Reasonable Adjustments Passports

A Guide for Line Managers





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Acronym Glossary

- AD(H)D: Attention Deficit (Hyperactivity) Disorder
- DSE: Display Screen Equipment
- EDI Team: Equality, Diversity & Inclusion Team
- HIV/AIDS: Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
- HR: Human Resources
- ISS: Information Security Systems Team
- LU: Lancaster University
- MS: Multiple Sclerosis
- OH: Occupational Health
- PEEP(s): Personal Emergency Evacuation Plan(s)
- RAP(s): Reasonable Adjustments Passport(s)

Who is this guide intended for?

This guide is intended for line managers whose team members request a Reasonable Adjustment Passport. The guide answers some anticipated questions about reasonable adjustments, Reasonable Adjustment Passports (RAPs), and when to seek advice.

Managers can also contact their HR Advisor/Partner for further support, or, for more general questions about disability inclusion, can contact the EDI Team at edi@alancaster.ac.uk.

If your employee has already, or is currently going through, an Occupational Health (OH) consultation, they do **not** need to complete a Reasonable Adjustment Passport, unless a new condition arises which they would prefer to manage separately.

For example, a wheelchair user with undiagnosed ADHD may wish to use an RAP to manage their ADHD symptoms, while the OH referral will manage their physical accessibility adjustments.

Definitions

Disability

The Equality Act (2010) lists disability as one of the nine protected characteristics which the Act pertains to. As part of its stipulations regarding equality and equality of opportunity (as well as prohibition of discrimination of any kind on the basis of a protected characteristic, such as disability) the Act states that employers must make reasonable adjustments for disabled individuals which remove any substantial disadvantage or difficulties that they may face in the workplace, as a result of their disability, insofar as possible.

The Equality Act <u>defines disability</u> as:

"a physical or mental impairment which has a substantial and long-term negative effect on your ability to do normal daily activities".

'Substantial' here means that the effect of the impairment or disability is more than trivial. For example, it may take someone who is disabled much longer than a non-disabled individual to get dressed, or it may be that they have specific access needs i.e., transcripts of meetings, as without those it may be impossible or take much longer than it would a non-disabled individual to understand the information.

'Long term' is ordinarily understood to mean that the effects of the impairment are expected to last 12 months or more. There are notable exceptions to this – individuals who are diagnosed with conditions such as multiple sclerosis (MS), HIV/AIDS, and cancer, are legally considered disabled immediately upon receiving their diagnosis, irrespective of how long their symptoms or illness have been going on.

Reasonable Adjustments

A 'Reasonable Adjustment', as outlined in the <u>Equality Act 2010</u>, is a change or alteration made to a situation, environment, practice, process, physical feature, or provision of auxiliary aid which removes or minimises substantial barriers to the inclusion of disabled people, or that removes or minimises significant disadvantages that a disabled person would face without the adjustment.

Lancaster University recognises that individuals with both visible and invisible disabilities might require changes to their working practices to remove such substantial disadvantages. It might be the case that there are already informally agreed reasonable adjustments that are in place within your team, and this Reasonable Adjustment Passport does not require that you renegotiate or rethink these. Rather, the purpose of this Reasonable Adjustment Passport is to provide a formal live documentation of these adjustments, so that employees feel supported at work, and so changes to staffing or job roles do not require constant change to the supportive measures in place.

Reasonable adjustments can take many forms, and it is often the case that the disabled individual is the best source of information regarding what adjustments or changes to their working practices they would expect to best remove any barriers they face and would ensure they feel supported at work and able to carry out their role without negative effects or impacts on their health.

Lastly, it is important to note that what reasonable adjustments are suitable for an individual employee is a very personal and individualised discussion. There is no exhaustive list available of all the potential adjustments for all possible health conditions and disabilities, however, you should try to, wherever possible, agree the reasonable adjustments which the employee expects will have the most positive impact on their health and wellbeing at work.

Who can use a Reasonable Adjustment Passport?

Any new or existing member of staff at the University can request a Reasonable Adjustment Passport, if they are disabled, become disabled, or have a long-term health condition which requires adjustments to their working practices in order to allow them to safely carry out their role.

The RAP asks employees for information regarding their disability/health condition(s), including details of formal diagnoses and specialist assessments that they may have. Any information provided, along with the contents of the RAP are strictly confidential, unless your employee gives written consent on page 7 of the RAP to share that information with HR Teams or Occupational Health providers.

If a member of your team approaches you and asks to arrange a meeting to discuss a RAP, you should ask them to complete the information they can (Sections 1, 2, 3, and consent section of 4), and then arrange a meeting so that you can discuss the required reasonable adjustments and agree those between you (Section 4).

The completed RAP document should be kept by you and your employee. It does not need to be shared with colleagues in HR routinely, and in fact, should only be shared with HR colleagues if the employee has indicated their consent on page 7 of the RAP.

How to complete the Reasonable Adjustment Passport?

Step 1: Employee requests an RAP

Step 2: Employee completes RAP and shares with you

Step 3: Meeting between you and your employee to discuss RAP Step 4: RAP agreed and adjustments implemented

Step 5: Review

The above diagram outlines the process for completing the RAP. As Step 1 suggests, a RAP can be requested by an employee, at any time during their employment. Below, there is further information on the information that the RAP document will request. The Reasonable Adjustment Passport, Employee's Guide, also contains information on the RAP process for employees, to aid with filling out of the information.

Once agreed, the RAP should be reviewed at least annually, though the employee or line manager may request more frequent reviews if the situation changes in the interim period. This review could be a meeting between you and your employee, or as part of the employee's PDR review, in which case additional time should be planned for, as required.

Section 1: My details

In this section, employees are asked for their name, your name (as their line manager) and the department/division in which they are based. You will both sign and date this box, the employee, when completing the passport, and you either at the date of your meeting, or when you receive the RAP from the employee in advance of the meeting.

There is also some information contained within the document about RAPs, including information about review dates and circumstances which might prompt the reasonable adjustments to be reviewed more frequently than once per year.

Section 2: My personal circumstances

Here, the employee is asked to provide information regarding their disability and/or health condition(s), including information regarding specialists, treatment, diagnosis and so on. Some employees may have already provided evidence of a disability as part of their on-boarding at the University, or as part of a return to work following absence. If this has already been provided and there has been no significant change to circumstances, the employee completing the RAP might indicate that this information has already been provided.

The employee is then asked to detail the impact of their health condition or disability upon them in the workplace. Here, they are free to detail as much or as little impact as they wish.

It may be that some individuals will use this space to make you aware of difficulties that they face but that don't require a reasonable adjustment – e.g., letting you know that they would like tasks to be explained and deadlines set.

There is also an option for employees to detail how you might identify a 'good' or a 'bad' day, or how their needs might differ depending on the symptoms or severity of symptoms that they are experiencing. Where an employee does provide information regarding fluctuating symptoms, this can be helpful in terms of you being aware of when they might be struggling, and to have a conversation about any additional support or adjustments that might be needed on more difficult days.

This section can be used for employees to record any information they would like you to be aware of which has not been mentioned elsewhere in the RAP. Examples of such information might be:

- Personal Emergency Evacuation Plans (PEEPs) that are in place.
- Crisis or Wellbeing Plans, which the employee may have agreed with healthcare providers and might want to make you aware of.
- Communication preferences e.g., an indication of whether meetings are preferred inperson or via Microsoft Teams to discuss the RAP.

You might touch on some of this information in your meeting, though it isn't necessary to do so.

It is important to note that disclosing what can often feel like extremely personal information can be difficult and feel extremely overwhelming for individuals. As a line manager, we ask that you are as supportive as possible. You might wish to acknowledge the trust being placed in you with this information: this may be the first time that an individual has disclosed details about their disability or health at work. Agreeing reasonable adjustments with disabled employees is not only something which ensures that we are promoting equality of opportunity, which is one of our legal responsibilities, but ensures that in line with the <u>University values</u>, we are respectful of one another and are working to build strong and supportive communities.

Section 3: Reasonable Adjustments - Requested changes to my working practices

In this section, employees are given space to write down the reasonable adjustments and changes to working practice that they are requesting. There is also space for individuals to detail how they expect the requested change will alleviate or improve the barriers they might presently be facing.

These adjustments could be straightforward, such as requesting an ergonomic chair to help with pain when seated for long periods of time, or may be more complex, such as requesting additional time and/or direction when handling complex tasks.

The RAP document makes explicit that whilst flexible working requests might be a reasonable adjustment, a flexible working agreement cannot be made using the RAP. Where changes to working pattern i.e. condensed hours, changes to ordinary working days, are being requested, the <u>Flexible Working Policy</u> should be consulted, and the process documented within that policy followed, prior to the agreeing of any long-term changes to working pattern.

If you are happy with the requested reasonable adjustments, then you should confirm this during your meeting, and tick the box in column 3 to indicate that this adjustment has been agreed. If for any reason you are unable to agree a requested adjustment, then you should detail in column 3 the reason that the adjustment is not practicable. You should then, in discussion with the employee, consider what alternative adjustments would be practical and would have the same or a similar effect to the originally requested adjustment. If you are able to come to an agreement on alternatives, then these can be recorded in the following table.

If for any reason you are unable to agree a suitable reasonable adjustment, which is acceptable to both your employee and you, then it may be advisable to contact your HR Advisor/Partner for advice. In this instance, you should ask your employee to send you, in writing, consent to share information so that you can have this conversation with HR colleagues (particularly if the employee has not already ticked the box on page 7 to indicate consent to share with HR). HR Advisors/Partners may then recommend a referral to Occupational Health services, so that expertise can be sought regarding the most appropriate reasonable adjustments.

Section 4: Agreeing these alterations to working practices.

If all the requested changes to the employee's working practices have been agreed in the table above, then all that remains for you to do is to agree a review date. The review of agreed reasonable adjustments should be carried out using the form in Appendix 1 of the document (page 8).

If you are unable to agree all the reasonable adjustments requested by the employee, then you should use the provided table to record alternative reasonable adjustments that you have discussed and whether you are happy with these adjustments.

The employee must then indicate whether they consent to the sharing of this information with Human Resources colleagues i.e., your HR Advisor/Partner, and/or Occupational Health Services if required.

If the individual employee answers 'no' to both of these questions, you **must not** share the RAP with either of these departments. If a discussion is required with colleagues in HR, advice is sought from HR on alternative adjustments, or if HR recommend a referral to Occupational Health, then you should speak to the employee and ensure that all information shared has their explicit consent. Without such consent, you may discuss the situation in general terms, but should not provide any specific details.

Section 5: Date of Review

Once reasonable adjustments have been agreed, you should then plan a date for review of the RAP. This should be no more than 1 year from the date of your initial meeting; however, you might agree to review sooner than this. It may also be the case that circumstances arise which prompt an earlier review of the RAP e.g., fluctuation or change in symptoms or required reasonable adjustments.

Appendix 1: Review of Agreed Reasonable Adjustments

When it comes to reviewing the RAP, either at the pre-agreed interval, or earlier, you should meet again with the individual employee, and complete Appendix 1 of the RAP.

If all the reasonable adjustments previously agreed and implemented are working well, there may be no change required, in which case the individual can indicate that on the form. If both you and the employee are happy with things continuing as previously agreed, then no further review is required in this meeting, and you can both sign to indicate that you've discussed this. A further review should then be undertaken no more than 12 months from the date of your review meeting.

If due to health or disability changes, the employee indicates that they require new or different adjustments, then you should follow the same process as above for agreeing these amended adjustments, recording the agreed adjustments (and which previously agreed reasonable adjustments they are replacing) in the corresponding table of Appendix 1.

If the employee indicates that the previously agreed reasonable adjustments have not removed barriers or difficulties as expected, or if you as the line manager, feel the reasonable adjustments previously agreed are no longer tenable, then the review meeting should be used to discuss alternative reasonable adjustments (again, using the same process as outlined previously, and documenting these in Appendix 1).

If the employee indicates that they no longer require reasonable adjustments (for instance if symptoms of a health condition, or the health condition itself have abated or resolved) then they are able to indicate this on the form too. In this situation, you should check with the employee that they are certain they no longer require reasonable adjustments and remind them that a new RAP can be initiated in the future if required.

Once the review is complete, you should both sign to agree either the reasonable adjustments, or the discontinuation of reasonable adjustments. Consent to share details of the RAP may be adjusted at this point, by completion of the appropriate section.

What can I agree?

As mentioned above the RAP can be used to handle all reasonable adjustment requests with the exception of substantive requests for flexible working which must be handled using the process outlined in the <u>Flexible Working Policy</u>. If your team work flexibly as standard, and/or you are working in a hybrid manner, then some requests for flexibility as reasonable adjustment may be able to be agreed between yourself and the employee using the RAP, e.g. starting one hour later every second Tuesday to facilitate attendance at medical appointments.

If the reasonable adjustment request requires additional, extra, or alternative equipment, whether IT based, or relating to the environment i.e., screens for open plan office spaces etc. then whilst you may be able to agree in principle these adjustments, you might have to liaise with facilities or ISS to arrange this equipment. You should check with these departments what additional or extra equipment they might have available prior to giving a definitive agreement that this equipment can be provided. For alternative chairs, or wrist/foot supports which may be required, the process for requesting these is the same as that resulting from a DSE assessment.

For changes to working practices, e.g. additional support with certain tasks, written briefs for tasks that can be referred back to, or more frequent breaks to allow for food/drink to be consumed, you can agree these directly with the employee using the RAP. If these adjustments need to be communicated with the wider team, the affected employee should direct the best way in which to do this.

Assistance Dogs

If the request for reasonable adjustments involves the bringing of an assistance dog to campus, this can be requested via the RAP, but agreement of this is contingent and based upon appropriate training and assessment of the dog, as well as discussion with HR and Health and Safety colleagues to ascertain any risks to individuals, animals, colleagues, or other students.

Where a request is made for an assistance dog, the employee, in addition to the RAP, must complete the 'Request for Assistance Dog on University Premises (STAFF)' form, which is found in the appendices of the University Arrangement for the Management of Assistance Dogs.

The reason that these requests cannot be agreed between you and an employee alone is to ensure thorough and detailed assessment of risks, and assurances of the safety both of and for the assistance dog whilst on campus.

What do I do if the Reasonable Adjustments requested are not operationally practical?

It may be that the reasonable adjustments requested by an individual in the initial completion of the RAP would present insurmountable risk or would substantially impact operational efficacy in ways which are not conducive to the team. It is difficult to give an example of such a scenario, since there is such variation in the tasks that different job roles require. One example, however, might be working completely from home for sustained periods of time, due to increased risk from COVID-19. It is possible to agree shorter periods of fully remote working e.g., during illness or injury, but a permanent move to remote working particularly for roles which are student-facing

may be deemed unreasonable due to its impact on the University. In these cases, you should work with the employee to discuss alternatives. For the example given, these alternatives might be opening windows in offices, and trying to hold smaller meetings so that the individual is not asked to be in a space with many others. You may also agree a hybrid model of working (as is the norm in many departments now) whereby the days an individual has to be physically present on campus are dependent upon team activities.

If you are struggling to agree reasonable adjustments via the RAP which are both operationally practical and are accepted by the employee, then you can contact HR Teams as above, for further advice and perhaps guidance from Occupational Health. Once again, in these cases, you should speak to the employee and ensure that all information shared has their explicit consent. Without such consent, you may discuss the situation in general terms, but should not provide any specific details.

Who can I contact for advice?

The EDI Team are available to provide general advice for both the employee and the line manager. If specific advice is required regarding a particular employee, line managers should contact their HR Partner/Advisor.

Casual discussions surrounding the process can be arranged with the EDI Team, for employee or line manager, to support on the completion of the document and questions surrounding it. Alternatively, questions can be sent to the below email address and will be responded to within 5 working days.

The EDI Team are not to be included in any communications containing confidential information.

The EDI Team: edi@lancaster.ac.uk

For further advice, you can contact:

<u>Human Resources Advisors/Partners for your department/division.</u>

HR general email: hr@lancaster.ac.uk

Further Information

The <u>Staff Wellbeing webpages</u> have information relating to the Employee Assistance Programme which is free and available to all LU Staff. There is also information on these pages relating to specialist support, and the Five Ways to Wellbeing.

More information on <u>Occupational Health Services</u> can also be found online, including a link to Health Management Limited, who would be the service provider for Occupational Health in relation to reasonable adjustments advice.

For information on the importance of reasonable adjustments, and some examples of reasonable adjustments that have been agreed by other employers, you might wish to consult the accompanying RAP Resources document.