

Reasonable Adjustments Guidance



Introduction

At Westminster City Council we believe that the organisation and our service users benefit from a diverse workforce which is representative of the community we serve. Diversity and inclusion are part of our key values. We want to ensure that knowledgeable, skilled, and talented staff are not excluded or disadvantaged due to disabilities. This policy is aimed at ensuring all staff feel included, supported, and treated with dignity and respect; in line with the key pillar of our Westminster Way of Working: Everyone is Valued.

Law

By law, we must consider making reasonable adjustments when:

- we know, or could be expected to know, an employee or job applicant has a disability
- an employee or job applicant with a disability asks for adjustments
- an employee with a disability is having difficulty with any part of their job
- an employee's absence record, sickness record or delay in returning to work is because of or linked to their disability.

We must make the changes if they're reasonable. We must also consider reasonable adjustments for anything linked to an employee's disability. For example, if we do not allow an assistance dog in the building, it's likely to be discrimination.

Who must we make reasonable adjustments for?

For Westminster City Council it is in general all people with disabilities who may work, volunteer or visit us as well as service users. The list is wide. For the purposes of this document we will only be considering job applicants and employees with disabilities. If you are not sure if this policy applies to you please speak to the [Employee Relations Team](#). This policy should be read with the [Disability Policy](#).

What is a reasonable adjustment?

A 'reasonable adjustment' is a change to remove or reduce the effect of:

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

The reasonable adjustment could be:

- to the workplace e.g. an employee who uses their wheelchair due to their disability has been struggling to get to meetings on time because these tend to take place on another floor. A reasonable adjustment may be to have meetings on the floor the employee works on, and/or allow extra time between meetings, and/or allow the employee to join virtually.
- to the way that the work is done e.g. an employee with epilepsy may sometimes struggle with drowsiness and lack of energy in the mornings. A reasonable adjustment may be that the employee can begin work later when this happens.
- to get someone to help the employee or applicant e.g. you may agree that questions or topics are shared with an applicant in advance if they are neuro-divergent or have a learning disability. This would be especially helpful for someone in their preparation for an interview.

We must consider what we can do to reduce or remove the disadvantage for a person with a disability; things you might wish to consider changing together may include:

- changing work patterns including changing/removing shifts
- removing something from the workplace as needed; for instance very bright lights above a workstation
- providing something in the workplace, such as an accessible parking space
- providing extra or more specialised equipment
- getting someone in to provide a service, for example a sign language interpreter

If you need specialist advice then it is recommended that an [Occupational Health](#) referral is completed in the first instance.

Examples of reasonable adjustments

It is important to be creative, work together and not to rule anything out without properly assessing if it is workable. [Agile working](#) is part of how we work at Westminster and could be a useful tool when considering reasonable adjustments.

Remember many people with disabilities often bring outside-the-box thinking to an issue and help find efficient solutions to problems.

Some examples of reasonable adjustments include:

- providing the right type of phone for an employee who uses a hearing aid
- arranging for an interview to be held on the ground floor for a job applicant who uses a wheelchair
- replacing a desk chair with one designed for an employee who has a disability affecting their back
- giving more one-to-one support to help prioritise the work of an employee experiencing anxiety
- an occupational health referral/phased return [to work](#) for an employee who's been on long-term sick leave because of their disability
- allowing more frequent breaks for someone with diabetes to get the right amount of food or drink throughout the day
- giving more time for someone with dyslexia to do any written or reading tests that are part of the interview process
- providing a fixed/adapted workstation for an employee who will benefit from this, remember this should not be limited to those with physical disabilities only; for example, people experiencing severe anxiety may need to have a fixed desk
- providing training in a way that is easier for those with cognitive impairments, such as doing this over two days instead of one or repeating training where the person with disabilities may find this helpful

Many more examples can be found on the [Equality and Human Rights Commission's website](#).

Keeping a record of reasonable adjustments

When making reasonable adjustments it is a good idea to set up a 'reasonable adjustments passport'. We recommend using a [Tailored Adjustment Plan](#) for this. This will be a clear written record for the people leader and employee of what adjustments have been agreed. This will allow an employee to take this with them if they are working temporarily elsewhere or secure a different job in the council or indeed with a partner/externally. It is recognised that different roles require different adjustments, and adjustments may need to change over time, but the advantage of setting out what works already will be that this can be used for the new role or form the basis for discussion with the new people leader.

When you don't need to make reasonable adjustments

Generally, the council is not expected to change the basic nature of the job. For example, someone who works in a call centre with diabetes requests that they do a paperwork only job as they find themselves urgently needing to go to the toilet. There are no paperwork only jobs within the call centre. In this example you should discuss other options which may help such as moving the workstation closer to the toilet, adapting start/finish times and being flexible with breaks. If this doesn't work, then you should work with the employee and Occupational Health. Occupational Health may have some specific advice around the role or ask that redeployment to another role in the council is considered in line with our [Medical Redeployment Guidance](#).

If you're not sure if you can make a reasonable adjustment then please speak to our [Employee Relations Team](#). If, following that conversation, you still feel a reasonable adjustment cannot be made, you must clearly explain your reasons for this to the employee, and keep a written record of this.

Costs of reasonable adjustments

In many cases reasonable adjustments will be simple and inexpensive – or even cost-free – such as adapting the way you provide training to a team member. For more complex needs there may be help available via the government's [Access to Work](#) scheme.

Cost should only be one factor in considering whether an adjustment is reasonable, remember it is the financial resources of the whole council that need to be considered and not just your department's budget. If you're not sure if you can make a reasonable adjustment then please speak to our [Employee Relations Team](#).

Adapting policies/procedures as a reasonable adjustment

In some instances, adjustments to our normal policies must be considered. Some examples include:

- Look at what is reasonable to achieve and actively work with the employee to put in place any additional reasonable adjustments that may be required during any performance management process
- People with disabilities may need more time off as a result of appointments, rehabilitation and treatment and this should be considered during any sickness process
- If you have performance concerns, lengthening the probation period if reasonable adjustments were not in place from the beginning of employment, so that the employee has time to prove themselves with the reasonable adjustments in place.

There are many other examples, the key principle is that reasonable adjustments may be required in many areas and this includes policies/procedures which cannot simply be taken and read to be 'the rules' in every case.

Health and Safety

Personal Emergency Evacuation Plans (PEEPs) are mandatory for all staff who would need assistance in the event of an emergency evacuation whether this is on a permanent or temporary basis.

Conditions needing assistance in emergencies can include, but are not limited to:

- Musculoskeletal issues affecting mobility, even if effects fluctuate
- Sensory impairments – like visual or auditory impairments
- Anxiety or panic disorders
- Being a wheelchair user, guide dog user, or user of any other mobility aids
- Cognitive impairments including aphasia

Remember also that there are other assessments which may be necessary and one that is often important for many disabled and non-disabled employees are stress risk assessments.

The [Corporate Health and Safety team](#) can advise people leaders who have any questions.

Recruitment

The Westminster way enables us to focus on the person's abilities rather than their disability. We expect people with a disability to be fully considered for jobs within the Council and we are a [Disability Confident](#) employer.

We encourage applicants to share information about their disability. We recognise this is particularly important where an applicant may require reasonable adjustments and to not disclose may put them at a disadvantage. We do however recognise that some people with disabilities may not feel comfortable disclosing their disability at this stage either because they do not believe it is relevant, due to poor experiences with other employers in the past or for many other reasons. We therefore continue to encourage people to declare a disability following an employment offer/during employment.

It is crucial to put candidates with disabilities at ease, as negative past experiences may have made them particularly anxious.

Candidates with disabilities may require specific arrangements for interviews, for instance a deaf or speech-impaired candidate may wish to bring an interpreter or for candidates with a condition affecting information processing such as dyslexia, ADHD, or autism, the interview topics or structure may be provided in advance.

We should not ask about a person's disability/sickness record at the recruitment stage.

Frequently asked questions

What is reasonable?

What is 'reasonable' will depend on each situation. We need to carefully consider if the adjustment:

- will remove or reduce the disadvantage for the employee with a disability
- is practical to make
- is affordable (for the purposes of this you should never simply consider the departmental budget, instead you should consider the council's overall resources which are large)
- could harm the health and safety of others e.g. allowing someone with epilepsy to operate very heavy machinery even with reasonable adjustments

Please see the [tailored adjustment plan](#).

Shouldn't we treat everybody the same?

The purpose of making reasonable adjustments is to 'level the playing field' and to remove barriers for staff or candidates with disabilities to the greatest extent that is reasonable in the circumstances. Treating everyone fairly does not mean treating everyone the same. The Equality Act (2010) requires people to be treated differently according to their needs. Where the duty to make reasonable adjustments arises, the employer can effectively treat the disabled person 'more favourably' than others in an attempt to reduce or remove that individual's disadvantage.

Do I have to make an occupational health referral before making adjustments?

No. Many adjustments involve simple changes that can be discussed with the disabled employee, they will often already know what works for them in terms of adjustments.

What if I manage someone and they do not tell me they have a disability?

You are not expected to know if someone has a disability if they choose not to disclose this, However you should recognise that many people do not class themselves as having a disability or may be reluctant to disclose this. Therefore, think carefully about what someone is saying; for instance if they say that they have had very bad back pain for a long time, or it is unlikely to go away then you should consider whether support and some reasonable adjustments are required.

What if I don't know if the employee's condition is a disability?

As a people leader you should focus on the reasonable adjustments that can be made rather than trying to work out if an employee has a disability/meets the criteria for disability.

There is more advice available about this from the [Business Disability Forum](#).

As a people leader what do I say if my team feel that I am treating someone with a disability better/if they complain about reasonable adjustments being made?

A tiny minority of non-disabled members of staff may perceive that the disabled member of staff is being treated more favourably, through being provided with equipment or support, for example. The Equality and Human Rights Commission states that [it is always lawful to treat a disabled person more favourably than a non-disabled person](#). This is in recognition of the fact that having a disability can cause many disadvantages to disabled people in various aspects of life, when compared to people who do not have a disability. You can remind team members that it's a legal requirement for employers to make changes to ensure a person's disability isn't a barrier to them doing their job and explain that these provisions are about levelling the playing field. You could direct them to read this policy if needed. This should minimise disagreements, if any exist.

There are a variety of learning courses available via WCC's Learning and Development team, including general disability and equality training. Depending on the nature of the disability in question, there may also be a more specific training course available, such as the Neurodiversity Awareness session, or the Autism Acceptance and Mental Health sessions. If the employee is agreeable to it, you could arrange for their teammates to participate in some training. This can be particularly useful for improving understanding of conditions that may include differences in communication styles, such as autism or ADHD.

Sources of information and support

[Access to Work](#)

The Access to Work programme is a scheme run by the Government that provides assessments and can provide grant funding towards any extra costs incurred with supporting someone with a

disability at work. Note that the employee must self-refer to Access to Work, this cannot be done by People Services, a people leader, or Occupational Health.

[Workplace Mental Health Support Service \(WMHSS\)](#)

Free and confidential Workplace Mental Health Support Service, available to anyone with a mental health condition who is absent from work or finding work difficult. It is aimed at helping people to remain in, or return to, their role. This service is delivered in partnership with Access to Work.

[The Business Disability Forum](#)

Westminster City Council is a member of the Business Disability Forum, which offers free and confidential advice, and excellent online resources for people leaders.

Telephone: 020 7403 3020

Textphone: 020 7403 0040

Email: enquiries@businessdisabilityforum.org.uk

The Wire

The equalities and wellbeing pages on The Wire are there to signpost staff to broader support available and provide people leaders with helpful guidance (including videos and factsheets).

[Diversity and Inclusion Hub](#)

[Health and Wellbeing Hub](#)

Assistive Technology: Accessibility IT hub (link will be ready shortly)

People leaders can contact our [Corporate Health and Safety team](#) for a Display Screen Equipment assessment, in line with the [Display Screen Equipment and Agile Working Policy](#). If further workstation assessments are needed, these can be organised through [Health and Safety](#) or by way of a Workplace Needs Assessment.

Employee Assistance Programme

We offer our staff a free and independent resource, which can give information, resources, or counselling to staff who need advice or guidance. This is our Employee Assistance Programme, provided by Health Assured.

Freephone: 0800 030 5182

Website: <https://healthassuredeap.co.uk/>

Username: **Westminster**

Password: **Council**

ABLE Network

[The ABLE Network](#) is here to support disabled employees and advise managers.

The ABLE Network vision is for Westminster City Council to be an organisation that:

- is united and inclusive
- is enriched by all our differences
- realises the full potential of people with disabilities

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