

# Staff Protocol for making reasonable adjustments for disabled staff

If you are a member of staff with a **physical or mental impairment**, which has a **substantial** and **long-term adverse effect on your ability to carry out normal day-to-day activities** you can consider yourself to be disabled under the Disability Discrimination Act 1995 (DDA).

If you consider yourself to be disabled under the DDA, you may require an alteration to the physical premises or change to working practices to remove the disadvantage they present to you. These changes are called **reasonable adjustments**.

This protocol outlines how disabled staff can obtain appropriate reasonable adjustments.

## Introduction

The Disability Discrimination Act recognises that various barriers exist within society which may present practical difficulties for disabled people who are currently in employment. Accordingly, in order to address some of the practical difficulties that these barriers present, the disability legislation creates a positive duty on the University to make 'reasonable adjustment' to its policies and premises where reasonable and appropriate.

## Reasonable Adjustments

Reasonable adjustments are changes to physical premises or working practices that minimise or remove the disadvantage they present to a person with a disability. Many reasonable adjustments are made to improve accessibility in general. However, some disabled individuals may require further specific adjustments to their physical work environment, working arrangements or job, to enable them to work effectively.

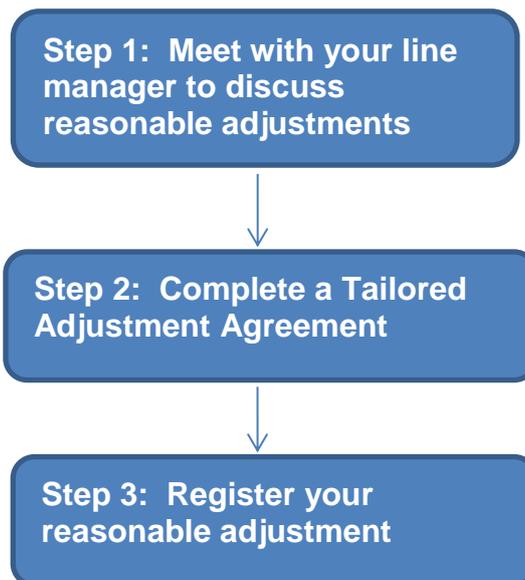
In order for specific appropriate reasonable adjustments to be made for such an individual, the University will need to be told about their disability and access requirements. A failure to provide this information could mean that no reasonable adjustment is made, or that a less effective one is made. Therefore, if you are disabled, it is in your best interest to disclose this information, so that you can receive the support that you require. The easiest way to let the University know about your disability and reasonable adjustment requirements is to tell your immediate line manager or Head of School/Department.

It is your line manager's responsibility to discuss, agree and implement appropriate reasonable adjustments for you if you require them.

## Advice about reasonable adjustments

There are a number of people you can contact to get advice about appropriate reasonable adjustments. These include the occupational health staff, the Section Leader for Equality, Diversity and Inclusion (EDI), your line manager and/or your Head of School/Department

## The 3-step Protocol



### Step 1: Meet with your line manager to discuss reasonable adjustments

Ideally, you should meet with your line manager in a confidential setting to request a reasonable adjustment. Alternatively, you could meet with your Head of School or Department. If you haven't already told your line manager (or Head of School/Department) that you are disabled, you should do so at this meeting. You do not need to go in to great detail about your disability, but your line manager (or Head of School/Department) will need to know **how your disability affects you at work**.

In addition, you should **complete a Disability Disclosure Form** (Appendix A) so that reasonable adjustments can be made. Your line manager (or Head of School / Department) will forward the Disclosure Form to the Section Leader for EDI so that they can amend your Equal Opportunities Record. Equal Opportunities information is used for monitoring and planning purposes. The information you provide will be treated as confidential<sup>1</sup>, and, if necessary, will only be passed on to other relevant staff with your consent. Further information about disability disclosure is available at: [ulster.ac.uk/peopleandculture/employee-benefits/equality-diversity/equality-policies-and-guidance](http://ulster.ac.uk/peopleandculture/employee-benefits/equality-diversity/equality-policies-and-guidance)

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<sup>1</sup> The rules of confidentiality will always apply. All staff disability information will be treated as 'sensitive information' in line with all data protection legislation.

At the meeting you should be prepared to discuss the following with your line manager (or Head of School/Department):

- how your disability affects you at work;
- any disadvantage you experience in the workplace as a result of your disability;
- possible adjustments which might remove or mitigate this disadvantage;
- any advice you have received regarding possible appropriate adjustments (for example, from an occupational health advisor or from your G.P or specialist); and
- how effective the adjustment is likely to be in addressing the disadvantage.

In order for your line manager (or Head of School/Department) to decide whether the adjustment you are requesting is reasonable, they will need to take into consideration the following factors:

- how practical/feasible it would be to make the adjustment (for example, how long it would take to implement the adjustment, whether additional training will be needed for you or anyone else, whether it would impact on the fundamental nature of your job). Remember, if you do not wish anyone else to know that you are disabled, it might not be practical or possible to make the adjustment you are requesting;
- the financial cost and/or other costs, if any, of making the adjustment and the resources available (i.e. are they reasonable, is financial or other assistance available to help make the adjustment, for example from Access to Work);
- any disruption likely to be caused by making the adjustment;
- any effect the adjustment might have on other employees;
- any adjustments already made or required by other members of your team;
- any health and safety risks to you or other members of your team as a result of making the adjustment; and
- possible alternative appropriate adjustments.

Your line manager (or Head of Department/School) may need to seek additional advice (for example from Occupational Health, the Section Leader for EDI, or an external professional organisation such as the Department for Communities which administers the Access to Work Programme<sup>2</sup>) to ensure that the adjustment you have requested is both reasonable and appropriate, but in doing so will only disclose information about you with your consent. If you have complex requirements, you might be invited to discuss possible reasonable adjustments and/or consult with the University's Occupational Health Services or an external professional organisation (such as the Department for Communities). It might take more than one meeting to determine what reasonable adjustment would be appropriate and reasonable for you.

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<sup>2</sup> The Department for Community's Access to Work (NI) Programme aims to assist people with disabilities who are in paid employment, or with a job to start, by providing practical support and helping meet additional costs associated with overcoming work related obstacles resulting from disability.

If for any reason you are unable to agree an appropriate reasonable adjustment with your line manager, you may appeal to their line manager for assistance. As above you should meet with them in a confidential setting to discuss your requirements.

Both you and your line manager (or Head of Department/School) must agree the appropriate reasonable adjustment before it can be implemented, and you will need to review the agreed adjustments following implementation, as required. **The Tailored Adjustment Agreement** (Appendix B) will enable you do so. This should be completed with your line manager (or Head of Department/School) so that a formal record is made of any adjustments which you have agreed.

## **Step 2: Complete a Tailored Adjustment Agreement**

The 'Tailored Adjustment Agreement' is a record of reasonable adjustments agreed between you and your line manager (or Head of Department/School).

The purpose of the agreement is to:

- ensure that both you and your line manager (or Head of Department/School), have an accurate record of what has been agreed;
- minimise the need to re-negotiate reasonable adjustments every time you change jobs, are re-located or assigned a new manager; and
- provide you and your line manager (or Head of Department/School) with the basis for discussions about reasonable adjustments at future meetings.

This is a live document and it should be reviewed regularly (as required) by both you and your line manager (or Head of Department/School) and amended as appropriate. Remember, however, that expert advice from third parties, such as occupational health advisers, Access to Work or IT specialists may be needed before changes can be agreed and implemented.

New managers of employees with such 'Tailored Adjustment Agreements' should accept the adjustments outlined in the Agreement, in the context of the existing role, as reasonable and ensure that they continue to be implemented. The Agreement may need to be reviewed and amended at a later date but this should not happen until both parties have worked together for a reasonable period of time (for example, after two months).

Where an individual with such 'Tailored Adjustment Agreements' changes role, or the role or its context is substantially changed, the Agreement will need to be reviewed in the light of the changed role with the new line manager.

The Agreement allows you to:

- explain the impact of your disability on you at work;
- suggest adjustments that will make it easier for you to do your job;
- offer further information from your doctor, specialist or other expert;

- request an assessment by occupational health, Access to Work or another expert;
- review the effectiveness of the adjustments agreed; and
- explain any change in your circumstances.

The Agreement allows your line manager (or Head of Department/School) to:

- understand how your disability affects you at work;
- explain the needs of the University;
- explain the University's reasonable adjustment protocol;
- consider whether or not you need to be referred for an assessment by an occupational health or another adviser to help both parties understand what adjustments are needed;
- review the effectiveness of the adjustments already agreed; and
- explain any change in your circumstances.

The individual Tailored Adjustment Agreement is included at Appendix B. Once completed, both you and your line manager (or Head of Department/School) should keep a copy of the Agreement in a secure place (for example, a locked filing cabinet which only you have access to). The Agreement should be treated as confidential (i.e. sensitive personal data which has been provided in confidence) and disposed of safely (i.e. shredded or disposed of in the University's confidential waste) one year after you cease to be employed by the University, in line with the University's General Data Protection Regulation Policy. You do not need to forward copies of this Agreement to the Section Leader for EDI unless you wish to do so (in which case it will be treated as confidential information by the Section Leader for EDI).

### **Step 3: Register your reasonable adjustment**

By registering your reasonable adjustment with equality staff within the EDI Unit the University can ensure that you continue to receive appropriate support in the workplace. A **Reasonable Adjustment Register** questionnaire is available at:

[surveymonkey.co.uk/r/RegisterRA2019](https://surveymonkey.co.uk/r/RegisterRA2019)

Hard copies of the questionnaire are also available from the Section Leader for EDI.

The questionnaire should only take a few minutes to complete. All information provided will remain confidential, and will not be passed on/shared without your consent. The data gathered will be used to monitor the provision of reasonable adjustments at the University, and may be used to inform policy development

### **Queries**

If you would like to speak to someone about a disability or long-term health condition, or think that you might need a reasonable adjustment, or if you have any questions about this protocol please contact Angela Getty (Ext: 68869; Email: [ak.getty@ulster.ac.uk](mailto:ak.getty@ulster.ac.uk)).



## Staff Disability Disclosure Form

<b>Name:</b>	
<b>Staff Number:</b>	<b>Contact details:</b>
<p>I give my consent for the information I have provided regarding my disability disclosure to be passed on to the Section Leader for Equality, Diversity and Inclusion so that my Equal Opportunities Record can be amended, and if necessary, appropriate reasonable adjustments can be discussed and agreed with my line manager.</p> <p>Full name:</p> <p>Signature:</p> <p>Signed (Line Manager/HOD):</p> <p>Date:</p> <p>To staff: Please ensure this form is passed to the Section Leader for Equality, Diversity and Inclusion, Room 2H15A, Jordanstown.</p>	



## Tailored Adjustment Agreement

This is a record of the reasonable adjustments agreed between [*insert employee's name*] and [*insert line manager or Head of Department/School name*].

This Agreement may be reviewed and amended as necessary with the agreement of both parties:

- At any one-to-one meeting;
- At a return to work meeting following a period of sickness absence;
- Before a change of job or duties or introduction of new technology or ways of working; and/or
- Before or after any change in circumstances for either party

## My disability in the workplace

My disability has the following impact on me at work		
I need the following agreed reasonable adjustments (refer to Occupational Health Report or Access to Work agreement, if relevant)	Date budget holder <sup>3</sup> contacted (if relevant)	Date implemented:
		..... ..... ..... ..... ..... .....

I will let you know if there are changes to my condition which have an effect on my work and/or if the agreed adjustments are not working. We will then meet privately to discuss any further reasonable adjustments or changes that should be made.

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<sup>3</sup> Note: It is possible that the line manager may not be the budget holder. It is only necessary to inform the budget holder if there are costs associated with making the reasonable adjustment. In this case contact should be made with the budget holder as early in the process as possible.

If you notice a change in my performance at work or feel these reasonable adjustments are not working I would be happy to meet you privately to discuss what needs to be done.

An up to date copy of this form will be retained by me (the employee) and my line manager (or Head of Department/School). A copy of this form may also be given to a new or prospective line manager (or Head of Department/School) with my prior consent.

Employee signature:

Date:

Line manager/Head of Department/School signature:

Date:

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Date Reasonable Adjustment Register questionnaire submitted to (or registered with) the Section Leader for EDI:

Date:

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