

Reasonable Adjustments Policy

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DOCUMENT TRACKING SHEET

Reasonable Adjustments Policy

Version	Status	Date	Issued to/approved by	Comments
0.1	Draft	01/07/2023	Helen Glover EDI Practitioner (Workforce Lead)	New policy/ new process/ new task and finish group
0.2	Final	17/11/2023	JNF	No comments/amendments
1.0	Final	24/11/2023	Chief People Officer	Approved with assurance to be given to Workforce and Organisational Development Committee (WFODC)

RELATED POLICIES/PROCEDURES/protocols/forms/leaflets

Hybrid working	
Staff handbook Our People Policies	
Occupational Health	
Work and wellbeing passport	
Self-certification/Return to Work	
Display Screen Equipment DSE assessment	
Personal Emergency Evacuation Plan for staff with mobility or sensory impairment. (Fire Policy)	
Neurodiversity Policy	
Support and Retention Policy	

SUMMARY OF CHANGES

Date	Author	Page	Changes (brief summary)

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1 INTRODUCTION

- 1.1 Looking after our staff is a key priority for KMPT and at the heart of everything we can do in supporting all of us to create a culture where our staff can thrive. It is essential that we look after ourselves and our colleagues, so we can deliver safe, high quality patient care and outcomes.
- 1.2 Our vision is for everyone at KMPT to recognise, understand and support colleagues to be empowered and enabled to have equal access to effective services, opportunities and support.
- 1.3 This policy aims to remove or reduce aspects that make applying for reasonable adjustments inequitable using reasonable means with the resources available, without creating an unfair advantage.
- 1.4 Anyone can apply for reasonable adjustments if it is reasonably believed that a disability or condition will affect the ability to complete the requirements of the role/job description.

2 WHO DOES THIS POLICY APPLY TO?

- 2.1 The Equality Act 2010¹ makes additional provision for disabled people to ensure they acquire the necessary reasonable adjustments according to their specific needs to be able to support disabled people to achieve their full potential in the workplace.
- 2.2 Employers must make reasonable adjustments to make sure workers with disabilities, or physical or mental health conditions, are not substantially disadvantaged when doing their jobs.
- 2.3 The Trust recognises that members of our KMPT family may have a long-term health condition that is not stable or fully controlled by medication and that lifestyle changes alone, may not lead to successful self-management. Therefore, this document provides advice and guidance on where and how to get support from the very beginning of your KMPT journey.
- 2.4 Reasonable adjustments are a requirement under the Equality Act 2010, however, it should be noted that it may not be possible for the organisation to provide any or all of the adjustments identified and that any adjustments identified by Occupational Health or Access to Work are recommendations not requirements. Each potential adjustment should be reviewed with regard to business need/requirements and budgetary implications.
- 2.5 Reasonable adjustments may be considered for:
 - Medical or health related matters
 - Disability
 - Relevant specific learning difficulties/neurodivergent conditions
 - Supporting a return to work.

¹ <https://www.legislation.gov.uk/ukpga/2010/15/contents>

- 2.6 Where you have a long or short-term condition or disability and feel you have additional needs, this policy will enable you to request reasonable adjustments that are aimed at minimising barriers that might affect your performance at work. In all cases, appropriate evidence to support the request maybe required.
- 2.7 Whilst acknowledging that some staff who may be considered disabled as defined in the Equality Act 2010, may prefer not to label themselves as disabled, the Trust nevertheless encourages staff to share their disability, impairment or underlying health condition by updating the Electronic Staff Record (ESR) so that the Trust can support them. This helps the Trust to plan and resource adjustments.

3 PURPOSE

- 3.1 The purpose of this policy is to provide a 'single entry point' into all of the employer-provided health, adjustments and wellbeing support available to all staff at work for any situation, improving the experience for all staff.
- 3.2 Within this single offer must come a single, overall workplace reasonable adjustments budget available to the whole organisation.
- 3.3 Improve knowledge across the Trust so that our staff/managers feel confident in understanding the process and what they can do to apply for, support or help colleagues requiring reasonable adjustments.
- 3.4 Make sure neurodivergence/disability doesn't act as a barrier for people when they apply for roles within the organisation.
- 3.5 Continually look at what we can do to improve the experience of our staff.
- 3.6 Focus on the gifts of our neurodivergent/disabled workforce so that individuals can achieve their full potential and self esteem is reinforced.
- 3.7 Provide better awareness, training and support so that all colleagues can thrive, by normalising different ways of working and create environments that are universally designed for all.
- 3.8 KMPT measures quality compliance through the Workforce Disability Equality Standard (WDES)².

4 DUTIES

4.1 Principles and Approach

4.1.1 Principles

- Everyone deserves opportunities, encouragement and support to realise their full potential
- A diversity of cognitive approaches is a source of great strength and value within a genuinely inclusive workplace
- All reasonable steps must be taken to ensure that policies, practices and culture do not discriminate against neurodivergent/disabled people

² <https://www.england.nhs.uk/about/equality/equality-hub/workforce-equality-data-standards/wdes/>

- Staff members must not be subject to unfavourable treatment if they choose to disclose a neurodivergent/physical condition
- Each person is unique and there can be a high degree of overlap between neurodivergent conditions and/or physical conditions. Consequently, any support needs must be identified and implemented on the basis of personal evaluation and individual consultation – not assumptions or stereotypes.

4.1.2 Approach

- Treat each staff member fairly and as a person
- Identify and implement appropriate workplace and programme adjustments
- Tailor management and training support to better meet the needs of staff members
- Help staff members to flourish
- Spot issues early and resolve them before they become serious
- Ensure clear communication which is appropriate for the individual
- Ensure a collaborative approach with individuals
- Adopt a person-led approach, together with an open dialogue which is inclusive and non-judgemental.
- Create a culture where staff feel safe to discuss their needs and to advocate for themselves.
- Design services and programmes with accessibility considerations in mind.
- Raise awareness.
- Where reasonable adjustments are necessary and can be accommodated, support these.
- Reasonable adjustments will be made on a case by case basis and will be agreed with line managers in relation to the employee's job role.
- Consider all requests for reasonable adjustments and respond to them in a timely fashion.
- Adjustments may include changes in communications, ways of working, tools, coaching or external support, or other practical considerations.

5 WHAT IS A WORKPLACE ADJUSTMENT?

- 5.1 A workplace adjustment is any change to the way someone does their job which enables them to work in a way that best suits them. Typically, workplace adjustments are arranged to remove, reduce or prevent work related barriers that people experience because of their disability or condition.
- 5.2 Due to health and social care related services in the UK being overwhelmed, people are waiting very long periods to get a diagnosis which informs them what their condition is and help them understand the full impact it will have on their working and personal life. In practice this means staff are often experiencing barriers at work and finding something about their job or working environment difficult before they know what their condition is, or even if they have a condition at all.
- 5.3 Reasonable adjustments may include: (This list is not exhaustive)

- Changing the recruitment process so a candidate can be considered for a job
- Doing things another way, such as allowing someone with a social anxiety disorder to have their own desk instead of hot-desking
- Making physical changes to the workplace like installing a ramp for a wheelchair user or an audio-visual fire alarm for a deaf person
- Letting a disabled person work somewhere else, such as on the ground floor for a wheelchair user.
- Changing their equipment, for instance providing a special keyboard if they have arthritis.
- Offering staff training opportunities, recreation and refreshment facilities.
- Additional time to complete a task
- Different coloured paper
- Shorter/more frequent breaks
- Access to specialist equipment/software
- Hybrid working - (Appendix A)
- Allowing staff to make a phased return to work, including flexible hours or part time working
- Flexible working arrangements (Appendix B) – Flexible working guidance/toolkit and request application form can be found within this link.
- <http://i-connect.kmpt.nhs.uk/document-library/staff-handbook-our-people-policies-forms/8624>
- Referral/Support/advice from Occupational Health (Section 7, Appendix C)
- <http://i-connect.kmpt.nhs.uk/you/occupational-health.htm>
- A temporary adjustment following a Return to Work conversation.
- http://i-connect.kmpt.nhs.uk/downloads/internal-forms/Apx_C1.HR.25.10-SelfCertification-Return-to-work-form.pdf
- (Appendix E)
- An adjustment following the completion of the annual Display Screen Equipment (DSE) Risk Assessment
- <http://i-connect.kmpt.nhs.uk/document-library/display-screen-equipment-dse-risk-assessment-standard-operating-procedure/199>
- (Appendix F)

6 ACCESS TO WORK

- 6.1 Access to Work is a government grant scheme, which helps pay for practical support so you can do your job.
- 6.2 You may be able to apply if you have a disability, health or mental health condition.
- 6.3 The grant can pay for specialist equipment, travel when you can't use public transport or a communicator at a job interview.
<https://www.gov.uk/access-to-work>

Access to work helpline:

Telephone: 0800 121 7479

Textphone: 0800 121 7579

<https://www.relayuk.bt.com/> (if you cannot hear or speak on the phone): 18001 then 1800 121 7479

British sign language (BSL) video relay service if you're on a computer

<https://connect.interpreterslive.co.uk/vrs?ilc=DWP>

Find out how to use the service on mobile or tablet

<https://www.youtube.com/watch?v=oELNMfAvDxw>

Monday to Friday, 9am to 5pm.

Find out about call charges <https://www.gov.uk/call-charges>

If phone calls are difficult for you (for example, because you're deaf or hard of hearing), you can ask for all communication to be by email instead.

How to apply

<https://www.gov.uk/access-to-work>

Access to work: Mental health support

You can get support to manage your mental health at work, which might include:

- a tailored plan to help you get or stay in work
- one-to-one sessions with a mental health professional

How to apply

[Check you're eligible](#) and then apply directly to either [Able Futures](#) or [Maximus](#).

7 OCCUPATIONAL HEALTH

- 7.1 If a staff member reports a significant impairment to their day to day functioning then the following process should be followed:
- 7.2 Line manager should refer the individual to Occupational Health to seek advice and guidance as to the appropriate level of support required.

<http://i-connect.kmpt.nhs.uk/you/occupational-health.htm> (Appendix C)

- If following Occupational Health advice, a cost is incurred as a result of a reasonable adjustment, the government run Access to Work programme should be referred to in the first instance. Please refer to the Access to Work section above.

- If funding is not agreed with the Access to Work programme or there is an additional cost remaining after an application to the Access to Work programme i.e. the Access to Work programme has agreed to part fund the reasonable adjustments leaving the Trust to fund the remaining costs the line manager/staff member can seek advice from the appropriate directorates Human Resources sickness lead for that service or the Equality Diversity and Inclusion team.
- Start dates do not need to be delayed or postponed whilst waiting for any reasonable adjustments. The line manager must ensure open conversations to ensure both parties are happy with arrangements until reasonable adjustments can be considered/accommodated.

8 REASONABLE ADJUSTMENTS

8.1 A personalised plan of action

8.1.1 Get to know the individual.

- Learn more about your staff members neurodivergence/disability so that you can best support them and understand their unique characteristics, strengths and challenges.
- Remember, there are some behaviours or characteristics that are common to neurodivergent/physical conditions, it's important not to make assumptions as these will vary from person to person.
- If you believe you may have dyslexia or would like a screening test for dyslexia please email the learning and development department at:
kmpt.training@nhs.net
- Utilise the Work and Wellbeing Passport (Appendix D). This tool is for anyone with a health condition, physical or mental disability, neurodivergent or long-term condition, caring responsibilities, religious traditions or any other staff who feel that this document would support their day to day work life and longer-term career. The passport is where you can share information with your manager about anything that may affect your work.

8.1.2 Provide supportive technology and equipment

- Assistive technology and equipment may help some neurodivergent staff carry out their role.

8.1.3 Communicate clearly

- Some neurodivergent people may communicate in different ways to neurotypical people. Try to use direct language and say exactly what you mean. Ask specific and structured questions. Avoid using jargon and allow individuals to process what is being said.
- Provide communications in a range of formats.

8.1.4 Assign work tasks appropriately.

- Work in collaboration with the person. Think about the type of work, tasks and routines that will work best for the individual.
- Consider giving tasks that play to the individuals strengths/abilities.

- Monitor workload so this can be managed to stop anyone feeling overloaded, stressed, burnt out or under pressure.

8.1.5 Consider the physical environment

- Traditional working spaces are often designed with neurotypical staff in mind. Bright lighting, lots of noise and interruptions in a busy office may feel overstimulating for some neurodivergent staff.
- Invest in adjustable lighting/desk lamps
- Consider using partitions/room dividers or personal working spaces, such as a quiet room or hybrid working.
- Provide standing desks
- Include clear instructions next to office equipment
- Allow individuals to work from home
- Allow pens, sticky notes, whiteboards to help with memory and organisation.
- Utilise specific quiet zones.

8.1.6 Be understanding and empathetic

- It is important to be understanding and approachable so that staff feel they can talk to you and ask for help if needed.
- Trust needs to be developed.
- Do not put pressure on individuals to open up if they do not want to, be aware of going at the persons pace.
- Ensure regular 1:1's in a confidential space so you can check in and if necessary make any adjustments to their working practices.
- Ensure open communication
- Always get permission from staff members before adjusting their working practices, or disclosing their condition to anyone else.
- Ask the individual if and how they want to share their condition with others.
- Consider coaching and mentoring for any personal development.
- Nurture good mental wellbeing.
- When the employee's post is affected by service reorganisation/changes to their role, the employee should make their new manager aware of the agreed adjustments which should continue to be implemented wherever possible.

8.2 Information Technology

- 8.2.1 Staff changing roles but remaining within KMPT, MUST KEEP their existing lap top/equipment.
- 8.2.2 Managers are not to ask for equipment to be returned unless the staff member is leaving KMPT.

8.2.3 When updating/changing laptops/software it is the IT departments responsibility to ensure all software/licenses, i.e. Dragon are transferred to the new equipment.

8.3 **Application for Reasonable Adjustment(s)**

8.3.1 If you require a reasonable adjustment(s) please complete the application eForm located on ICT self service desk. A copy of the form can be found at Appendix H.

8.3.2 The application will be actioned within 2 weeks of receipt, however it should be noted that KMPT can not be responsible for time taken from external sources, such as Access to Work, Occupational Health and relevant external suppliers/providers. The eForm will be updated at regular intervals for monitoring purposes until the case is closed.

9 **OUTCOMES**

9.1 Where your application/request for reasonable adjustments is unclear, or is not sufficiently supported by evidence, you maybe contacted to provide additional information.

9.2 Reasonable adjustments applications can result in one of the following outcomes:

- Application is fully upheld
- Application is partially upheld
- Application is not upheld
- The decision or part of the decision is pending further guidance.

Upon completion the case/application (eForm) will be closed.

9.3 Where the application is not upheld, either in part or in full, the Equality, Diversity and Inclusion (EDI) team with support of managers will be responsible for communicating the reason(s) for the decision and outline any actions that maybe taken to provide a remedy.

9.4 **APPEALS PROCEDURE** – Where an application is not fully upheld, the applicant can send an email to the Equality, Diversity and Inclusion (EDI) team. The EDI team will then arrange a review panel which may consist of representatives from the Disability and Wellness Network (DAWN), Neurodiversity Network, Employee relations team, the appropriate directorate HR representative, a member of the EDI team, the IT service manager, the learning and development department and the line manager.

Following the panel review the EDI Team will write to the applicant/line manager informing them of the outcome.

10 **KMPT RESPONSIBILITIES**

10.1 Follow the reasonable adjustments policy and guidance ensuring applications are processed within time frame.

- 10.2 Ensure access to appropriate guidance and support.
- 10.3 Ensure any reasonable adjustment request is documented.
- 10.4 Ensure a relationship of mutual trust and respect where matters are dealt with respectfully and sensitively.
- 10.5 Behave appropriately and in line with the NHS constitution values and behaviours.
- 10.6 In all cases personal data will be handled according to the requirement of the Data Protection Act 2018³ and the General Data Protection Regulations (GDPR) ⁴.
- 10.7 All records must be compliant with KMPT's records management policy.
- 10.8 Records should be treated as confidential and retained no longer than necessary in accordance with the relevant data protection legislation.
- 10.9 Compliance of Public Sector Equality Duty (PSED)⁵.
- 10.10 Whilst all requests will be considered carefully, it might not be possible to provide an individual with the precise support they asked for, as this might not be possible for operational or other business reasons. If this is the case, the reasons must be explained to the staff member and look at alternative ways the Trust can support a person's health and wellbeing at work.

10.11 FIRE SAFETY POLICY

Personal Emergency Evacuation Plan for KMPT staff with Mobility or Sensory Impairment.

This form is an Appendix to KMPT's fire safety policy and must be completed by line managers for all staff where there is a mobility or sensory impairment.

<http://i-connect.kmpt.nhs.uk/downloads/corporate-policies/RiskAssessmentEvacuationDevicesPEEP2021.pdf>

11 STAKEHOLDER, CARER AND USER INVOLVEMENT

11.1 This policy has been developed in consultation with:

- Equality, Diversity and Inclusion Team
- Disability and Wellness Network (DAWN)
- Recruitment
- Learning and Development
- Information Technology
- Information Governance

³ <https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

⁴ <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/>

⁵ <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>

- Human Resources/Workforce Organisational Development
- Procurement
- Finance
- Trust Health and Safety Group
- Health and Wellbeing Group

12 TRAINING AND AWARENESS

- 12.1 Available training related to this policy will be available on iLearn. The KMPT updated course catalogue is available on iLearn and new dates will be published from February each year. The course catalogue will be supplemented by regular training news bulletins and additional training flyers as appropriate.

13 EQUALITY IMPACT ASSESSMENT SUMMARY

- 13.1 KMPT gives due regard to the need to eliminate discrimination and promote equality of opportunity for all when making policy decisions and implementing this policy. Therefore, this policy has been developed within input from the Equality, Diversity and Inclusion team workforce lead, department leads and staff representatives with lived experience. An accompanying Equality Impact Assessment has been produced.

14 HUMAN RIGHTS

- 14.1 The Human Rights Act 1998⁶ sets out fundamental provisions with respect to the protection of individual human rights. These include maintaining dignity, ensuring confidentiality and protecting individuals from abuse of various kinds. Staff and volunteers of the Trust must ensure that requirements of the Human Rights Act are properly upheld.

15 MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THIS DOCUMENT

- 15.1 KMPT is responsible for recording and monitoring information relating to the application of this policy.
- 15.2 The EDI and Human Resources teams are responsible for this policy and will review its compliance and effectiveness.
- 15.3 Anonymised data relating to the outcomes of this policy will be reviewed to ensure there are no underlying themes relating to equality that suggest any bias.
- 15.4 This policy may be periodically amended to ensure it remains effective, relevant and compliant with current legislation.
- 15.5 The Trust will ensure information is used proactively within the Trust as determined by law, statute and best practice.

⁶ <https://www.legislation.gov.uk/ukpga/1998/42/contents>

<i>What will be monitored</i>	<i>How will it be monitored</i>	<i>Who will monitor</i>	<i>Frequency</i>	<i>Evidence to demonstrate monitoring</i>	<i>Action to be taken in event of non compliance</i>
Type of Reasonable Adjustment (RA) requests	eForm	EDI Workforce lead	Quarterly	Report shared with EDI Steering group & Finance	N/A
Number of RA requests made	eForm	EDI Workforce lead	Quarterly	Report shared with EDI Steering group & Finance	N/A
Costs associated with providing RA's	eForm	EDI Workforce lead	Quarterly	Report shared with EDI Steering group & Finance	N/A

16 EXCEPTIONS

16.1 There are no exceptions to this policy.

APPENDICIES

APPENDIX A	HYBRID WORKING HYBRID WORKING (KMPT.NHS.UK)
APPENDIX B	FLEXIBLE WORKING POLICY HTTP://I-CONNECT.KMPT.NHS.UK/DOCUMENT-LIBRARY/STAFF-HANDBOOK-OUR-PEOPLE-POLICIES-FORMS/8624
APPENDIX C	OCCUPATIONAL HEALTH HTTP://I-CONNECT.KMPT.NHS.UK/YOU/OCCUPATIONAL-HEALTH.HTM
APPENDIX D	WORK AND WELLBEING PASSPORT HTTP://I-CONNECT.KMPT.NHS.UK/DOWNLOADS/DISABILITY%20FORUM/WORK%20AND%20WELLBEING%20PASSPORT%2003.03.2023.DOCX
APPENDIX E	SELF CERTIFICATION/RETURN TO WORK FORM HTTP://I-CONNECT.KMPT.NHS.UK/DOWNLOADS/INTERNAL-FORMS/APX_C1.HR.25.10-SELF CERTIFICATION-RETURN-TO-WORK-FORM.PDF
APPENDIX F	STANDARD OPERATING PROCEDURE DISPLAY SCREEN EQUIPMENT (DSE) RISK ASSESSMENT HTTP://I-CONNECT.KMPT.NHS.UK/DOCUMENT-LIBRARY/DISPLAY-SCREEN-EQUIPMENT-DSE-RISK-ASSESSMENT-STANDARD-OPERATING-PROCEDURE/199
APPENDIX G	GUIDANCE FOR DEPARTMENTS (TO BE ADDED FOLLOWING PILOT)
APPENDIX H	COPY OF ELECTRONIC FORM (TO BE ADDED FOLLOWING PILOT)
APPENDIX I	PERSONAL EMERGENCY EVACUATION PLAN FOR STAFF WITH MOBILITY OR SENSORY IMPAIRMENT HTTP://I-CONNECT.KMPT.NHS.UK/DOWNLOADS/CORPORATE-POLICIES/RISKASSESSMENTEVACUATIONDEVICESPEEP2021.PDF