

## Reasonable Adjustments at Work Policy

### Document Governance

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<b>Chief Officer</b>	Chief People Officer (Robert Cragg)
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<b>Document purpose:</b>	This policy describes the standards and processes required to support employees who have mental or physical disabilities. It raises awareness and provides a framework to enable managers provide support to employees whilst also providing guidance to managers and employees.				
<b>Applicable to</b>	This policy is applicable to all staff.				

<b>People/Groups Consulted:</b>	Race Equality Network Disability & Long Term Conditions Network Dyslexia & Neurodiverse Network HR Staff side ED&I Team
<b>Governance oversight group</b> (if applicable)	HR Policy group
<b>Approval Group:</b>	Workforce & Education Sub Committee

<b>Other documents to be read in conjunction</b>	Health at Work Policy Leave Policy and Procedure Carers Policy Flexible Working Policy and Procedure
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### Version Control and Change Summary

Version	Date	Section	Author	Comments
1	May 2022		Jo Harrison	

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## 1.0 Introduction and Purpose

This policy aims to support any disabled member of staff who requires reasonable adjustments as far as this is reasonably possible. The Equality Act 2010 applies equally to people who have a long-term condition who may not identify with the term disability.

**Disability-** Defined by the Equality Act 2010 as *'a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'* The Act defines long-term in this context as *'having lasted, or being likely to last for at least 12 months or the rest of the person's life. Substantial is defined as more than minor or trivial. People with cancer, HIV and multiple sclerosis are protected effectively from the point of diagnosis.'*

The Trust recognises the Social Model of Disability, which proposes that people are disabled because of societal barriers, rather than a long-term health condition. With the social model in mind, this policy aims to reduce barriers that impact on the career and workplace experiences of disabled staff, support a change in attitudes and increase employment and career opportunities.

The Equality Act 2010 requires the Trust to make 'reasonable adjustments' where a provision, criterion, function, practice, and/or physical, environmental conditions of features in premises occupied by the Trust, places a disabled person at a substantial disadvantage when compared with people who are not disabled.

The Trust's commitment to Health and Wellbeing is detailed in our Strategic Priority 'Valuing our people' - We will ensure our staff are healthy, engaged and able to work flexibly, enabled through an open and inclusive culture where all staff feel safe and confident to express their views. It seeks to provide the high quality levels of care and support provided to patients are reflected in the way the Trust values and supports its staff.

Lancashire & South Cumbria NHS Foundation Trust is committed to maximising the potential of its employees and is proud to be part of the Disability Confident government scheme. It is also signed up to the charter on being a 'Mindful Employer' which aims to put good practice into place to ensure employees and job applicants who declare mental health issues receive the right level of support.

This policy should be read in conjunction with the following Trust policies Health at Work, Carers, Flexible Working and Staff Leave and the Trust Values and Behaviour framework. The policy must always be applied consistently and fairly, taking into account the circumstances of each individual case.

The aims and objectives of this policy are to provide a management framework;

- To improve the numbers of employees sharing that they have a disability, (including physical and mental health) without fear of receiving unfair treatment, leading to the improvement of the health and wellbeing of the Trust's disabled workforce
- To raise disability awareness and the moral, social and legal obligations to make reasonable adjustments
- To provide guidance to managers on fair and effective management and their responsibilities and obligations under this policy
- To support the development and monitoring of the procedure to enable informative feedback to Trust Executives and the Trust Board
- To support the Trusts work in challenging stigma related to both mental and physical disabilities.

## 2.0 Scope

The policy applies to all Trust staff.

The Trust must implement reasonable adjustments for all of the following groups and for those who have an impairment or health condition that falls within the definition of 'disabled' under the Equality Act;

- Permanent and temporary staff
- Staff employed on a contractual basis
- Volunteers or visitors undertaking work for, in partnership with or on behalf of the Trust
- People on work placement with the Trust
- People not employed by the Trust attending Trust training or development courses, whether on or off site
- People on secondment to the Trust
- Office holders such as board members and non-executive directors
- People not employed by the Trust attending Trust related social or other events, whether on or off site or virtually
- Employees working from home

This policy describes the standards and processes required to support employees who have mental or physical disabilities. It raises awareness and provides guidance to managers and employees enabling the Trust to meet its duties to, and support, employees as required by the Equality Act 2010.

## 3.0 Definitions

**Associative discrimination (disability)** - as stated in the Equality Act 2010 this is direct or indirect discrimination against someone because they associate with another

person who possesses the protected characteristic of a disability e.g. a carer or parent of a disabled person.

**Access to Work-** Access to Work is a publicly funded employment support programme that aims to help more disabled people start or stay in work. It can provide practical and financial support for people who have a disability or long term physical or mental health condition. Support can be provided where someone needs help or adaptations beyond reasonable adjustments (NB: this may also require part funding by the Trust).

**Disability Confident** -The Disability Confident government scheme is a recognition given by self and peer assessments to take action to meet five commitments regarding the employment, retention, training and career development of disabled employees. Replacing the Two Ticks scheme it is represented by the Disability Confident logo that participating organisations are authorised to display.

**Disability Leave** - a form of absence for a short, planned appointment. For example, hospital, physiotherapy or counselling/psychotherapy. Disability Leave is a form of paid leave under an employer's sickness absence pay provisions.

**Disability-related sickness** - a form of sickness absence that is directly or indirectly attributed to a person's disability or long-term condition. Such absences should be flagged by the staff member as being related to disability when notifying their manager of the period of sickness absence.

**Long-term conditions** - are conditions for which, there currently is no cure, and which are managed with drugs and other treatment, for example: diabetes, chronic obstructive pulmonary disease, arthritis and hypertension and may be classed as a disability under the Equality Act 2010.

**Reasonable adjustment** - A change that must be made to remove or reduce a disadvantage related to;

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job

**Mindful employer charter** - Is a set of principles the Trust has signed up to, to support its commitment to improving the working lives of staff who have mental health issues.

**Wellbeing conversations** - Supportive, one to one, compassionate conversations that openly discuss a colleague's health and wellbeing.

## 4.0 Duties

### Responsibility of the Trust Board and Chief Executive

To ensure that appropriate policies and procedures are in place to promote good practice in relation to supporting staff with a disability.

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To ensure compliance with the Equality Act in that staff who have a disability are not discriminated against, and have reasonable adjustments made for them as required.

Where an adjustment is considered reasonable, the Trust has a duty to make that adjustment, except where it did not know, and could not reasonably have known, that an adjustment is required.

The Trust has an anticipatory duty to make adjustments. The Trust must also be able to show that it took such steps as are reasonable to encourage disclosure, as outlined below.

### **Responsibility of the Human Resources (HR) Department**

To provide ongoing support to the disabled staff member's line manager in terms of identifying reasonable adjustments required and navigating the process of purchasing products, technical support, training and/or other support services recommended by Access to Work or requested by the staff member

Support line managers and individual staff members seeking information around disability issues, including advice on recommendations made by Access to Work.

Manage other procedures that may arise from implementation of this procedure for example grievance procedures.

Work with the Equality, Diversity & Inclusion team to provide advice and support.

To support staff at all levels in the application of this policy and procedure. This may include providing appropriate guidance to managers to support them in fulfilling their duties set out in this policy.

### **Responsibility of Recruitment team**

To support the implementation of the Recruitment Manager's Toolkit which provides guidance and recommendations to support an inclusive recruitment process.

To provide advice and training to recruiting managers in terms ensuring the recruitment process is inclusive to candidates with a disability and in line with the Disability Confident criteria, for example, candidates who declare that they have a disability and meet the essential criteria are guaranteed an interview, reasonable adjustments are offered throughout the process, etc.

### **Responsibility of Equality, Diversity & Inclusion team**

To advise the Trust and its staff about the duties required by the Equality Act 2010 in relation to disability discrimination: eliminating discrimination and establishing equality of opportunity.

Support and advice managers and HR in the use of the procedure and any issues that arise during the implementation of the procedure.

To work with the recruitment team and Occupational Health provider to ensure support is provided effectively.

Give support to employees seeking information and support around disability issues.

To provide training where needed to support the implementation of the policy and the Trusts commitment to tackling discrimination and stigma.

To meet and maintain the Trusts Disability Confident government scheme standards.

To signpost staff to the Disability and Long Term Conditions Network and Dyslexia and Neurodiverse Network.

### **Responsibility of Line Managers**

To ensure that wellbeing conversations, return to work conversations, one to ones, appraisals, HR processes (e.g. disciplinary, capability etc.) are optimised to facilitate communication about a staff member's wellbeing and where appropriate their disability and reasonable adjustments.

To ensure the implementation of this policy and that the procedure for requesting reasonable adjustments is followed by themselves and those who they line manage seeking appropriate advice and guidance when needed.

To create an environment that is disability inclusive where disabled staff feel comfortable and confident requesting reasonable adjustments.

To ensure the sensitive, fair, and consistent treatment of staff.

To ensure that all staff in their area are made aware of reporting requirements expected of them in relation to notification of disability related sickness absence or agreed disability leave to be taken.

To ascertain as far as possible if a member of staff has a disability, even if they have not disclosed, or may not recognise that their condition could be described as a disability, for example, mental health problems, dyslexia, hearing loss, etc.

To ensure that staff are signposted to appropriate wellbeing support and are aware of the Disability and Long Term Conditions Network and the Dyslexia and Neurodiverse Network and encourage the use of these networks.

## **Responsibility of the Employee**

Making themselves aware of the standards and procedures within this policy and follow the correct processes to utilise the procedure with the support of their manager and the HR Department.

Giving information and consent to share information and engaging in wellbeing conversations relating to their health issues in order that reasonable adjustments are able to be made.

Being aware that knowledge of another employees health issues is categorised under the Data Protection Act 1998 as 'sensitive personal data', must be treated as confidential and cannot be forwarded to a third party without consent.

## **5.0 The Policy**

Staff may disclose having a disability at any time during their working life. This may be prompted by a change in responsibilities or a worsening of or acquiring a condition. A disability may also be disclosed during a wellbeing conversation, as part of a local induction, a one to one, as part of a HR process, etc. A proactive, disability positive approach in the workplace will encourage disclosure.

When it is known that an employee has a disability, the member of staff together with their manager should complete the Reasonable Adjustment Passport (see Appendix 5). This should be retained by the employee and manager and reviewed at agreed regular intervals and is designed to identify, agree and record an individual's needs and adjustments.

It is the employee's responsibility to ensure that where they transfer to a new department that any disability related reasonable adjustments and attendance information transfers with them following appropriate discussions and agreement regarding disclosure and the sharing of the information with the new manager.

If the employee does not feel they require any reasonable adjustments to be in place, the Reasonable Adjustment Passport should be completed by the manager jointly with the employee to outline this. This will evidence the conversation and have an agreed plan in relation to the ongoing contact to discuss the wellbeing of the individual. This should be reviewed and documented in the passport at agreed regular intervals.

## **Reasonable Adjustment Process**

### **Step 1 - Identification of need for reasonable adjustments**

The anticipatory duty placed upon the Trust requires staff to take reasonable steps to find out whether reasonable adjustments are needed. Such steps might include:



- **Recruitment literature**- use of Disability Confident logo, disability positive language
- **Interview invitation**- within written or telephone correspondence
- **At the interview**- check in to see if candidate needs any adjustments on the day
- **At induction**- corporate and local
- **Wellbeing conversations, supervision and annual appraisal**
- **Return to work conversation**
- **At any time in discussion with their manager or supervisor**
- **As part of HR process**- e.g. Disciplinary, capability, grievance etc.
- **Events**- proactively enquiring as to attendees reasonable adjustment needs

## Step 2 – Identification of what reasonable adjustments may be required

It is important to remember that each person's need will be individual to them. There are several options for identifying what reasonable adjustments are required.

Examples include:

- **The disabled person themselves may well know what adjustments will be effective**- this should always be explored with the individual as a first step. Equally there should be no expectation that the staff member is an expert in what adjustments are required. Each case will be different and a collaborative approach should be taken, with the line manager holding responsibility for implementation. The Reasonable Adjustment Passport is designed to support a conversation that will help to identify needs and adjustments.
- **Occupational Health**- may provide a report of recommendations regarding working environment and practices
- **Health and Safety team**- may undertake a risk assessment and advise on change of procedures, provision of additional training or purchase of equipment
- **Access to Work**- funded by the Department of Work and pensions, will assess need, make recommendations and provide funding (either whole or part)- see Appendix 1 for details
- **Other internal/ external personnel with expertise**- e.g. Estates, the Trust Digital services, local/ national specialist organisations for disabled people, LSCFT's Disability & Long Term Conditions and Dyslexia & Neurodiverse staff networks, individuals with lived experience

See Appendix 2 for examples of reasonable adjustments

## Step 3 - Action to be taken when notified that a person has additional needs/ needs reasonable adjustments

Providing identified reasonable adjustments is a legal responsibility for the Trust and

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the process of putting adjustments into place and/or sourcing equipment or software should be a priority for the line manager.

If a person requests adjustments to be made, then it is the line manager's responsibility to investigate and implement them as fully as possible, with support from HR and taking advice from the range of sources (see Appendix 3) and in accordance with any request for confidentiality. Refusal to make an adjustment, or any decision to substitute a request for a specific adjustment for an alternative one, must be explained in full in writing to the staff member. The manager should seek appropriate support from HR.

### **Manager's role;**

- The manager must consider how reasonable adjustments can be accommodated within the individual's current role by working collaboratively with the employee and creatively, for example, in the workspace or with working time
- The manager should identify needs, how they will be met and time frame should be agreed, documented and regularly reviewed using the Reasonable Adjustment - Passport (see Appendix 5)
- The manager must lead on all aspects of the process towards acquiring and putting in place identified reasonable adjustments (this should not be left to the employee)
- Where the manager is genuinely unable to accommodate the reasonable adjustment then this should be escalated for further advice and guidance to the next level of manager and HR. Documentation, time frames and updates on progress should continue between the staff member and their line manager

Appendix 3 contains details of departments or organisations who may play a part in the acquisitions or implementation of reasonable adjustments.

Where the impairment and need for adjustments is clear, no proof of confirmation is necessary. However, for hidden impairments or long-term health conditions, evidence of need might be requested prior to undertaking adjustments (this could include an Occupational Health referral, or other medical confirmation/diagnosis).

### **Appeals Procedure**

If the employee is dissatisfied with the outcome of their request for reasonable adjustments, for example if the request has been refused, or the manager has been unable to accommodate the request within a reasonable timeframe, then the employee is entitled to submit an appeal. This appeal must be lodged in writing to the next level of management. The appeal should be considered by a manager that has not been previously involved in the process to date.

The employee is required to provide full details of their appeal for consideration at an appeal meeting. The manager is similarly required to provide the rationale for their decision. Within approximately 14 days of the appeal being submitted, an appeal

meeting will be convened by the appeal manager to facilitate them considering the appeal in collaboration with the employee, their representative and the manager. The employee may be accompanied at this appeal meeting by a recognised Staff Side representative or work colleague. The appeal manager will normally be accompanied by a member of the HR team at the appeal meeting. They will consider whether the policy has been followed correctly and whether all possible options have been fully considered, looking to find a solution wherever possible. The appeal manager will confirm the outcome in writing to the employee usually within 14 days of the meeting or as soon as possible. This is the end of the appeal procedure.

#### **Step 4 - Reasonable Adjustment Passport and implementation**

The Reasonable Adjustment Passport (Appendix 5) is an agreement and record of identified needs and adjustments. It is to be regularly reviewed and updated at agreed intervals by the disabled employee and their line manager.

The purpose of the passport is to:

- Ensure that both parties, the individual and the manager, have an accurate record of what has been agreed
- Minimise the need to re-negotiate reasonable adjustments every time the employee changes jobs, is re-located or assigned a new manager within the organisation
- Provide employees and their line managers with the basis for discussions about reasonable adjustments at future meetings.

The Reasonable Adjustment Passport should be completed within 1 month of the disability being highlighted to management. The agreement is a live document and should be reviewed regularly by both the employee and manager within the timeframe agreed by the staff member and line manager and amended as appropriate by either side. As a minimum an annual review should be undertaken. The frequency of reviews will vary per staff member and their circumstances should be jointly agreed and reviewed as required. Expert advice from third parties, such as Occupational Health, Access to Work or IT specialists may be needed before changes can be agreed and implemented.

Line managers receiving a new member of staff with a Reasonable Adjustment Passport should accept the adjustments outlined in the agreement as reasonable and ensure that they continue to be implemented. The agreement may need to be reviewed and amended at a later date but this should not happen until both parties have worked together for a reasonable period of time.

#### **Step 5 - Review of Reasonable Adjustment Passport**

It is important to remember that a reasonable adjustment that has worked effectively for many years may stop being as effective as the person's impairment or health condition changes or the nature of the work itself changes. The member of staff

concerned has a responsibility to co-operate with this process. It is equally important to remember that two people with the same impairment may require different reasonable adjustments to be made.

It is recognised that in some cases an adjustment may be put in place, which the person with the responsibility to do so believes is effective, but which the disabled member of staff feels is not adequate. To ensure this is not the case and the staff member feels supported the following should take place;

- An agreement should be made between the employee and the line manager as to when and how often a review of reasonable adjustments should take place
- A review may be take place as part of an appraisal, one to one, supervision or wellbeing conversation and should be recorded
- If an individual is new to a role or has recently acquired a disability adjustments may need to be reviewed within a shorter period of time than in other circumstances
- A review is an opportunity to discuss any changes to the employee's situation in terms of their disability, whether adjustments are effective and any changes that need to be made.

## **6.0 Confidentiality**

Staff who are made aware of a colleague's impairment or health condition in confidence must:

- Advise the colleague to discuss their needs with their line manager, or other departmental manager, drawing their attention to this policy and other appropriate documents
- Advise the staff of other sources of support available such as Staff Side, staff networks, Employee Assist Programme etc.
- Discuss options regarding confidentiality (such as if, how and on what terms any aspect of the disclosed information might be brought to the attention of management, whether information might be shared anonymously, etc.)
- If the line manager feels that the disclosed information may have health and safety or legal implications, inform the person of the extent to which confidentiality can/cannot be maintained, and of the obligation to inform management. The disabled person must be included in all discussions regarding their health and/or reasonable adjustments

## **7.0 Permissible Breach**

A breach of confidentiality around a disabled person's personal information can only occur where their safety or the safety of others is at risk, or where a failure to disclose may result in criminal activity. Please see Data Protection and Confidentiality Policy and related Standard Operating Procedure ([SOP](#)), Sharing and Disclosure of Service

User Related Info with External Agencies [SOP](#), the [Administration of Data Rights SOP](#) or the [Privacy Notice](#) for more information or go to the Data Protection Officer or the Information Governance Team for advice regarding confidentiality matters. The link to the IG Team page is [Information Governance - Home](#).

The Trust recognises that in some situations other colleagues may become aware of a staff members disability that requires a reasonable adjustment to be made (regardless of whether or not there will be an outcome of a reasonable adjustment). Should this be the case the information must be treated as confidential and cannot be forwarded to a third party without the consent of the staff member concerned. This is because the impairment /health condition of the staff member is classed as 'special category data' under the General Data Protection Regulation (GDPR) (EU) 2016/679 and the Data Protection Act 2018 so the same rules of confidentiality apply as to Service User personal information.

## 8.0 Disability Leave

Disability Leave is a 'reasonable adjustment' under the Equality Act 2010 and is distinct from –other absences. It is form of paid leave for short, planned appointments and should be recorded as Disability Leave. To record Disability Leave on Health Roster you must first select the 'Other Leave' Unavailability Group and then the unavailability reason would be 'Disability Leave', a detailed guide for creating and amending an unavailability can be found on the HERO homepage ([HeRO Home](#))

To be granted Disability Leave the employee's condition must be recognised as a disability under the Equality Act. Whilst it is not a pre-requisite that disabled staff include their disability status on ESR to be allowed Disability Leave employees are strongly recommended to ensure that their personal information is up to date. Where Disability Leave is being accessed for a medical appointment employees are required to bring evidence of such appointments to their line manager.

Disability Leave must be assessed on case by case basis and agreed in advance as part of a reasonable adjustment plan that is regularly reviewed. The amount of time to be granted for Disability Leave should be 'reasonable' taking into account the employees disability and the requirements of their role. Where possible a pragmatic and flexible approach should be taken by the employee when requesting Disability Leave, for example booking appointments that will have minimum disruption to the working day and the needs of the service. A person with a newly acquired disability or a change in the condition may require more leave than someone who has a well-managed condition. Travel time should be allowed for appointments.

Managers may wish to seek advice from the HR department when considering requests for Disability Leave. Extended periods of disability leave (over 37.5 hours working days pro rata) should be approved by the service manager.

Line Managers are expected to keep a record of the number of 'Disability Leave' days taken throughout the leave year.

Time spent on Disability Leave is counted as continuous service for all contractual benefits, including accruing annual leave, sick leave, and pension rights. Disability Leave must not be included for the purposes of assessing performance, promotion, attendance, selection for redundancy, and similar issues.

## **9.0 Disability Related Sickness**

Sick leave arising from a disability should be managed through the Health at Work Policy and trigger levels to ensure that appropriate support is available i.e. consider adjustments/equipment. However, consideration should be given to this as a mitigating circumstance. For example, after an Occupational Health recommendation it may be a reasonable adjustment to alter the trigger levels. Disability related sickness can be stressful for employees and should be approached with sensitivity and with due regard for legislation protecting disabled employees from discrimination.

If an employee does not believe they are disabled, or does not wish to be included under the definition then disability leave does not apply.

## **10.0 Exclusions**

The only circumstances that permit less favourable treatment occur when the employee genuinely cannot do the job for which they are employed or any other job that might reasonably offered, or when reasonable adjustments to the workplace are either impracticable or demonstrably beyond the resources available to the Trust.

## **11.0 Monitoring**

The governance of this policy, including the reviews, monitoring and reporting will be overseen by Trust's Policy group and the Joint Negotiation and Consultative Committee. The reviews will be undertaken in accordance with the review date set out within the policy or at appropriate intervals when required.

## **12.0 References (including applicable NICE publications)**

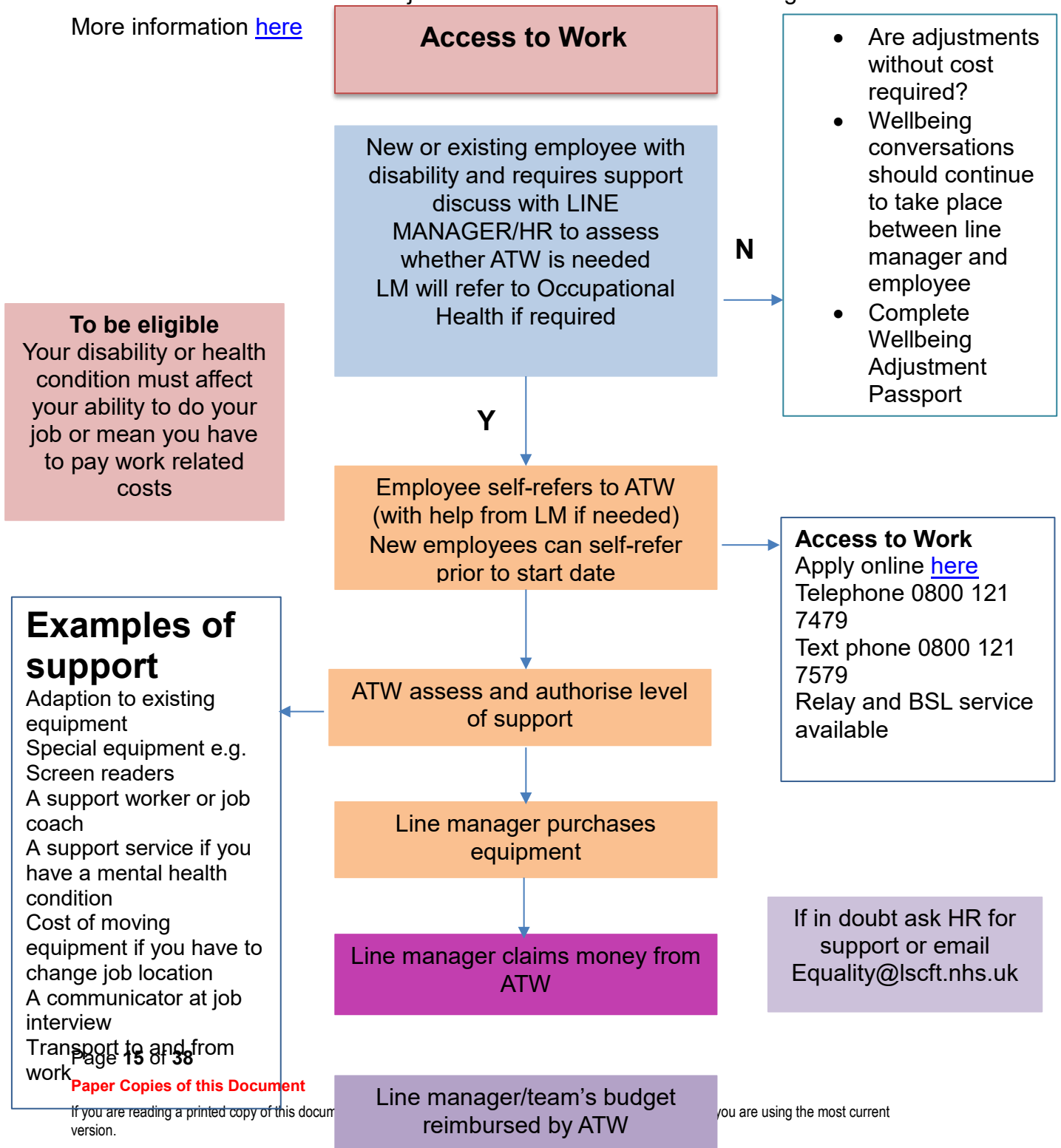
[Acas | Making working life better for everyone in Britain](#)

[An inclusive approach to disability leave | NHS Employers](#)

## Appendix 1 Access to Work Information

Access to Work is a publicly funded employment support programme that aims to help more disabled people start or stay in work. It can provide practical and financial support if you have a disability or long term physical or mental health condition. Access to Work fund 80% of costs over £1000 (exceptions to this include coping strategies and disability awareness training which are fully funded). As purchases are funded up front by the Trust the line manager **must** claim back the funding from Access to Work. Reasonable adjustments are funded from local budget codes.

More information [here](#)





## **Appendix 2 Reasonable Adjustments Information and Examples**

Under the Equality Act 2010 an employer has a duty to implement reasonable adjustments in the workplace. Under the legislation, employers must make reasonable adjustments where disabled staff would otherwise be put at a substantial disadvantage compared with non-disabled colleagues.

When considering if an adjustment is reasonable, employers should think about:

- how effective the change will be in removing, reducing or preventing the disadvantage (what someone may otherwise experience if the adjustment was not to be made)
- the practicality of making the adjustment
- the cost of the adjustment
- the employer's resources and size
- the availability of financial support.

Reasonable adjustments may be required when a disabled person applies for and is recruited to a post, when a staff member becomes disabled or develops a long term health condition, when the impact of an impairment or medical condition deteriorates for an employee, when there is a change to the workplace or employment arrangements, or when a disabled staff member is to undertake further training.

Reasonable adjustments may extend to the individual concerned only, for example providing a support worker, acquiring or adapting specialist equipment or organising transport to-from and within work. Or, they may be more wide-ranging to include changes to policies, procedures or corporate functions, to working arrangements or to enable access to premises that also includes car parking, signage, light/noise levels and safe evacuation.

### **Examples of Reasonable Adjustments**

The list below is not exhaustive and for some individuals a combination of the suggestions will be helpful to ensure the member is supported properly.

- Flexible working arrangements in relation to hours, location and distribution of duties
- Disability leave or time off for assessment, rehabilitation, treatment or counselling
- A support worker to assist in fulfilling certain requirements of role for which the staff member needs support
- Adjustments relating to travel arrangements either to and from work or where travel is a requirement of the job
- Making adjustments to premises to enhance access for individuals with physical or sensory impairments, mental health or learning needs, or health conditions such as epilepsy or diabetes.



- Acquiring or modifying equipment e.g. magnifier, induction loop, desk-lamp, larger PC screen, adjustable-height furniture, voice activated software or a telephone adapted with an amplifier
- Providing additional training to the staff member and/or their team
- Providing additional supervision or mentoring
- Transcribing or modifying instructions e.g. putting agendas, minutes or other information into accessible formats such as large font, Braille or CD-ROM, making documentation available electronically via email attachment or on the Intranet
- Modifying procedures for testing or assessment
- Providing a reader or interpreter
- Allowing the member of staff to work in a private room if most work is done in an open-plan office.
- Homeworking to be considered where appropriate to job role
- Redeployment of an employee into a suitable alternative role. Please refer to the Trust's Health at Work policy for more information.
- Allowing extra breaks to help an employee cope with fatigue
- Moving a work base - for example, transferring to a ground-floor office if breathlessness makes it difficult to climb stairs
- Having agreed protected time to catch up or focus on specific pieces of work
- Assistive technology software may benefit staff who are neurodiverse or have difficulties typing e.g. Dragon, ReadAndWrite

## Appendix 3 Contact Details for Internal and External Support

The list below includes details of departments or organisations who may play a part in the acquisitions or implementation of reasonable adjustments.

**Health & Safety team** offer assessments, guidance and can help source equipment following an Access to Work assessment or for situations where it is clear what the individual needs and it amounts to less than £1000 (Access to Work provide a percentage of funding above this amount)

[healthandsafety@lscft.nhs.uk](mailto:healthandsafety@lscft.nhs.uk)

**Health and Wellbeing** the Trust's Health and Wellbeing pages provide details of the services and support available. Remploy and Able Futures offer free mental health support for those in employment

[Welcome to Your Health & Wellbeing | LSCft](#)

[Remploy](#)

[Able Futures](#)

**Procurement team-** If we receive a query via email we request a copy of the product matrix, we review the products and suppliers identified on the document, checking that the suppliers are currently set up on our supplier database.

If a product is not identified we would try to source an alternative product that may meet requirements based on previous orders or procurements supplier knowledge. This would be sent to the staff member or authoriser to be reviewed. If the item is ok, the end user can raise a requisition on eProcurement. When raising a requisition the end user is advised to attach the product matrix, staff member who it is for and also state on the order "access for work".

If the supplier is not on the system procurement will approach suppliers who we already have set up, and ask them to quote or provide alternatives. This would then be passed to the staff member or authoriser to be reviewed and if happy for the end user to raise the requisition on eProcurement. When raising a requisition the end user is advised to attach the product matrix, staff member who it is for and also state on the order "access for work"

For technical items that have been suggested by Occupational Health, such a specific chair configurations or training requirements, no amendment suggestions will be made by procurement. In this instance if the supplier is new, we will request further supplier information to set them up on eProcurement.

If there are any queries or guidance is required when raising a requisition then staff can contact procurement either by email [procurement@lscft.nhs.uk](mailto:procurement@lscft.nhs.uk) or telephone 01772 773850. Training on the eProcurement can be provided via teams.

**IT Purchasing** - for IT/software/licences

[LCT.ITPurchasing@lscft.nhs.uk](mailto:LCT.ITPurchasing@lscft.nhs.uk)

**Estates**- would be consulted in relation to building alterations

[info@hsis.org.uk](mailto:info@hsis.org.uk)

**HR**- offer advice on time, working patterns, job share/location/redeployment/training

[HR.Queries@lscft.nhs.uk](mailto:HR.Queries@lscft.nhs.uk)

## Appendix 4 Frequently Asked Questions

### **Q1. What is a reasonable adjustment?**

A. A reasonable adjustment is an alteration that an employer could make that would enable a disabled person to continue to carry out their duties without being at a disadvantage compared to others. Under the Equality Act 2010, there is a **legal duty** on employers to make these reasonable adjustments for disabled employees.

### **Q2. How do I know if I am a disabled person according to the law?**

A. The Equality Act 2010 says that a disability is a physical or mental impairment, which has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities. This definition includes impairments or medical conditions such as Cancer, HIV or MS.

### **Q3. What does a reasonable adjustment include?**

A. A reasonable adjustment may include 'provisions, criteria and practices', 'Physical features' and 'provision of auxiliary aids'.

The code of practice for (employment) for the Equality Act gives the following examples of reasonable adjustments:

- Making adjustments to premises
- Allocating some of the disabled person's duties to another person
- Transferring them to fill an existing vacancy
- Altering their working hours
- Allowing absence for rehabilitation, absence or treatment
- Arranging or giving extra training
- Acquiring or modifying equipment
- Modifying instructions or reference manuals
- Modifying procedures for testing or assessment
- Providing a reader or interpreter
- Providing supervision

### **Q4. What is the purpose of an adjustment?**

A. The purpose of implementing an adjustment for you is to ensure that you are able to perform to the best of your ability. This applies to whether an adjustment is made during the recruitment process or in the workplace itself.

### **Q5. What type of support is available to me if I have a disability?**

A. The Trust offers a wide range of support to disabled members of staff. The extent of this support would be dependent on the needs and circumstances of the individual, who would be consulted on any

reasonable adjustments, which may need to be made. Two people with the same disability are not likely to need the same adjustments, as everyone is different, therefore adjustments would be made on a case-by-case basis.

It may be appropriate to involve **Access to Work**, who are able to assess an individual within the workplace and recommend reasonable adjustments. These will not always be physical adjustments to the workplace. Staff members must self-refer to Access to Work.

If you feel you require adjustments or any other type of support, please contact your line manager or HR representative.

**Q6. What happens if my condition changes**

A. It is likely that your condition will change over time, and consequently your support needs. It is important that you continue to be open and honest about what you require and to engage in the relevant discussions to fulfil your role.

**Q7. What is Access to Work?**

A. Access to Work is a scheme, which is run by Jobcentre Plus. It can provide disabled people with financial support to help with increased costs for things such as travelling to work by taxi instead of using public transport, paying for a support worker, paying for specialized equipment or for physical alterations to the employer's premises.

Access to Work may also be able to help if a disabled person needs a communicator or BSL interpreter at a job interview.

**Q8. Am I eligible for Access to Work?**

A. If you are disabled and feel that you may need help through Access to Work you will need to be:

- Already working in paid employment
- Unemployed and about to start a new job
- Unemployed and about to start a Work Trial
- Self-employed

Your impairment must stop or prevent you from being able to do parts of your job or the job you have applied for. It may be that your impairment does not have a big effect on what you can do every day but it must be a long- term effect rather than something short-term like a broken arm.

**Q9. How do I contact Access to Work?**

A. If you feel that your employment is likely to be affected by your impairment and that this impairment is likely to last for at least 12 months, you should contact either your regional Access to Work contact centre, your line manager or HR Advisor.

**Q10. When should I contact Access to Work?**

A. You can contact Access to Work once being appointed into a role prior to starting, this can be particularly useful if you know what adjustments you require. You can also apply for an Access to Work assessment if you have just acquired a condition that is impacting your work or your situation (either in terms of your health or your role) has changed.

**Q11. What adjustments is the Trust legally required to make for disabled candidates and employees?**

B. An employer has a duty to make 'reasonable adjustments'. What is deemed reasonable depends on the individual case and circumstances, including how necessary the adjustment is, how practical it is, and the financial or other resources of the organisation.

**Q12. Who is responsible for implementing adjustments during the recruitment process?**

A. Organising for adjustments to be made during the recruitment process is the responsibility of both the organisation and the individual. The organisation cannot be expected to guess what someone requires and the applicants cannot expect the organisation to guess what they need. Both parties have to communicate. The more open, honest and timely the communication, the more efficient the implementation process will be.

**Q13. Do I have to tell my employer/manager that I need an adjustment?**

A. It is understandable that you may not wish to talk about the nature of your disability to your employer/ manager. However, in return, you must understand that it is difficult for your employer/manager to provide what you need if you don't tell them. Should you not wish to disclose the nature of your disability you could instead only discuss the impact of your condition on your ability to undertake the role. Whilst we would encourage you to share your disability so that maximum support can be offered, there is no obligation on you to disclose either the nature of your condition or its impact.

**Q14. Who pays?**

- A. The law forbids an employer from making a disabled worker pay for any of these adjustments, and financial assistance may be available from the Government for the employer under access to work funding if the disabled person qualifies for it (see contact details for Access to Work in Appendix 1).

**Q15. What is Disability Leave?**

- A. A person with a disability should have their disability-related leave counted as a distinct and separate thing, and it can be considered a reasonable adjustment.

Some examples of reasons for planned disability leave (but are not limited to leave that is associated with their disability for the following):-

- Hospital, doctors, or complementary medicine practitioner's appointments (by accredited practitioners)
- Hospital treatment as an outpatient
- Assessment for such conditions as dyslexia and dyspraxia etc.
- Hearing aid tests
- Training with a guide dog or hearing dog
- Counselling/ therapeutic treatment
- Physiotherapy/Occupational therapy/Speech & Language therapy
- Patient education
- The adjustment/mending of technical aids.

# Reasonable Adjustments Passport

We are  
LSCft

 @WeAreLSCFT

 @WeAreLSCFT

 @WeAreLSCFT

This passport has been developed in collaboration with the LSCFT's Disability & Long Term Conditions Staff Network and is an adapted version of NHS Employers Health Passport

It should be used alongside the Trust's Reasonable Adjustments in the Workplace policy

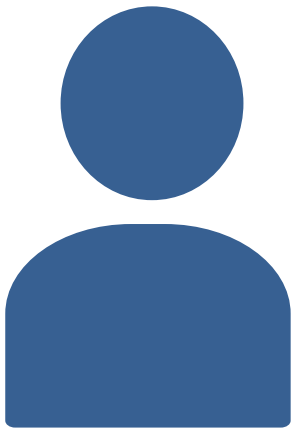
*It is a confidential document*

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**Paper Copies of this Document**

If you are reading a printed copy of this document you should check the Trust's Policy A-Z Library to ensure that you are using the most current version.





The individual who owns this document:

Role:

This is your Reasonable Adjustment Passport, which you own and take with you as you move through roles within the NHS.

The passport is a place where you can store any information you would like to about a disability, long term health condition, mental health issue or learning disability/difficulty. It is designed to record information and facilitate a meaningful conversation with your manager.

This passport aims to support any disabled member of staff who requires reasonable adjustments as far as this is reasonably possible. The Equality Act 2010 applies equally to people who have a long-term condition who may not identify with the term disability.

**Disability-** *Defined by the Equality Act 2010 as 'a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities' The Act defines long-term in this context as 'having lasted, or being likely to last for at least 12 months or the rest of the person's life. Substantial is defined as more than minor or trivial. People with cancer, HIV and multiple sclerosis are protected effectively from the point of diagnosis.'*

You can use this passport to tell a line manager about your health and anything you have in place in the workplace which enables you to carry out your role. For example, this could be:

- A different start and finish time
- Ways of communicating at work
- Regular breaks at work
- A specific seat or modification to your desk
- Time to attend appointments related to your disability or long term condition

[See appendix for more examples](#)

These changes may be those you need all the time, or changes you have in place to accommodate fluctuations in your health. This passport contains four sections for you to provide details about yourself and your preferences in the workplace:

- Things to know about my health condition or disability
- Things that help me to do my role
- Things to avoid or that make my work more difficult
- Additional information

It may be that you don't know what changes you need yet. You can make changes to the information within the passport as required. Any changes should be shared with your line manager, and dated on the back page of the passport.

# Things to know about my long term health, disability and/or condition

For example:



- Tasks you need help with or cannot do easily
- Tasks which may take longer for you to carry out
- A diagnosis you feel would be helpful for your manager to know
- Information regarding medication or interventions that you feel are relevant to work - these could be fluctuations in conditions or symptoms you would like your line manager to be aware of.

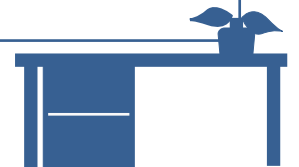
# Things that help me to do my role

In this section include information that helps you to access your role and makes your work life easier. This could be reasonable adjustments you have had put in place to support you, either all the time or as conditions fluctuate. The space below includes prompts of what reasonable adjustments might look like for you.



## Time

What times of the day work /don't work best for you and why?



## Environment

What sort of environment supports you in your role? What are potential barriers?

## Communicating at work



How do you like to be communicated with in the workplace and given tasks? For example, you may like to be emailed your work tasks to help you remember or prioritise, do you have a preferred communication style, etc.  
Are there any methods of communication which are challenging for you or that you cannot use?

## Technology, software and equipment



What technology, software and equipment helps you at work?  
What do you find difficult to use?

## Psychological and Emotional Support

Use this space to note what might help you psychologically and/or emotionally. This might be helpful if newly acquired or a change in conditions.

## Things to avoid or that make my work more difficult

Use this space to say what makes your time at work difficult, such as specific shifts or not having access to certain working arrangements. These could be difficult all the time or as conditions or symptoms fluctuate.

## Additional information

Use this space to share any information not covered in the previous sections. You can also record the outcome of any discussions with your manager.



# Sharing my information

*Please note this is very individual to the each staff member and there is no requirement for staff to share information. Information must not be shared without prior agreement.*

Would you like information about your adjustments sharing with your team, if so how? For example, this could be done by you, your manager or by completing a 'One Page Profile' (see appendix). How might this help you?

## Actions

It may be that your line manager needs to facilitate and/or source the purchasing of equipment or software for you to carry out your role. This process should be logged and carried out in a timely manner. The following referral mechanisms or prompts may be helpful to consider when considering actions:

- Access to Work
- Occupational Health
- Wellbeing Support
- Health & Safety Review
- Assistive software expiry dates

Action	Time Frame	Who is responsible?

**Keep your passport up to date**

This passport is intended to be a live document. Record how often your reasonable adjustments will be reviewed and include any changes to your condition or to your working environment in the passport.

When reviewing the passport consider if the reasonable adjustments are still working and if new issues need to be addressed. Add the date below and sign it so both you and your manager can check that you have the latest version.

**How often will the passport be reviewed? This may be required more frequently when a person is new to the Trust, a role or has recently identified has having disability or long term condition.**

**Record how often passport will be reviewed here. Book review dates into calendars in advance.**

Last updated	Passport owner (signed)	Manager (signed)



# More information & resources

## Examples of Reasonable Adjustments

The list below is not exhaustive and for some individuals a combination of the suggestions will be helpful to ensure the member is supported properly.

- Flexible working arrangements in relation to hours, location and distribution of duties
- Disability leave or time off for assessment, rehabilitation, treatment review or counselling
- Making adjustments to premises to enhance access for individuals with physical or sensory impairments, mental health or learning needs, or health conditions such as epilepsy or diabetes
- Acquiring or modifying equipment e.g. magnifier, induction loop, desk-lamp, larger PC screen, adjustable-height furniture, voice activated software or a telephone adapted with an amplifier
- Providing additional training to the staff member and/or their team
- Providing additional supervision or mentoring
- Transcribing or modifying instructions e.g. putting agendas, minutes or other information into accessible formats such as large font, Braille or CD-ROM, making documentation available electronically via email attachment or on the intranet
- Modifying procedures for testing or assessment.
- Providing a reader or interpreter
- Allowing the member of staff to work in a private room if most work is done in an open-plan office
- Homeworking to be considered where appropriate to job role
- Redeployment of an employee into a suitable alternative role. Please refer to the Trust's Health at Work policy and redeployment guidance
- Allowing extra breaks to help an employee cope with fatigue
- Moving a work base - for example, transferring to a ground-floor office if breathlessness makes it difficult to climb stairs
- Having agreed protected time to catch up or focus on specific pieces of work
- Assistive technology software may benefit staff who are neurodiverse or have difficulties typing e.g. Dragon, ReadAndWrite

Example of a one page profile, more are available online

Optional  
photograph

**One Page Profile**  
Name:

About me...

Likes/dislikes

Strengths

What helps me at work?

How others can support me

**Appendix i: Equality Impact Assessment:** this MUST be done in collaboration with the Trust Equality and Diversity Lead

When completing, remove all guidance text like this but do not alter or delete any elements of this assessment

LSCFT puts equality, inclusion, and human rights at the centre of the design and delivery of inclusive services for the diverse communities we serve, and the empowering culture we create for our staff.

The legal case is set out in the Equality Act 2010 and the practice is embodied by our staff every day, without exception.

We are stronger together.

[Equality@lscft.nhs.uk](mailto:Equality@lscft.nhs.uk)



This assessment applies to any Trust policy document, or activity required in a Policy, which will have an impact on people.

Please refer to the Equality Impact Assessment (EIA) Form Guidance and the Equality and Diversity Lead. This assessment must be done in collaboration with the E&D Lead

**1. What is the title of the Policy and purpose of the activity in requires or involves that needs to be considered and assessed for its impact on people?**











Reasonable Adjustments at Work Policy. The purpose of the policy is to reduce inequalities experienced by people with disabilities and long term conditions in recruitment and the workplace.

**2. Which group/s of people is/are being considered?**

Patients / Service Users  Staff  Public  Partner agencies

Other (please specify here)

**3. Which of the following protected characteristics may or are likely to be affected by this policy? (\* in any box as needed)**

Age	Disability	Gender-reassignment	Marriage/Civil Partnership <i>in employment only</i>	Pregnancy & Maternity	Race	Religion or Belief	Sex	Sexual Orientation	Other <i>detail below</i>
									
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Other:**

**4. What engagement is taking place or has already been undertaken with those who are likely to be affected?**

This policy has been developed to reduce inequalities disabled people experience in recruitment and in the workplace. It has been developed by the ED&I team, Human Resources and Health and Wellbeing team. The Reasonable Adjustment Passport was co-produced by the ED&I team and the Disability & Long Term Conditions (D&LTC) Staff Network. The D&LTC staff network have been consulted throughout the development of the policy.

Staff Side have also inputted into the development of the policy and have agreed the final version.

The policy was designed on NHS Employers best practice [Supporting disabled staff in the workplace | NHS Employers](#)

Other NHS organisations were consulted to learn from best practice and work towards a unified approach across the locality.

**5. What impact or potential impact has been identified through the consultation?**

The Reasonable Adjustment Passport was designed in a format and using language that is inclusive and accessible. Practices relating to Disability Leave of local and national NHS organisations and legislative considerations were taken into account.

**6. What further steps are needed to mitigate or safeguard against the impact/potential impact identified?**

Outcome of the assessment	Action/s Required	Timescale	Accountability
Outcome 1: <b>No change(s) required</b> <i>When the scoping exercise has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.</i>	No further steps identified		

<p><b>How will we monitor this and to whom will we report outcomes?</b>          The executive owner of the policy must be made aware of this assessment and any monitoring or rewriting in relation to outcomes 2,3 or 4  <i>Risks identified throughout the assessment process and controls designed to address them, must be described and rated and recorded on Datix or in service risk registers in line with Trust processes. Assurance mechanisms should be developed for each activity to ensure that equality and diversity compliance is achieved on an ongoing basis</i></p>	NA
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**7. Who undertook this assessment and when?**

Name: Joanna Harrison	
Job Title: ED&I Manager	Date assessment started: 02.08.21
Service: Corporate	Date assessment completed:01.04.22

**8. Authorised by Trust Equality and Diversity Lead (Signature):** Joanna Harrison (ED&I Manager) **Date:** 29.04.22

# Reasonable Adjustments in the Workplace policy



## Why we need it...

This policy has been written to support with the process of providing reasonable adjustments for staff who have a disability or long term condition to allow them to carry out their role.

The policy includes a reasonable adjustment passport developed with the Disability and Long Term Conditions Staff Network for disabled staff and their line managers to create a record of adjustments and agree how often they will be reviewed.

Disability Leave is incorporated in the policy. This allows disabled staff paid time off work to attend appointments relating to their disability.



## What do I need to do...?

The Reasonable Adjustments in Workplace policy has been designed to support disabled staff and their line managers to better understand reasonable adjustments in relation to the Equality Act 2010, how to put them in place and the responsibilities of everyone involved.



## The evidence base

Equality Act 2010

NHS Employers [NHS health passport](#) | [NHS Employers](#)

NHS Employers [An inclusive approach to disability leave](#) | [NHS Employers](#)



## Who does it affect?

This policy applies to all Trust staff.



## Contact

HR team [HR.Queries@lscft.nhs.uk](mailto:HR.Queries@lscft.nhs.uk)

Equality, Diversity & Inclusion Team  
[equality@lscft.nhs.uk](mailto:equality@lscft.nhs.uk)

We are  
LSCft