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# Reasonable Adjustments

Removing barriers to  
disabled people at work

# Contents

<b>Introduction</b>	<b>3</b>
<b>The Law</b>	<b>4</b>
<b>Who is entitled to reasonable adjustments?</b>	<b>6</b>
<b>What is classed as a disability under the Equality Act?</b>	<b>6</b>
<b>What is a 'reasonable adjustment?'</b>	<b>7</b>
<b>Types of reasonable adjustment</b>	<b>7</b>
1 Making adjustments to premises	8
2 Allocating some of the disabled person's duties to another person	9
3 Transferring somebody to fill an existing vacancy	10
4 Altering a person's working hours	11
5 Allowing absence for rehabilitation, absence or treatment	12
6 Acquiring or modifying equipment	13
7 Arranging or giving extra training or mentoring	14
8 Modifying instructions or reference manuals	15
9 Modifying procedures for testing or assessment	16
10 Providing a reader or interpreter	16
11 Providing supervision or a support worker	18
12 Disability Leave	18
<b>Monitoring your adjustments</b>	<b>19</b>
<b>Who pays and access to work</b>	<b>19</b>
<b>What is meant by reasonable?</b>	<b>19</b>
<b>Casework and reps' role</b>	<b>21</b>
<b>Further reading</b>	<b>23</b>



## Introduction

Disabled people face many barriers in getting a job and then at work. The Equality Act 2010 places a duty upon employers to make adjustments that aim to remove these barriers wherever reasonable, so that a disabled person is not put at a disadvantage when compared to a non-disabled person.

These adjustments may include changes to ways of working, removal of physical barriers, or providing extra support in a number of other ways.

This guidance will examine exactly what the law says, look at some examples and case studies, and discuss how UCU reps can best approach negotiating reasonable adjustments for members.

## The Law

The duty to make reasonable adjustments is embedded in the Equality Act 2010. It states that it is unlawful to discriminate against workers because of a physical or mental disability or to fail to make reasonable adjustments to accommodate a worker with a disability. This relates to both current disabled employees and employees who become disabled. It also relates to any prospective employees, meaning employers must make reasonable adjustments in the recruitment and employment of disabled people.

The duty to make reasonable adjustments aims to make sure that as a disabled person, you have, as far as is reasonable, the same access to everything that is involved in getting and doing a job as a non-disabled person. When the duty arises, your employer is under a positive and proactive duty to take steps to remove or reduce or prevent the obstacles you face as a disabled worker or job applicant.

Many of the adjustments your employer can make will not be particularly expensive, and they are not required to do more than it is reasonable for them to do. What is reasonable depends, among other factors, on the size and nature of your employer's organisation.

If, you are a disabled worker and can show that there were barriers your employer should have identified and reasonable adjustments your employer could have made, you can bring a claim against your employer in an Employment Tribunal, and your employer may be ordered to pay you compensation as well as make the reasonable adjustments.

For a clear and detailed introduction to Reasonable Adjustments under the Equality Act you can access the EHRC's guidance at:

<http://www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers/the-duty-to-make-reasonable-adjustments-for-disabled-people/>

### **THE SOCIAL MODEL OF DISABILITY**

*Legislation is often based on a 'medical' or 'individual' model of disability. This states that disability is defined by how an individual's medical condition or impairment affects their ability to carry out every day activities. If disability is defined in this way, the implications is that the main way to resolve any difficulties is to treat or cure the condition. This means that the terms 'disability' and 'impairment' are used interchangeably – confusing two entirely different concepts.*

*Trade unions support the 'social model' of disability. This makes a clear distinction between disability and impairment. The latter refers to an absence or limitation in an individual's physical, mental or sensory function. The social model states that it is the barriers society puts in place that prevent or hinder access to, for example, the built environment, media, transport or education. It is therefore society that disables somebody, not their impairment.*

*The law around reasonable adjustments is designed to ensure employers and service providers make any changes appropriate to ensure that services and the workplace are accessible for disabled people. They have a duty to provide the conditions that enable all workers to fully participate and contribute.*

## **Who is entitled to reasonable adjustments?**

To be entitled to reasonable adjustments, a person must fit the criteria set out in the Equality Act 2010 (see below). Also, to be covered by the Act, the employer must be aware of your disability, which will usually involve a person disclosing their disability themselves to the appropriate management and/or personnel department. This disclosure should be kept confidential.

If you have not disclosed your disability and are worried about doing so, or are unclear about who you should tell, you may find the UCU publication 'Disclosing a Disability' useful, which you can download at:

[www.ucu.org.uk/media/pdf/m/n/Disclosing\\_a\\_disability.pdf](http://www.ucu.org.uk/media/pdf/m/n/Disclosing_a_disability.pdf)

## **What is classed as a disability under the Equality Act?**

The Equality Act 2010 states that you are a disabled person if 'you have a physical or mental impairment that has a substantial and long-term negative effect on your ability to do normal daily activities.' What does this mean in practice? Government guidance defines 'substantial' as being 'more than minor or trivial – eg it takes much longer than it usually would to complete a daily task like getting dressed.'

'Long term' means '12 months or more – for example a breathing condition that develops as a result of a lung infection.'

You also fit the criteria under the Equality Act if you have a progressive condition. This is a condition that gets worse over time, for example rheumatoid arthritis.

You are also covered by the act if you are diagnosed with, for example, cancer, HIV infection or multiple sclerosis.

If you do not meet the criteria, and/or your employer is not aware of your disability, you will not be covered in terms of unfavourable treatment under the Equality Act.

Some conditions not classed as a disability by the Equality Act include long-term addiction to non-prescribed drugs or alcohol. For in-depth guidance on exactly what is covered under the act you can download 'Equality Act 2010, Guidance on matters to be taken into account in determining questions relating to the definition of disability' <http://odi.dwp.gov.uk/docs/wor/new/ea-guide.pdf>

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

A reasonable adjustment is an alteration an employer could make to enable a disabled person to continue to carry out their duties without being at a disadvantage compared to others. An adjustment that would mean that as far as is reasonable, a disabled worker has the same access to everything that is involved in applying for, doing, and keeping a job as a non-disabled person. Many of these adjustments will be simple and inexpensive.

If an employer fails to make a change that is later found to be reasonable at an Employment Tribunal, then the employer may be ordered to pay compensation, as well as implementing the change itself.

## **Types of reasonable adjustment**

The EHRC Code of Practice for Employment for the Equality Act give the following examples of reasonable adjustments. Where possible we have also included examples of successful cases involving reasonable adjustments that have reached an Employment Tribunal. This is not an exhaustive list, and the law allows room for much negotiation over types of adjustment. Download the full code of practice:

[www.equalityhumanrights.com/uploaded\\_files/EqualityAct/employercode.pdf](http://www.equalityhumanrights.com/uploaded_files/EqualityAct/employercode.pdf)

## 1 MAKING ADJUSTMENTS TO PREMISES

This could include structural changes such as installing ramps for wheelchair access, or something as simple as rearranging office furniture to allow more room for a physically disabled person to reach their desk.



### CASE STUDY

#### CLARK V EAST LONDON BUS & COACH CO LTD (2012)

*The claimant was employed as a bus driver from 2007. He has type 2 diabetes. By 2010, there were concerns that he might become insulin-dependent, which would mean that he would lose his vocational driving licence. He raised his health with the respondent, seeking various adjustments to help him control his condition.*

*The claimant requested a number of adjustments, and medical reports obtained from his GP and the respondent's occupational health department supported some of those adjustments. One such adjustment related to the provision of a clean room to enable the claimant to check his blood sugar levels and take his medication. This was refused by the respondent, and they were taken to an Employment Tribunal.*

*The tribunal held that this was a reasonable adjustment, stating that there were a number of offices available that were clean and private which the claimant could have used.*



## 2 ALLOCATING SOME OF THE DISABLED PERSON'S DUTIES TO ANOTHER PERSON

There may be aspects of work that a disabled person is no longer able to carry out, and it may be a reasonable adjustment to have these duties allocated to another member of staff. An example could be a person with a mobility issue having a colleague, by agreement, carry their heavy textbooks between classrooms. An employee may also simply need a reduction in their workload.



### CASE STUDY

#### **BURKE V (1) CLINTON CARDS PLC (2) WALKER (2010)**

*An employer that failed to make reasonable adjustments for an employee who had cancer was ordered to pay more than £100,000 in compensation.*

*When the claimant, Mrs Burke, an area sales manager, was diagnosed with breast cancer, adjustments were made by reducing the number of stores for which she was responsible. However, when a new regional manager, Mr John Walker, took over, he increased her workload and was critical of her performance on a number of occasions, paying no regard to the effect of a heavier workload on her health, and showing no interest in the effect on her work of the treatment for cancer that she was undergoing. She resigned and claimed unfair constructive dismissal and disability discrimination.*

### 3 TRANSFERRING SOMEBODY TO FILL AN EXISTING VACANCY

An employer should consider whether a suitable alternative post is available for a worker who becomes disabled (or whose disability worsens), where no reasonable adjustment would enable the worker to continue doing the current job.



#### **CASE STUDY CHIEF CONSTABLE OF SOUTH YORKSHIRE POLICE V JELIC (2010)**

*The EAT upheld an employment tribunal finding that it would have been a reasonable adjustment to swap the job of a serving police officer with chronic anxiety syndrome with that of another police constable.*

*The claimant was a police constable who developed chronic anxiety syndrome. As a result, he had periods of sick leave for stress-related illness. When he returned to work, he was assigned a desk job. A series of reports from the force's occupational health adviser said he was not fit to return to front-line duties. Eventually, it was decided to medically retire him because he was carrying out the duties of a staff operator and was permanently disabled from performing the full duties of a police officer.*

*An employment tribunal upheld a disability discrimination claim, finding that in the particular circumstances of the case it would have been reasonable to swap the jobs being undertaken by the claimant and another police constable. The tribunal identified a particular constable whose job was suitable and suggested that, if necessary, in a service accustomed to discipline, the other police officer could be required to switch jobs.*

## 4 ALTERING A PERSON'S WORKING HOURS

A phased return to work may be suitable in some cases. A permanent change to working hours may also be suitable, for example flexible working hours to allow time to overcome fatigue due to a disability. A change to part-time working may also be appropriate in some cases.



### CASE STUDY

#### ATKINSON V UK BORDER AGENCY (2012)

*The claimant was employed as an assistant customs officer, based at Coquelles in France. It was accepted by the respondent that the claimant's genetic spinal defect and prolapsed disc meant that she was disabled, although she has a number of other conditions that affected her physically and mentally, including fibromyalgia and depression.*

*There was a change in the shift patterns from 1 April 2011. This meant that the claimant would be required to be at the Channel Tunnel to meet the staff coach at 6.15am. She requested that an adjustment be made to her start time as, because of her medication, she was unable to drive until 6.00am and could not therefore get to the coach. She proposed that she start an hour later and work until later, or that she be allowed to drive her own car, or a company car, and travel slightly later than her colleagues, as she would then be able to drive after 6.00am. This was considered in May 2011. The respondent rejected the request, stating that a later start time was not possible, and that taking her own car or a company car would be too expensive.*

*An employment tribunal held that there had been a failure to make reasonable adjustments. It rejected the respondent's argument about the cost of allowing the claimant to take her own car, as it heard evidence that the respondent's employees were able to travel through the tunnel with their vehicles for free.*

*On the late start, the respondent submitted that this would have an adverse impact on team working. However, the tribunal concluded that there appeared to be very little impact from the claimant's proposal on team working, and indeed it heard that the claimant's manager worked part time with no impact on team working.*

## 5 ALLOWING ABSENCE FOR REHABILITATION, ABSENCE OR TREATMENT

A disabled worker may need more time off to receive treatment than other workers. The employer should also consider that some conditions may worsen over time, and therefore a worker may need more time off for treatment at different times. See 'disability leave' for further information.



### CASE STUDY

#### GRACE V ROYAL BANK OF SCOTLAND INSURANCE SERVICES LTD (2010)

*The claimant had spondylosis in her neck and also osteoarthritis. The respondent imposed a requirement that all employees in the unit where the claimant worked had to work at least one Saturday in every four. The claimant argued that this put her at a disadvantage because it prevented her from taking four consecutive days of rest and time that she needed to recover from her pain medication. She claimed there was a failure to make reasonable adjustments. In addition, she was disciplined for refusing to attend on a Saturday on which she was scheduled to work.*

*An employment tribunal upheld her claims of failure to make reasonable adjustments – rejecting the respondent's argument that it was a reasonable adjustment to allow the claimant to work every Saturday and take the following four days off, as that would also disadvantage her compared to her colleagues who had to work only one Saturday in four. It also held that the way in which disciplinary proceedings were brought against the claimant amounted to harassment.*

## 6 ACQUIRING OR MODIFYING EQUIPMENT

Examples of acquiring or modifying equipments may include installing speech recognition software for an employee unable to use a keyboard due to arthritis, or a hearing loop for a hearing-impaired employee.



### CASE STUDY

#### **DURAN DE ROQUE V FORTRESS SERVICE GROUP PLC (2010)**

*The claimant was employed as a regional sales manager for the respondent from May to October 2008, when he was dismissed on grounds of performance. He suffers from an inguinal or groin hernia. When recruited by the respondent the claimant requested an automatic car because driving a manual caused him substantial discomfort and restricted the number of miles he could travel. Despite numerous requests, no automatic transmission car was provided. He was also subjected continuously to comments from colleagues about his condition, with comments about him 'complaining about his dodgy bollocks'. In August 2008 the respondent had referred to the claimant as 'the best salesman we have', but in October 2008 he was dismissed on grounds of poor performance. He claimed direct disability discrimination and failure to make reasonable adjustments.*

*An employment tribunal upheld his claims. It found that the reason given for his dismissal - poor performance - was a sham, and that the real reason was that the claimant complained about not being given an automatic transmission car. It therefore held that there was direct disability discrimination. It also found that the refusal to provide an automatic vehicle amounted to a failure to make reasonable adjustments. It did not accept the respondent's explanation that it did not have an automatic car in its fleet, stating that with between 20 and 30 vehicles at any time for use by its employees, it was 'totally unreasonable to refuse to include a vehicle with automatic transmission within those numbers'. The tribunal also held that the persistent comments about the claimant's disability amounted to harassment.*

## 7 ARRANGING OR GIVING EXTRA TRAINING OR MENTORING

An example is a disabled employee needing extra or specialised training in using newly installed equipment at work. Other staff members may need training in modifying the way they work so that a disabled person can continue to fulfil their work duties, for example how to structure meetings so that somebody with a hearing impairment can continue to participate. In addition, a person who has been diagnosed with dyslexia may require a workplace assessment to ascertain how it impacts on their work and what adjustments will be required.



### CASE STUDY

#### ***OSEI-ADJEI V RM EDUCATION PLC (2012)***

*The claimant was successful in claiming failure to make reasonable adjustments regarding the respondent's failure to carry out a workplace assessment in relation to the claimant's dyslexia prior to placing the claimant on a performance improvement plan.*

*This was a single act of discrimination, and the respondent subsequently attempted to put right the position by carrying out a workplace assessment and offering a plan to implement reasonable adjustments. The tribunal held, however, that the claimant was 'very upset'. It considered that damages should fall within the lower Vento band, and awarded £4,000.*

*The tribunal pointed out that although it can be difficult to separate injury to feelings and personal injury, in this case it was possible, and appropriate, to make that distinction. The evidence was that the discrimination relating to the claimant's dyslexia had triggered depression, with no other obvious contributing factors in the claimant's life. The tribunal examined the claimant's medical evidence against the Judicial Studies Board Guidelines, assessing the level of injury against seven factors listed there. It concluded that the depression had affected the claimant's relationships with family, friends and contacts and, although treatment has been successful, he was left vulnerable to further episodes in the future.*

## 8 MODIFYING INSTRUCTIONS OR REFERENCE MANUALS

Modifying instructions or reference manuals may mean providing materials in accessible formats, such as large print, Braille or audio. Another example would be changing the way that instructions are relayed to an employee with dyslexia. It may be more appropriate to relay instructions face to face rather than in textbook or email form.



### **TITCHENER V TECHNIQUE TRAINING LTD (2010)**

*The claimant is profoundly deaf. He claimed harassment and a failure to make reasonable adjustments on grounds of his disability.*

*The tribunal found that he was harassed by colleagues and senior managers. For example, one employee threw a pen at the claimant to attract his attention, indicative, the tribunal said, "of a profoundly contemptuous and dismissive attitude" towards a deaf person. It found also that a manager had sought to address performance issues with the claimant by shouting at him in his face, in the presence of colleagues.*

*There had also been a failure to make reasonable adjustments. The respondent did not consider ways of communicating work instructions to the claimant. As most instructions were oral, the claimant was clearly at a disadvantage, but the respondent did not allow the claimant to communicate by text on his mobile, which the tribunal found would be 'an entirely reasonable adjustment'. The respondent had introduced the use of a book in which staff could put instructions for the claimant, and he could respond when completed. However, the claimant's manager failed to monitor use of the book and it was eventually abandoned, leaving the claimant with obvious difficulties of communication. The tribunal found that the respondent 'obviously made little or no effort to find an acceptable and clear method of communicating requirements and dissatisfaction to the claimant' and held that there had been a failure to make reasonable adjustments.*

## 9 MODIFYING PROCEDURES FOR TESTING OR ASSESSMENT

If a disability means that a person is put at a disadvantage compared to somebody else when being assessed for capability or promotion, the employer should find a way to modify the procedure. Example may include taking an oral test instead of a written one, or allowing extra time to complete a written appraisal.



### CASE STUDY KELLY V LAND ROVER

*The claimant was a manager working for the respondent, and had been employed by them for some 24 years. He had physical disabilities with his neck and back, and neurofibromatosis. He had two lengthy periods of sick leave. During a period of absence, a redundancy situation arose but Mr Kelly was not kept informed of the redundancy process, even upon his return. An employment tribunal found that there had been a failure to make reasonable adjustments, in that there was a failure to allow the claimant time to engage with the interview process and that they could have extended the assessment period to allow for the claimant's lengthy period of absence and the lack of managers who had recent knowledge of the claimant's skills and abilities.*

*It was therefore held that there had been a failure to make reasonable adjustments, and that the claimant's dismissal was due to the failure to make such adjustments.*

## 10 PROVIDING A READER OR INTERPRETER

Providing a reader or interpreter could be as simple as arranging for a colleague to read out documents to a sight-impaired person but such arrangements must be negotiated carefully so not an additional recognised duty for the reader.





## CASE STUDY

### COTTRELL V NORTH TYNESIDE DISABILITY FORUM (2010)

*An employment tribunal held that an employer failed to make reasonable adjustments by not taking steps to hold a meeting face to face with the claimant, allowing her to express concerns that, as a deaf person, she was not able to raise satisfactorily in any other way – eg, through a phone call.*

*Mrs Cottrell was employed under a contract to personally carry out work for the respondent, as a reflexologist/complementary health therapist. She is deaf, and needs a lipspeaker – someone professionally trained to be easy to lipread – for professional and business situations. There was a series of emails between Mrs Cottrell and the chief officer of the respondent charity, Ms Adams. Mrs Cottrell had raised some concerns by email as she was no longer getting the support she had been used to. She several times requested a face-to-face meeting, with a lipspeaker present, offering dates when she was available. However, no meeting took place and five months later she was informed that her services would no longer be required.*

*The tribunal held that the respondent had not made reasonable adjustments for the claimant, as it had not taken steps to set up a meeting, despite the claimant providing dates. It found that a meeting with a lipspeaker would have allowed the claimant to raise her concerns in a similar manner to a non-disabled person.*

*Arranging such a meeting, it said, was practicable as there was little financial cost and it would not disrupt the respondent's activities. It therefore held that the respondent had failed to make reasonable adjustments, adding: 'It was a charitable organisation whose object was to ensure the rights of disabled persons and improve their quality of life. It had the required knowledge about the claimant as a disabled person.'*

## **11 PROVIDING SUPERVISION OR A SUPPORT WORKER**

An employer may provide a support worker or arrange help from a colleague in appropriate challenging circumstances, such as travel outside of the usual working environment for work or training engagements.

## **12 DISABILITY LEAVE**

Disability leave constitutes time off work that a disabled person may be granted as a reasonable adjustment for assessment, treatment or rehabilitation related to their disability. Although there is no legal obligation to have a policy on disability leave, it is good practice for an institution to have one in place, vastly reducing the risk of legal challenges for discrimination through a failure to make reasonable adjustments. If an employee does not receive time off as disability leave, the absence may be recorded as regular sick leave or unexplained absence. This will count against the employee, and may be an example of disability discrimination.

Examples of when disability leave may be appropriate include:

- a prolonged period of treatment or rehabilitation
- a period of time to recuperate from treatment
- a period of time to complete an assessment relating to adjustments
- a period where the employee is waiting for the institution to complete the making of reasonable adjustments
- a period where an employee is well but requires training to work with a guide dog or using new equipment.

The Equality Act also prevents discrimination arising from disability. This means that someone is treated unfavourably because of something connected to their disability. This may cover discrimination that a person with a disability experiences because of time off they have taken to receive treatment for their disability.

You can download UCU's disability leave briefing from:  
[www.ucu.org.uk/media/pdf/m/l/Disability\\_Leave.pdf](http://www.ucu.org.uk/media/pdf/m/l/Disability_Leave.pdf)

UCU has also, in agreement with six other unions and associations of employers, produced a model policy on equality in FE institutions which includes a section relating to disability leave.

[www.ucu.org.uk/media/pdf/e/j/Joint\\_Agreement\\_on\\_Guidance\\_on\\_Equality\\_in\\_Employment\\_May\\_2012.pdf](http://www.ucu.org.uk/media/pdf/e/j/Joint_Agreement_on_Guidance_on_Equality_in_Employment_May_2012.pdf)

In HE UCU is pressing nationally for a commitment from the employers to a provision for disability leave and, in the meantime, urging branches to take this up with their own institution.

## **Monitoring your adjustments**

You should ensure regular meetings take place with your manager to discuss whether current adjustments are still appropriate. This will be particularly appropriate when management or students who may not be aware of the adjustments change.

## **Who pays and access to work**

The law forbids the employer from making a disabled worker pay for any adjustments, and financial assistance may be available from the Government for the employer under 'Access to Work' funding. The funding can pay for things like specialist equipment, travel when you cannot use public transport and a communicator at a job interview. How much you get depends on your circumstances. It's only available in England, Scotland and Wales. The Government recently expanded the criteria for people who could qualify for Access to Work funding. You can find out more from: [www.gov.uk/access-to-work/overview](http://www.gov.uk/access-to-work/overview)

## **What is meant by 'reasonable'?**

Employers are not under any obligation to implement changes that may be considered unreasonable due to factors such as

- how effective the adjustment would be in overcoming the disadvantage
- how practicable it is to make the adjustment
- the financial and other costs incurred by the employer and the extent of any disruption to activities

## Reasonable adjustments

- the extent of the employer's financial and other resources
- the availability of financial and/or other assistance in making the adjustment
- the nature of the employer's activities and size of undertaking
- whether the adjustment enables the person to carry out their work.

The criteria can make the outcome uncertain, and negotiations about reasonable adjustments often rest upon how well either side can argue that changes are 'reasonable'.

An example of a case that was unsuccessful in the Employment Tribunal is *Cordell v Foreign and Commonwealth Office* (2011). The request was denied for an English-speaking lipspeaker to assist a deaf diplomat in Kazakhstan that would have cost the FACO upwards of £249,500 per annum. The Employment Tribunal decided that on a financial basis, no breach of Equality Law had occurred. Equal Opportunities review wrote about the case, and on the issue of cost in reasonable adjustment cases:

*Financial cost is one of the central considerations in the assessment of reasonableness. There is no objective measure by which the distinct considerations of the disadvantage to an employee if the adjustments are not made and the cost of making them, can be balanced. Ultimately, a tribunal must determine in its capacity as an industrial jury what it considers is right and just.*

*That judgment of what cost it is reasonable to expect an employer to bear may be informed by a variety of considerations which may enable the tribunal to see the expenditure in context and in proportion. In addition to the points made in the code of practice and the degree to which the employee would benefit from the adjustment, other relevant considerations include the size of any budget dedicated to reasonable adjustments; what the employer has already spent in comparable situations; what other employers are prepared to spend; and any collective agreement or other indication of what level of expenditure is regarded as appropriate by representative organisations.*

Any costs involved should be paid for centrally, and the financial capability of the whole institution should be considered, not just the individual department where a member works. Adjustments should also be carried out in a reasonable timeframe. Branches should secure deadlines in any negotiations.

## **Casework and the rep's role**

Although we have presented examples of cases that have gone to Employment Tribunals to illustrate how the law works in practice, the vast majority of people seeking a reasonable adjustment will never have to resort to legal action. Most reasonable adjustments should be easy and cheap to implement, and providing they fall within the proper remit, management should cooperate fully.

In early communications with a member a rep's job should be to try and identify exactly what it is that they are seeking, and whether it falls within the remit of a reasonable adjustment. They may not be aware of the law, or the term reasonable adjustment at all, and may be experiencing an issue relating to a disability that they are unsure how to resolve.

A rep should:

- Listen and record the concerns of the member in early communications and offer initial advice only. Be guided by the member and try to establish what they want.
- Discuss how the issue could be progressed with the employer, through dialogue with management or colleagues. Find out if they have disclosed their disability at work, and if so, who to? Are they covered under the Equality Act?
- Provide union representation at any initial meetings the member has with management. Write down and record everything that is said.
- Think about whether the individual case may form part of a collective issue in your institution. Would the reasonable adjustment just affect one person, or would it be beneficial to staff as a whole?
- Involve others where necessary and in agreement with the member. They may include a more senior union official, the employer's occupational health programme, or other external sources of assistance and expertise.

## *Reasonable adjustments*

- Seek to secure an agreement with formal records at a formal meeting with all parties, and ensure that the correct levels of management are made aware of this agreement, in the event that management changes in future.
- Make sure that any meetings or communications with management are conducted in a manner that is fully accessible to the disabled member.
- Provide appropriate representation at all meetings if negotiations fail and escalate through the institution's grievance procedures.

While it is a rep's job to offer advice and help where appropriate, it is also important to make clear to the member where their expectations or demands are unlikely to be met. If they are unsure about the law, or what kind of reasonable adjustment may be available, show them this guidance and the linked resources below.

Remember that management may be unaware of their responsibilities and unsure of the correct course of action to take, and may need guiding as much as the member.

### **For further guidance about handling personal cases:**

[www.ucu.org.uk/media/pdf/1/t/Handling\\_casework.pdf](http://www.ucu.org.uk/media/pdf/1/t/Handling_casework.pdf)

## Further reading

**EHRC: *The employer's duty to make reasonable adjustments to remove barriers for disabled people***

[www.equalityhumanrights.com/advice-and-guidance/guidance-for-workers/the-employers-duty-to-make-reasonable-adjustments-to-remove-barriers-for-disabled-people](http://www.equalityhumanrights.com/advice-and-guidance/guidance-for-workers/the-employers-duty-to-make-reasonable-adjustments-to-remove-barriers-for-disabled-people)

**EHRC further reading list**

[www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers/further-sources-of-information](http://www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers/further-sources-of-information)

**TUC: Disability and Work**

[www.tuc.org.uk/sites/default/files/extras/disabilityandwork.pdf](http://www.tuc.org.uk/sites/default/files/extras/disabilityandwork.pdf)

**ECU: Managing reasonable adjustments in higher education**

[www.ecu.ac.uk/publications/managing-reasonable-adjustments-in-higher-education](http://www.ecu.ac.uk/publications/managing-reasonable-adjustments-in-higher-education)

**ACAS offer an equality and diversity advisory service to help employers assess what constitutes a reasonable adjustment**

[www.acas.org.uk/index.aspx?articleid=3496](http://www.acas.org.uk/index.aspx?articleid=3496)

**For advice about handling cases involving mental health issues, see UCU's: *Supporting members with mental health conditions and Issues***

[www.ucu.org.uk/media/pdf/f/f/UCU\\_MEN\\_2013\\_O2\\_high.pdf](http://www.ucu.org.uk/media/pdf/f/f/UCU_MEN_2013_O2_high.pdf)

