



# Reasonable Adjustments

## Guidance for Managers

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### 1. Introduction

South Tyneside Council is committed to supporting our employees who have a disability and/or a long-term health condition to reach their potential. By being **open and honest**, and **understanding and engaging** we can remove or reduce barriers and disadvantages by making reasonable adjustments to their work and/or workplace.

South Tyneside Council is a Disability Confident Employer (Level 2) which means that we have undertaken and successfully completed the Disability Confident assessment.

This guidance provides managers with information about reasonable adjustments, what they are, why we need to make them and how they can be implemented.

### 2. Our Council Values

Our Values are the things we most care about. In applying every policy and process, we must consider and uphold our PROUD Values. These define what we stand for as an organisation, how we work and how we act.

Professional – we uphold high standards.

Respectful – we value people.

Open and honest – we trust each other.

Understanding and engaging – we care about people.

Deliver what we say we will - we provide great services.

Under each Value is a set of guiding behaviours. These apply to every person who works for or represents South Tyneside Council. They are our promise to residents, each other and to all who interact with the Council.

### 3. **Scope**

The law ([Equality Act](#)) says that employers must make reasonable adjustments for:

- Employees and workers
- Contractors and self-employed people
- Job applicants.

This guidance applies to all employees of the Council including those set out above. For job applicants, please refer to the [recruitment policy](#).

Governing bodies can adopt this guidance for school-based employees.

### 4. **Equality Act 2010**

The Equality Act 2010 says that employers must make reasonable adjustments when:

- Where they know, or could be expected to know that an employee has a disability or long-term condition
- Where an employee with a disability or long-term condition asks for adjustments
- Where an employee with a disability or a long-term condition is having difficulty with any part of their job
- Where an employee's sickness absence record or return to work delay is because of or related to their disability
- Where an employee's condition has become worse and additional support is required.

If employers do not make reasonable adjustments, they may face a disability discrimination claim at an employment tribunal. Reasonable adjustments are a right, not a choice.

A person is disabled under the Equality Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.

- Substantial is more than minor or trivial, e.g., it takes much longer than it usually would to complete a daily task like getting dressed
- Long-term means 12 months or more, e.g., a breathing condition that develops because of a lung infection.

There is no definitive list of all disabilities which meet the above criteria, and the definition is intentionally wide and therefore covers a range of impairments and long-term conditions.

Disability is one of the nine 'protected characteristics' in the Equality Act 2010 which makes it unlawful for employers to discriminate whether directly or indirectly, against employees who have or have had a disability.

#### 5. **What is a 'reasonable adjustment'?**

Reasonable adjustments look different for every individual and there is a wide range of adjustments that can be made to support employees, which include temporary or permanent changes. Reasonable adjustments can include:

- making changes to the workplace
- changing someone's working arrangements
- finding a different way to do something
- providing equipment, services or support.

What is reasonable depends on each situation. The employer must carefully consider the following:

- Effectiveness – how well does the adjustment in question remove or at least minimize the disadvantage?
- Practicability – how practical is the adjustment? For example, how long will it take to implement, will anyone need extra training, etc?
- Cost – for example, how much will it cost and is the cost reasonable?
- Disruption – how disruptive would it be to the service and other employees in making the adjustment?
- Risk – would making this adjustment cause any risk to others? (Note: An adjustment will not be 'reasonable' if anyone's health and safety would be compromised by making that adjustment).

An employer does not have to make adjustments that are unreasonable and does not have to change the basic nature of the job. In those cases, wherever possible the employer should find other ways to support the disabled person.

The employer is responsible for paying for reasonable adjustments, and many adjustments will be simple and affordable.

#### **6. When should I consider making reasonable adjustments?**

In deciding if the duty to make a reasonable adjustment is required, the following should be considered:

- Is the employee disadvantaged or experiencing a barrier at work?
- Are they experiencing this disadvantage/barrier because of their disability/long-term health condition?

If the answer is 'yes' to both of these, reasonable adjustments must be explored.

#### **7. Process for making reasonable adjustments**

The process for exploring reasonable adjustments can be started by a manager or by the employee. A meeting should be held between the manager and the employee, and the employee may wish to have support from their trade union representative (or Council employed work colleague). The Reasonable Adjustments Form at [Appendix A](#) must be completed.

The manager should listen to the employee and try to understand how their disability affects them and must not make assumptions. Some employees may find it difficult to raise issues about their health, therefore it is important that such conversations are a positive and helpful discussion.

The manager and the employee should discuss the adjustments that are needed, with the manager bearing in mind that the employee is likely to have a better idea of what changes would be helpful to them. Managers may have concerns about their ability to provide help and support with sensitive and personal matters, but managers are not expected to be medical experts. The manager's role is to simply provide support in relation to any issues and enable reasonable adjustments to be made whenever possible.

Some adjustments might be straightforward and can be put in place quickly. However, the manager may need to consider getting advice through Occupational Health in relation to adjustments which can delay the process. It is important that once appropriate adjustments have been agreed, they are put in place without delay.

#### **8. Reviewing adjustments and keeping a record**

Reasonable adjustments might need to change over time. This could be because:

- the working environment has changed – this could be due to a change of job or working location
- their condition changes – they may have a disability that changes over time.

An employee and their manager should regularly review adjustments during Check-In meetings. Any changes to adjustments that are discussed should be updated on the Reasonable Adjustments Form (insert link).

## 9. Further advice and support regarding reasonable adjustments

Advice regarding reasonable adjustments is available via a referral to Occupational Health.

[Digital Screen Equipment \(DSE\) Workstation Assessments](#) should be carried out by the employee and submitted to their manager. Where specialist chair or desk assessments are required managers can contact the Occupational Health and Safety Team for further advice and guidance.

For those working in a hybrid way please also see the [Hybrid working risk assessment process for South Tyneside Council employees \(sharepoint.com\)](#)

### Access to Work

Access to Work is a government scheme that provides practical and financial support to people who have disabilities or long-term health conditions, whether physical or mental. They can provide an assessment for someone's needs at work and help to identify changes to enable them to do their job. The scheme can also give support including funding for specialist equipment, premises alterations and assistance with travelling to work. The employee can make contact at <https://www.gov.uk/access-to-work> or apply via their local Jobcentre.

### Scope

Scope is a Disability Equality Charity that provides information and emotional support. The Scope Helpline provides free, impartial advice and support to disabled people.

- Contact number: 0808 800 3333
- Textphone: dial 18001 then 0808 800 3333
- Email: [helpline@scope.org.uk](mailto:helpline@scope.org.uk)
- online support and advice: <https://www.scope.org.uk/advice-and-support/>

### Disability Rights UK

Disability Rights UK is a leading UK charity run by and for people with lived experience of disability or health conditions. Their website is a resource for advice and support. <https://www.disabilityrightsuk.org>.

## 10. **Equality and Diversity Statement**

South Tyneside Council is committed to promoting equality and valuing diversity. An equality check for this guidance was carried out in February 2024.

Policy approved by Governors:	April 2024
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