management@lincolnshire.gov.uk
Occupational Health	<p>Will perform an assessment of the individual's abilities to ensure they can conduct the role safely.</p> <p>They will offer advice on aids or adaptations that may support an employee in the workplace.</p> <p>Assessments through Occupational Health need to be requested by the line manager. Please see the Occupational Health page on George for guidance on making a referral.</p>	Telephone: 0845 504 0230
Access to Work	Will carry out a workplace assessment to gauge adaptations and equipment needed. Will provide funding for equipment, personal support and travel to work expenses. Communication support including advocacy, British Sign Language (BSL) interpreters, and deaf blind interpreters.	Access to Work Website Tel: 0345 268 8489
Trade Unions	They are able to offer support and advice in relation to any concerns that the employee may have.	
Disabled Staff Engagement Group	Provide a secure forum in which to debate issues within the workplace relating to the specific needs of the group. To provide support to colleagues. Also provide a source of information to employees and managers in regards to disability.	Email address: disability_staff@lincolnshire.gov.uk
Equality and Human Rights Commission	A key aim of the Commission is to end discrimination and harassment of people because of their disability, age, religion or belief, race, gender, or sexual orientation.	Equality and Human Rights Commission - website
Employee Support and Counselling	<p>The Employee Support Counsellors are all individually trained counsellors and members of the British Association for Counselling and Psychotherapy and work to their professional Code of Ethics and Practice.</p> <p>You can contact the service by telephone, e-mail or post.</p> <p>Further details on the service are available in the Employee Support and Counselling leaflet.</p>	55440 (if dialling internally) or 01522 555440 if calling externally or on emp.supportandcounselling@lincolnshire.gov.uk Post: Employee Support and Counselling Service 13 The Avenue County Offices Newland Lincoln LN1 1YL (Please mark Personal)

When a manager is contacting these services on behalf of an employee it is essential to have agreed it first with the employee