

REASONABLE ADJUSTMENTS: A FACTSHEET

What are reasonable adjustments?

A 'reasonable adjustment' is a change that must be made to remove or reduce a disadvantage related to:

- An employee's disability when doing their job
- A job applicant's disability when applying for a job

A reasonable adjustment could involve making changes to:

- The workplace
- Equipment or services provided, for example an appropriate keyboard for someone with arthritis
- The ways things are done
- An individual's working pattern

The law behind disability and reasonable adjustments

The definition of disability under the Equality Act 2010:

- You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.
- Under the Equality Act 2010, there is a legal duty on employers to make reasonable adjustments for disabled employees. The Act recognises that solutions may vary according to individual circumstances. Reasonable adjustments must be effective, practical, and significant.

When should I disclose my disability?

- Disclosing a disability to a current or potential employer can be a stressful but necessary step. The fear of discrimination, unconscious bias and other negative consequences leads many to withhold information about their physical or mental health from others.
- However, telling an employer about a disability — be it visible, like cerebral palsy, or invisible, like chronic migraine — may be necessary to receive adequate accommodations to perform your job.
- Disclosing in a cover letter is the most common way
- You may need to disclose before an interview or assessment for adjustments to be made during the interview or assessment.
- It is important your employer knows about your disability before requesting reasonable adjustments.

How can I request reasonable adjustments?

An employee who needs a reasonable adjustment should talk with their manager or employer. It's a good idea to meet, so:

- The employee can explain their situation
- The employer can understand how they can help
- They can discuss and agree on possible adjustments together
- It's also a good idea to put anything agreed in writing - Reasonable Adjustment Passport

Occupational Health

- People often know exactly what support they need or how to remove a particular barrier.

- If additional advice, guidance, or support is needed, Occupational Health can provide expert advice on reasonable adjustments and workplace accommodations.

Who pays for reasonable adjustments?

- The employer is responsible for paying for any reasonable adjustments. Costs can vary and can be dependent upon the size of the organisation.

There is money available that may help fund reasonable adjustments. An Access to Work grant is money for practical support to help someone do their job.

The money can pay for things like:

- An expert assessment
- Specialist equipment
- Travel when public transport cannot be used
- A support worker

What happens if my employer fails to provide reasonable adjustments?

- An employer's failure to make reasonable adjustments for a worker or applicant with a disability will fall under discrimination under the 2010 Equality Act.

- In most cases, you can make an informal complaint or raise a formal grievance about the employer.
- However, in some cases, an employer could also find themselves facing a claim for unlawful discrimination before an employment tribunal.

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