Reasonable Adjustments

Best Practice Guidance

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**MRC Reasonable Adjustment Best Practice Guide**

MRC policy is to provide a safe environment and to employ best practice to ensure health, safety and welfare within the workplace. This document sets the expected best practice guidance for reasonable adjustment under MRC Health and Safety Policy.

**Introduction**
The Equality Act 2010 requires organisations such as the Research Councils to make reasonable adjustments for applicants and employees with a disability. This means, wherever possible, removing barriers that might get in the way of a disabled person effectively doing his or her job, acquiring a role that he or she is otherwise capable of doing, or otherwise being placed at a substantial disadvantage.

The MRC also applies the principle of reasonable adjustments to employees without a defined disability but who may require similar adjustments to allow them to fulfil their role, for example, to prevent exacerbation of an existing condition, to enable rehabilitation and/or earlier return to work. This guidance may refer to disabled person and employee but the content is applicable to all who may require it.

Many conditions considered by some people as illnesses, such as diabetes, heart disease, chronic arthritis, depression and epilepsy, are classed as a disability under the Equality Act. Often adjustments can be made at low cost or no costs, yet make a significant difference to the ability of a disabled person to perform well in a role. Managers should consider a number of factors when putting in place appropriate adjustments.

**Reasonableness**
The MRC must consider making adjustments on learning that an applicant or employee has a disability. Line managers should be involved in the process when determining workplace adjustments and a Reasonable Adjustments Assessment Chart is provided at Appendix B to assist in these considerations. They should consider a range of aspects to determine whether or not an adjustment is reasonable and proportionate:

- **The cost of the adjustment and available organisational resources:** Whether or not it is reasonable to make an adjustment will depend, in part, on the MRC’s financial and other ability to make the adjustment, taking into account
factors such as the organisation’s size and availability of resources. In practice it may be left to a department to manage reasonable adjustments, but it is the ability of the MRC as a whole to meet the adjustment that must be considered. Therefore, it will be unreasonable for the MRC not to make an adjustment because a department or section does not have the budget to do so. The unit should explore sources of financial assistance with the cost of adjustments, for example Access to Work.

- **The practicality of the adjustment:** It may be reasonable for a large unit or site to add a ramp to its building to accommodate physical access needs, but impractical and therefore unreasonable for a small unit based in a grade II listed building to do so.

- **The effectiveness of the adjustment in preventing the disadvantage:** The adjustment must be effective at removing the disadvantage. For example, purchasing a state-of-the-art piece of technology to support someone with a visual impairment to work on his or her desk-based computer may appear appropriate, but if the disadvantage actually arises when he or she is excluded from team discussions, which rely on seeing the detail of presentations to facilitate idea generation, this adjustment will not remove the real disadvantage.

- **The disruption to business and the effect on others caused by the adjustment.**

- **Health and safety considerations:** Organisations such as the MRC are not required to make adjustments that would endanger the health and safety of a disabled person or of other people. However, health and safety legislation must not be used spurious to avoid making a reasonable adjustment. Before deciding whether or not health and safety considerations mean that an adjustment is unreasonable, units should carry out a full and thorough risk assessment and investigate the alternatives. Units should not make assumptions and should take specialist advice where necessary.

- **The employee’s length of service:** An employee’s length of service could be taken into account when deciding whether or not an adjustment is reasonable.
For example, people working on short-term contracts or those who have been with the organisation for a short period of time might attract a lower threshold of adjustment. However, units should consider appropriate adjustments on a case-by-case basis and ensure that no decision is discriminatory on the basis of age.

- **The value of the employee to the MRC:** Units could consider the value to the MRC of the skills held by the employee, when deciding whether or not the adjustment is justified.

- **The amount of help and support the MRC has already provided to that employee.**

If the MRC deems an adjustment to be unreasonable, it can decide not to appoint a candidate or withdraw a job offer, but it should give full and careful consideration to this decision, so that the best candidate is not lost. If an employee is considering adjustments for an employee who has become disabled, ill-health dismissal should be a last resort.

**External support**

Support is often available to units to help with the cost and supply of reasonable adjustments, via government schemes such as [Access to Work](https://www.gov.uk). These schemes can contribute towards the cost of: equipment; business-related travel, for example taxis to and from work; personal assistants, who could provide physical assistance to an employee, for example with getting to and from work; and co-workers, who could assist an employee with the elements of the role that the employee finds difficult because of his or her disability.

Also, [Directgov](https://www.direct.gov.uk) has details of range of organisations, charities and support groups that offer advice and information to disabled people on employment-related matters.

**Reasonable adjustments for new recruits**

After an applicant accepts a job offer, the unit should fully explore what adjustments might be necessary to enable him or her to be fully productive. It should not make assumptions about what reasonable adjustments may be necessary.
A unit that is sensitive and supportive will be able to have a mutually beneficial discussion with new recruits to identify practical kit or adjustments, for example changes to working patterns or buddy support.

An individual may know what equipment or adjustments he or she needs, but units should not make this assumption. Health conditions change and technology improves, so units should take specialist advice from HR, the Safety, Security and Resilience (SSR) Team, occupational health or external experts to ensure that the right adjustments are put in place to enable the individual to be fully productive as soon as possible.

When considering what adjustments are necessary, units should give thought to all elements of the role in practice. They should apply a “disability lens” to all terms and conditions, to ensure that all relevant aspects are fully considered, whether they relate to working hours, place of work, sick pay, or operational practices, for example a next-of-kin contact or business contingency process.

A reasonable adjustment could be to allow a person to have a lab bench or workstation where adaptive technology or a specialised chair can be permanently set up to his or her needs, if he or she works in an location that operates hot-benching or hot-desking. Altered working patterns could enable an individual with diabetes to manage his or her dietary needs or an individual with attention deficit disorder to maintain his or her concentration levels.

Once the necessary adjustments are identified, units should put procedures in place to acquire the equipment or to establish inclusive practices, so that they are ready for the arrival of the new member of staff.

**Types of adjustment**

The sorts of adjustments that staff need are wide-ranging and often low cost. For example, a change to working patterns to maximise energy levels, or supplying coloured paper to those with dyslexia cost little yet can have a great impact.

Adjustments are likely to add greatly to the sense of motivation and organisational commitment that an employee feels and should equate to better productivity levels, often outweighing the initial investment.
The following are examples of the types of adjustments that units could consider. Some specific adjustments found in similar organisations are included in Annex A:

**Physical adjustments**

- **Physical features:** Adjustments can include changes to physical features of the workplace, for example building ramps where stairs currently exist, putting in automatic doors, fitting adjustable lab benches/desks or widening doorways. Access audits of premises can reveal where changes would be beneficial to disabled candidates and employees. These changes could be of benefit to people other than disabled employees. For example, automatic doors and widened doorways are helpful to disabled customers, parents with pushchairs and lab workers carrying heavy loads. In-house facilities departments may have the skill and capacity to undertake access audits, or units can arrange for external providers to do so. Units can contact RADAR and the Employers' Forum on Disability to obtain contact details of access audit providers.

- **Technology:** Reasonable adjustments might involve the provision of software or other adaptive technology. Speech-to-text software helps those with dyslexia to communicate and check their spelling, and assists those who have mobility issues, for example arthritis or repetitive strain injury, who find writing or typing difficult. Technology can help those with visual impairments by changing font sizes or screen backgrounds.

- **Equipment:** A wide variety of equipment is available to support most forms of impairment. For example: voice recording equipment helps those with concentration issues; ergonomic keyboards and workstations help desk-based staff with musculo-skeletal issues; Braille keyboards and large-buttoned telephones make working life easier for those with visual impairments; coloured filters or coloured paper can make it easier for those with dyslexia to manage the written word or screen-based work; and hearing loops and textphones can help those with hearing impairments. Within units, the trained DSE assessors can assist in these instances.
Non-physical adjustments

- **Working patterns:** Changes to working patterns can be low-cost or no-cost solutions and often help the units to provide more flexible coverage for customers or other staff. For example: changing the working pattern of someone with diabetes may allow that person to manage his or her blood-sugar levels more easily; someone who cannot stand for long periods may benefit from a change to start and end times of his or her working day to avoid having to navigate crowded trains at rush hour; allowing a wheelchair user to work from home may mean that he or she can spend more time working and less time negotiating public transport systems; enabling someone with depression or a fluctuating condition such as multiple sclerosis to work flexibly may mean that he or she can be more productive on his or her good days and take time off that has been built up on days when he or she feels less able to contribute, or work at times of the day when his or her energy levels are at their greatest.

- **Ways of working:** Small changes to working practices often have a beneficial impact on the working life of disabled people and increase their productivity and loyalty to the MRC. For example, allowing someone with a speech impediment to communicate via email can eliminate pressure and enable him or her to display real skills in the workplace; allocating a workstation near to an aisle or disabled toilet may make life easier for a wheelchair user; and placing flip-chart pens at eye level or having printer buttons at waist height could enable a wheelchair user or someone of small stature to contribute fully at work.

- **Research continuity plans:** Where reasonable adjustments are made, line managers should ensure that these are reflected in the unit’s Research Continuity Plan, so that relevant employees and managers are aware of evacuation arrangements, including places of safety and evac chairs, etc.

- **Attitudinal changes:** Facilitating changes to attitudes are often the most positive adjustment that the MRC and units can make. For example, providing all staff with training on mental health conditions and running HIV awareness sessions may help to remove the stigma and preconceptions that might otherwise create emotional barriers for disabled staff. By opening up discussions and raising awareness, the unit can help staff who may have previously labelled disabled
people as lazy or difficult to work with, based on their assumptions or lack of knowledge, begin to understand the factors that impact on the lives of others. This can help to prevent stereotyping and create the necessary attitudinal shift. This is equally relevant where the unit has non-disabled staff with family members who are affected by a disability or illness: an organisation that shows attitudinal awareness can build engagement in many people.

Involving the individual

Deciding on the most effective adjustment should always involve the disabled person. Discussion between the employee and line manager can often result in appropriate changes or the identification of the most helpful equipment or software. The individual is often best placed to know his or her own condition, so the unit should seek his or her opinion. However, if the condition is new or fluctuating, the staff member may not be knowledgeable or have all the answers. In these circumstances, involving occupational health will aid the identification of support, but input from a range of specialists may be needed before the most effective solutions are found.

Getting it right can take time

Obtaining specialist reports or adapting to working with an adjustment can mean that it will be a while before a stable environment is created. The unit should therefore give the employee time to try out any adjustments. During this time, the line manager should maintain effective communication with the employee and his or her colleagues, to ensure that undue pressure is not placed on the individual while solutions are sourced or established.

The employee may well be adjusting to a significant change in his or her circumstances, so will appreciate organisational and colleague understanding as he or she works through this process.

Seeking expert advice

The key to putting in place the right adjustment is for units to seek expert advice about what adjustment will be appropriate for a particular employee. Every disabled person is different and even two people with the same sort of impairment may require entirely different levels of practical or emotional support. Technology is advancing all the time and is removing barriers previously faced by disabled employees.
For example, text-to-speech and speech-to-text software and voice-recording equipment enable the careers of talented disabled people. Therefore, units should investigate options via specialists before deciding that an impairment cannot be accommodated.

However, a unit should not abdicate responsibility to an expert, or assume that obtaining an expert’s view will negate the risk of any possible claim. Where a unit unreasonably fails to follow an expert’s advice, where insufficient expert input is sought, or where the expert is a specialist in the wrong area, the MRC remains liable for the consequences of their actions.

Units should think each situation through carefully and obtain legal advice as appropriate. Above all, they should be pragmatic: if they focus on retaining the employee and providing him or her with an equal opportunity, this will go a long way towards showing inclusive behaviour.

**Reviewing adjustments**

The unit should undertake regular reviews of reasonable adjustment provision to make sure that the support provided is still the most appropriate for the employee’s condition.

Appraisals, regular one-to-one reviews and return-to-work interviews by line managers or HR after sickness or disability-related absence are useful points to check on arrangements. This ensures that the employee is working to the best of his or her ability and enables the organisation to demonstrate its commitment to inclusion.

Business changes may necessitate alterations to the adjustments in place. For example, the unit may no longer be able to accommodate a particular working pattern. Before altering or removing an adjustment, the unit should have a sensitively managed meeting with the individual to explore the impact of any proposed change and the options available.

**Record of reasonable adjustments**

The Reasonable Adjustments Assessment Chart attached at Appendix B can be used to assess the reasonableness of possible adjustments. Units should also maintain a written record of discussions about reasonable adjustments and the resulting support put in place for a disabled employee. The record can also be used to record any additional provisions that have been agreed, for example who to contact if the employee is not at
work and has not followed the notification procedures, or how work will be covered if the
employee is away on disability-related matters.

The process of completing such a form facilitates an open and thorough conversation
between the line manager and staff member, lessens the time taken to review
reasonable adjustments, for example at appraisals, and acts as a guide should the
employee be assigned a new line manager. This eliminates the risk of the unit taking an
inconsistent approach, where one line manager supports an adjustment and another
takes a different view. Consistency is often vital for a disabled staff member, who will
want to feel that he or she can count on the support of the unit and the MRC as a whole.
This approach also helps to ensure that the disabled individual feels that he or she is
being listened to. It can be very demoralising for an employee to have to repeat him- or
herself several times. Units should, however, maintain the confidentiality of such
records, as with any other personnel-related information.

The line manager's role
A good line manager is vital to the ability of a disabled employee to perform well. A
supportive manager who provides practical and emotional support will bring out the best
in all of his or her staff and will engage employees and engender organisational loyalty.
Managing people with disabilities can be complex, and even the most experienced
manager will encounter situations with which he or she has no familiarity. In this
situation, it is the attitude displayed and the integrity shown by the manager that will
differentiate a good leader from an adequate or poor one.

A line manager with a disabled employee in his or her team has a number of
responsibilities:

- Making sure that a disabled employee knows about the reasonable adjustments
guidance and procedures when he or she starts the role and at other
opportunities, for example during performance reviews. This includes ensuring
that information about the reasonable adjustments guidance is readily available
to employees via the same channels that other workplace information is
communicated to them, for example noticeboards or intranet sites. Reasonable
adjustments can be just as vital to the health and wellbeing of employees as
display screen equipment, manual handling or evacuation procedures, so the
• Navigating through the wellbeing, absence management and reasonable adjustments procedures when appropriate, and liaising with occupational health, HR, Safety, Security and Resilience (SSR) and other colleagues, to identify the appropriate steps to take for each individual situation, as and when the need arises.

• Maintaining knowledge about diversity and disability, via training and liaison with experts, so that the manager is able to provide a confident and supportive team environment for his or her people. It is the MRC’s responsibility to provide appropriate training, but this goes hand in hand with a manager recognising his or her responsibility to give the best level of support to all staff, including those who have disabilities. Therefore the manager must be open to learning about this subject, whether through in-house training or through listening to disabled colleagues, and to using that knowledge effectively.

• Ensuring that his or her own attitude and behaviours reflect the diversity and inclusion ethos within the organisational policy, being aware of personal prejudice from his or her own and the team’s actions.

• Not making judgments. It is not up to a line manager to decide if someone is disabled under the Equality Act 2010. It is best practice to assume that someone who is asking for support in relation to a health condition does indeed need that support and to provide it accordingly, assuming it is proportionate to do so. Allowing a tribunal to decide if someone’s condition meets the definition under the Act is a risky course of action that brings with it potential financial and reputational consequences.

• Maintaining effective and regular communication with his or her disabled employees, via reviews and updates, so that a safe environment and mutual trust exists. This enables disabled staff members openly to discuss their needs and support requirements.

• Creating an equitable environment in relation to access to training, development and career enhancement for all team members, based on their aptitude and ability, rather than on their disability or other personal characteristics.
The employee's role

Given deciding on and reviewing the adequacy of the most effective adjustment should always involve the disabled person, the employee should engage in an open and ongoing conversation with line management and organisational experts regarding their needs and how these may be changing over time. Once reasonable adjustments are made by the unit, it is the responsibility of the employee to use the adjustments provided by, or agreed with the unit and his/her line manager.

Key Contacts

In addition to local unit safety coordinators and HR staff, a range of additional advice and support is available:

MRC Safety, Security and Resilience: health.safety@headoffice.mrc.ac.uk

MRC Equality & Diversity: equalityanddiversity@headoffice.mrc.ac.uk