



Everyone Matters Guide to Supporting Disability in the Workplace



A Guide to Making Reasonable Adjustments

Key to icons



Section
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Action
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Extra
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Point of
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Critical
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Everyone Matters Guide to Supporting Disability in the Workplace

Introduction



For many of our employees, managing a disability or illness is something they do everyday. Having an understanding about what disability is, and as line managers knowing our responsibilities to make adjustments that are reasonable, will help us to be safer, more inclusive and help our employees perform at their best.



This guide is designed to support the implementation of the **Reasonable Adjustment Policy**. It outlines our duties as an employer and contains ideas for the types of adjustments that can be made when recruiting, employing, appraising, promoting, transferring and retaining disabled employees. Line managers also need to consider whether we have met our duty to make reasonable adjustments before and during the use of all other policies, for example, when managing for attendance, flexible working, performance related pay payments, and disciplinary and grievances.



This guide provides useful pointers, however; do remember that it's really important that you have a conversation with your disabled employee as the starting point for any adjustment process. Line managers should also log with HR Direct any adjustments agreed. A **discussion template** is available to prompt and record the discussion. A copy should be kept by the manager, one provided to the individual and one uploaded to HR Direct.

In addition, managers are encouraged to access the **interactive navigator toolkit** when considering adjustments in more complex areas e.g. redeployment to a new role.



Further guidance on how to arrange adjustments is available **here** and from the **diversity and inclusion team**. Line managers can also seek free advice from the **Business Disability Forum**, an external organisation that specialises in supporting disabled people. Monday to Friday, 9am - 5pm.
+44-(0)20-7403-3020
advice@businessdisabilityforum.org.uk

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Definition of disability



Disability is defined by the Equality Act 2010 as, “a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.” ‘Substantial’ means more than minor or trivial. ‘Impairment’ covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis or motor neurone disease.

A mental impairment includes mental health conditions such as bipolar disorder or depression, learning difficulties including dyslexia and Asperger’s Syndrome and learning disabilities for example Down’s Syndrome.

People with progressive and fluctuating illnesses such as cancer, motor neurone disease, multiple sclerosis and HIV/AIDS, are automatically protected by the Equality Act from the point of diagnosis. People with severe disfigurement are protected without needing to show that their disability has a substantial adverse effect on day-to-day activities.

The duty to make reasonable adjustments applies to all aspects of employment and to all the services we provide to customers. This guide deals with the employment aspects of reasonable adjustments. Guidance on supporting disabled customers is available [here](#) under the heading of ‘Passenger Services’.

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Everyone Matters Guide to Supporting Disability in the Workplace

The Duty to Make Reasonable Adjustment



The duty to make reasonable adjustments exists to give disabled employees the same access, to everything that is involved in doing and keeping a job, as non-disabled employees. When you know that one of your team is disabled you have a duty to take steps to remove, reduce or prevent the barriers that individual faces at work. These barriers include;

- Prejudice and stereotypes
- Inflexible organisational procedures and practices
- Inaccessible information
- Inaccessible buildings; and,
- Inaccessible transport



What is judged to be reasonable within the law depends on a number of factors including;

- How effective the change will be in overcoming the barriers faced
- Practicality
- Cost
- The organisation's resources and size
- The availability of financial support.

It is essential to discuss and agree any adjustments with the disabled employee otherwise the changes may not be effective. Different employees will need different changes, even if they appear to have similar impairments. You only have to make adjustments where you are aware that an employee has a disability.



Some other issues to consider when deciding what is reasonable include;

- You can treat disabled employees 'more favourably' than non-disabled people and sometimes this may be part of the solution. For example, by supporting home working.
- When considering costs and resources you need to look across the whole of Network Rail, not just your team, department or depot. The size of our organisation means that we would be expected to make considerable efforts to remove, reduce or prevent barriers in employment.

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The Duty to Make Reasonable Adjustment (continued)

- Many of the adjustments we need to make will not be particularly expensive or may be at no additional cost. Where a charge is incurred, it will be met from local management budgets.
- If an adjustment would increase the risks to the health and safety of anybody, including your disabled employee, then you should consider this when deciding what is reasonable. Your decision must be based on a thorough assessment of risks and not on assumptions.
- It may take several different adjustments to address disadvantage.
- The easier an adjustment is, the more likely it is to be reasonable. However, just because something is difficult doesn't mean it can't also be reasonable.
- If an adjustment costs little or nothing and is not disruptive, it would be reasonable unless some other factor, such as impracticality or lack of effectiveness, made it unreasonable.
- In changing policies, criteria or practices, you do not have to change the basic nature of a job, where this would go beyond what is reasonable.
- Given our scale and size we would be expected to look proactively at redeployment beyond the team, department or depot the disabled employee works in. We would also be expected to invest in the technology needed to support flexible working as a reasonable adjustment.
- If advice or support is available, for example, from Access to Work (see Appendix) then this will make the adjustment more reasonable.
- Any adjustments made should not make a health condition worse.
- Adjustments can be of a temporary or permanent nature but should always be reviewed regularly.



If, taking all of the above into account, an adjustment seems reasonable then you must make it. If there is a disagreement about whether an adjustment is reasonable or not, get advice from **HR Direct** and/or **Occupational Health**.

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Starting the Conversation



There are many reasons why a disabled employee might not tell their line manager that they are disabled. The fear of discrimination from colleagues and managers still exists as does a lack of understanding about the potential benefits of sharing information that would help you as a line manager best support your employee.

We should be proactively asking all of our employees on a regular basis if they face any health-related barriers at work. Many disabled individuals are not aware of the support that is available to help them work to their full potential. Many individuals who would be defined as disabled by the law would also not consider themselves to be disabled. Some employees may choose to tell you about their health issue only after they trust you. Our employee network **Can Do** exists to support our disabled colleagues and show that they are not alone.



It is particularly important to consider adjustments when carrying out a return to work meeting with an employee, to facilitate and support their return to work. In some cases it may be useful to seek expert advice especially where there are safety considerations (see Appendix). However, in most cases, the disabled employee will have a great deal of knowledge about their impairment and the kind of adjustments that might help them to do their job. You can use [this link](#) to download a useful form to guide and record the discussion with your employee about the adjustments they need. A copy of this should be kept by the manager, a copy given to the employee and a third copy sent to HR Direct for recording purposes. Once agreed, this form acts as a passport of adjustments for when managers or positions change.

There are many reasons why a disabled employee might not tell their line manager that they are disabled

Types of Reasonable Adjustment



The equality duty contains three broad categories of adjustments

1 – Changing a provision, criterion or practice or ‘the way things are done’. For example, allowing extra time for a graduate with dyslexia to complete their online tests at application stage, or allowing a disabled employee who uses a wheelchair to travel first class on long train journeys so that they are able to be served refreshments and use welfare facilities. It also covers redeploying someone into a new role because adjustments are not possible in their current role.

2 – Changing a physical feature of our workplace. For example providing flashing fire alarm warning systems for hard of hearing employees, or raising the height and changing the layout of a desk for someone with a physical impairment.

3 – Providing extra equipment or assistance. For example, hearing loops, specialist software, adapted keyboards, sign language interpreters and support workers where needed.

When providing information to employees it is also reasonable to make sure that it is in an accessible format, for example, using a larger font or a subtitled video.

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Specific Adjustments for Specific Impairments

The following sections set out some of the commonly-used reasonable adjustments. The lists are not exhaustive and any adjustments should always be agreed with the individual. Detailed guidance is available for employees with Asperger's Syndrome or Dyslexia as well as a **toolkit** on how to arrange adjustments.



Visual Impairments

Many people with visual impairments or sight problems get around independently. Few people who have a visual impairment have no sight at all. The degree and nature of a sight problem is particular to the individual.



Some of the adjustments that a visually impaired employee might need include:

- Accepting an application via a hard copy CV where online recruitment is used
- Using email rather than post to allow text-to-voice software to be used
- Providing recruitment testing in large-print word documents rather than online
- Providing a support worker for an assessment day
- Funding mobility training to build travel confidence
- Putting in place a tidy office policy to reduce risks of trips
- Providing an outside area for an assistance dog
- Briefing reception and recruitment colleagues on how best to support and guide the individual
- Sending written documentation in advance and reading out any instructions
- Ensuring alternative formats are available e.g. large print, audio, Braille etc on request

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Specific Adjustments for Specific Impairments (continued)



Hearing Impairments

Hearing impairments can vary greatly. Some people may achieve some degree of hearing through the use of hearing aids and hearing loops. Other people describe themselves as Deaf, rather than hard of hearing, and they use sign language namely; British Sign Language (BSL), which differs from written and spoken English both in its' grammar and structure and / or Sign Supported English (SSE) which is structured in the same way as written English.



Some of the adjustments that a hearing impaired employee might need include:

- Subtitled videos
- Sign language interpreters for meetings and interviews
- Training for teams and interviewers on using a sign language interpreter
- Provision of a textphone, SMS or SKYPE service
- Offering to follow up a meeting with written notes
- Use of a palantypist who can provide instant subtitles during events and meetings
- Flashing fire alarms and/or vibrating pagers



For telephone conferences a live captioning service may help:

- You could contact an organisation called **Ai Media** who provide live captions (speech to text) for teleconference and meetings etc. They will also provide a full transcript after the meeting.
- You could also contact a company called **My Clear Text** who provide live captioning remotely (they will dial into the teleconference and provide live captions to delegates' computer/ smart phone/ tablet etc). They will provide a transcript afterwards also.
- If a Deaf colleague communicates through BSL, then you could use a company called **SignVideo** who provide live BSL interpretation via video for the Deaf user and relay information in speech for hearing users. There is also guidance on booking support for Deaf people [here](#).

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Specific Adjustments for Specific Impairments (continued)



Speech Impairments

Speech refers to the ability to articulate the sounds that make up a spoken language. Spoken language is both a means of communication and a medium of instruction. Spoken language skills also enable people to establish and maintain social relationships with others. Any impairment to a person's ability to use spoken language may therefore have significant impact in and out of the workplace and can take a number of forms such as stammering or lisps.



Some of the adjustments that a speech impaired employee might need include:

- Listen attentively and wait for the person to finish what they are saying
- Don't try to finish the person's words or sentences
- Speak normally in reply and in a relaxed manner
- Maintain natural eye contact with a relaxed posture
- Don't readily equate hesitant speech with uncertainty or under-performance
- Show patience and active listening by focusing on what the person is saying
- Give the person more time to deal with any impairment
- On the telephone, please DO NOT hang up if you hear a few moments silence
- Avoid negative impressions of a person based on the way they sound
- Consider asking the person about how best to respond to their impairment

Guidance can be obtained from <https://www.stammering.org/>

Any impairment to a person's ability to use spoken language may therefore have significant impact in and out of the workplace

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Specific Adjustments for Specific Impairments (continued)



Muscular Skeletal Impairments

Muscular Skeletal impairments include a range of issues such as arthritis, or people who have acquired an injury that restricts their movement.



Some of the adjustments that an employee with muscular skeletal impairments might need include:

- Redeployment to another role involving less physical activity
- Ensuring any online tests can be used with voice-to-text software
- Removing the employee from the most demanding work until they are fully rehabilitated, for example after an injury
- Providing extra time for assessments or regular tasks.
- Providing an alternative keyboard or mouse following an expert assessment
- Supplying specialist chairs or other office equipment following an expert assessment
- Referral and access to physiotherapy

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Specific Adjustments for Specific Impairments (continued)



Mobility Impairments

People with mobility problems can have a range of requirements. Some people may be wheelchair users, whilst others may use crutches or walking sticks. Some people will have particular problems with certain features of a building like stairs or heavy doors.



Some of the adjustments that an employee with mobility impairments might need include:

- Making sure that blue badge parking bays are provided and not used by non-disabled employees
- Providing additional seating where long walks may be needed e.g. along corridors / paths
- Providing accessible entrances, bathrooms, offices and training facilities
- Holding training or assessment days in accessible buildings only
- Providing taxis where public transport is not accessible



Mental Health

health conditions, such as stress, depression, anxiety and bi-polar disorder, are becoming more common in the UK and it's estimated that 1 in 4 of us will experience some kind of mental health issue each year.



Some of the adjustments that an employee with mental health impairments might need include:

- Flexible working including changes to hours (NB flexible working as a reasonable adjustment should not be treated in the same way as a statutory flexible working request)
- Time off to attend medical / psychiatric appointments
- Changes to targets, deadlines, projects or performance goals
- Training for colleagues and managers to understand mental health
- A quiet place to take time out
- A phased return to work
- A mentor or buddy in the workplace to support an employee especially when they return to work after a period of absence

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Specific Adjustments for Specific Situations



Recruitment

Adjustments for disabled applicants need to be considered at every stage of the recruitment process, regardless of whether the applicant is internal or external. So we need to consider the need for adjustments:

- At application stage
- When inviting someone for interview or assessment
- When the candidate arrives at the interview or assessment appointment
- Before the successful person starts a new role



During the process recruiting managers should:

- Explain the nature of the recruitment process clearly to every applicant at every stage including any tests they may be required to complete. This will enable disabled applicants to identify if they will need adjustments
- Have a conversation with anyone requesting reasonable adjustments to find out what they will require and agree what is reasonable
- Ensure that any agreed adjustments are in place in good time for the candidate to participate fully in the recruitment processes
- Remember, some adjustments will take longer than others to put in place, for example it can take two weeks to arrange for a British Sign Language (BSL) interpreter or a Palantypist who will type out what is being said
- Store information about adjustments confidentially in line with data protection law, and also in a way that other colleagues who need to know are made aware. This means that applicants don't have to renegotiate adjustments at every stage of the recruitment process
- Successful applicants should be asked about any reasonable adjustments required when offered a position
- As a **Disability Confident 'Leader'** organisation, Network Rail operates a scheme whereby disabled candidates who meet the essential criteria for a role are guaranteed an interview if they wish to take part in the scheme.



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Specific Adjustments for Specific Situations (continued)



Employment and Retention

Where one of your employees is coming back to work after a longer-term illness or absence, it is important to ask whether a reasonable adjustment is required as soon as possible, preferably before they have returned to work. This helps to make sure that suitable arrangements can be made to support and retain disabled and/or newly disabled employees.

Any adjustments should also be reviewed from time to time to ensure that they remain appropriate. A review is required if:

- the employee changes location
- the types of duties change
- the employee's condition changes



Redeployment

If an individual can no longer fulfil their current role, even after reasonable adjustments have been made, it may be an adjustment to redeploy them into another role with or without suitable adjustments.

Each instance of redeployment as a reasonable adjustment is unique, and should be carefully case managed to ensure that appropriate steps are taken. In some instances it may be appropriate for an individual to be transferred to a role without the need for a suitability meeting, if they meet the essential criteria for the role or can be trained to the required level within a reasonable timeframe, but this will not always be the case.

Contact redeployment@networkrail.co.uk for further information and guidance.

Specific Adjustments for Specific Situations (continued)



The main element to take into account is that when an employee is redeployed because they can no longer do their current job due to their disability, then redeploying them is an adjustment and should be treated in the same way as any other reasonable adjustments - i.e. the decision process should be evidence based and take into account the following factors:

- **Effectiveness** – how well does the adjustment in question remove or at least minimise the disadvantage?
- **Practicality** – how practical is the adjustment? For example, how long will it take to implement, will anyone need extra training, etc?
- **Cost** – for example, how much will it cost, what are the financial resources available to the organisation (include schemes such as **Access to Work**, for example)?
- **Disruption** – how disruptive to the business, to others, and to the needs of the organisation would it be to make this adjustment?
- **Risk** – would making this adjustment cause any risk to others?
(NB: An adjustment will not be ‘reasonable’ if anyone’s health and safety would be compromised by making that adjustment).



Assessing suitability

If an employee is transferred into a role that is not suitable for them, then this is not an effective adjustment and therefore probably not reasonable to make.

The important thing to remember when assessing if a role is suitable for the employee to be redeployed into (and vice versa) is to ensure that none of the barriers they face in their current role are replicated in the role that they are being redeployed into. For example, if the employee faces barriers because their current role involves a lot of travelling, then you should ensure that the new role does not require the employee to travel extensively - or if it does, can you reasonably adjust this part of the job?

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Specific Adjustments for Specific Situations (continued)

When the employee is directly moved into the new role, you should build in regular reviews with the employee to assess how things are going. This should be a supportive process to help both the employee and the line manager. The **discussion template** should be used for these purposes.

If there are no suitable alternative current vacancies available, then we will need to set expectations and also set a reasonable amount of time for the employee to be on a 'waiting list.' It is not helpful for Network Rail or the employee to be waiting for long periods of time for a suitable vacancy to become available. The situation should be kept under constant review.



Performance Related Pay Scheme

Where an individual's absence from work is related to a disability, as an adjustment, this can be removed from any calculation related to attendance and performance related payments. In such circumstances, if there is an intention to reduce a payment, advice should be first sought from **HR Direct** or a Human resources Business Partner (HRBP).

You should build in regular reviews with the employee to assess how things are going

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Fitness Competence Standards and Safety Critical Roles



The Competence Specific Medical Fitness Requirements, or medical standards, determines the level of medical fitness required for different training competencies. Certain roles, for example Individuals Working Alone (IWA), require a minimum level of medical fitness. In these circumstances, reasonable adjustments or workplace restrictions may not be applicable.

Should a person in a safety critical role develop a disability, the line manager will need to work with Occupational Health and HR to identify whether any adjustments or restrictions are needed and whether this will impact on an individual's role. It may be determined that because of the nature of a role, adjustments cannot be accommodated and the employee may need to be redeployed to a different position, either temporarily or on a permanent basis. Competencies that require a level 1 or level 3 medical on Sentinel, cannot have restrictions (or adjustments) imposed on them.

For competencies that require a level 2, 4, 5 or 6 medical, temporary and permanent restrictions can be made and these will be reflected on an employee's Sentinel card. Restrictions (or adjustments) that may be shown on Sentinel include a few of the following examples:

- No lone working
- No working at height
- No night shift working
- No "red zone" working

It may be determined that because of the nature of a role, adjustments cannot be accommodated and the employee may need to be redeployed to a different position

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Disability Confident Scheme



We are accredited by the Disability Confident Scheme because we are positive about employing disabled people, making reasonable adjustments where needed and offering inclusive workplaces.



We are committed to:

- Interviewing all disabled applicants who meet the essential criteria for a job vacancy and consider them on their abilities
- Making sure there is a system in place to discuss, at any time, but at least once a year, with disabled employees what they can do to make sure they can develop and use their abilities
- Making every effort when employees become disabled to make sure they stay in employment
- Taking action to make sure that all employees develop the appropriate level of disability awareness needed to make our commitments work
- Reviewing the commitments and what has been achieved, to plan ways to improve on them and let employees know about progress and future plans every year.

As a 'Leader' organisation we champion and promote awareness of disability issues within our local and business community, our supply chain and our networks. We aim to show disabled people that we are serious about leading the way and about helping other businesses to become Disability Confident.



For more guidance on Reasonable Adjustments visit the Connect page and for more information about Diversity and Inclusion visit [MyConnect](#) or [email the team](#) or contact [Business Disability Forum](#), an external organisation that specialises in supporting disabled people. Monday to Friday, 9am - 5pm.

+44-(0)20-7403-3020

advice@businessdisabilityforum.org.uk

Everyone Matters Guide to Supporting Disability in the Workplace

Appendix – Signposting



1 – Access to Work

Access to Work is a specialist service delivered by Jobcentre Plus, which gives practical advice and support to disabled employees.

Access to Work can help us:

- retain an employee who develops a disability or long-term condition by keeping their valuable skills and saving both time and money recruiting a replacement
- show that we value our employees by having good employment policies and practices, and
- support our employees who have a mental health condition.

To be eligible for help, an employee must:

- be disabled
- be over 16
- be in, or about to start, paid employment
- normally live and work in Great Britain, and
- not be claiming Incapacity Benefit or Employment Support Allowance

Access to Work can provide funds towards:

- special aids and equipment
- adaptations to equipment
- travel to work
- travel in work
- communication support at interviews
- a wide variety of support workers, and
- the Mental Health Support Service.

Access to Work provides a grant to reimburse the cost of the support that is needed. They do not provide the support itself.

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Appendix – Signposting (continued)



2 – Can Do

Our disabled employees network exists to provide peer support to disabled colleagues working within the business. Members are able to share experiences, signpost individuals to expert advice and raise issues of concern with the diversity and inclusion team. Get in touch via CanDo@Networkrail.co.uk

3 – Display Screen Equipment (DSE) Assistance

If you know that one of your employees needs different software, hardware or furniture prior to employment, this should be sourced before the employee starts their job. If you need help with this you can contact the IT helpdesk although you will need to get permission from the employee to pass any personal information on.

Once an employee starts with Network Rail, if they use DSE for a significant part of their day, then they will need to undertake the **online training and assessment**. Any issues raised during this process will be highlighted to Network Rail's external provider who will contact the employee to discuss their requirements. Where necessary, they will also arrange to attend the employee's workplace to carry out an onsite assessment.

4 – Employee Assistance Programme

The service provided by **Validium** includes a confidential 24/7 counselling and advice service to all employees and their immediate family members, both face-to-face and by telephone. They can provide information and answer questions on a wide range of issues such as stress, health and wellbeing, legal matters, pregnancy, landlords, neighbours, debt management, as well as counselling.

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Appendix – Signposting (continued)

5 – Health and Wellbeing Portal

The Health and Wellbeing portal provides information to employees and line managers on mental and physical wellbeing and Occupational Health matters. It is a further resource for line managers on managing health hazards in the workplace and offers advice on how we can support wellbeing in the workplace.

6 – HR Direct

HR Direct is a service for people managers, providing you with the professional support and guidance to manage your people successfully. It will help you tackle issues earlier and carry out your duties in a consistent way. It includes:

- A dedicated and secure website where you can store and manage case notes and documents
- Inbound and outbound case and call management by a team of professional HR advisers
- An online 'Ask a question' service.



7 – Occupational Health

Our occupational health service provider, OH Assist, offers a number of products and services to Network Rail. These include, pre-placement medicals, periodic medicals, health surveillance, management referrals, case management, medication checks (Medication Enquiry) and some Drugs and Alcohol testing. See below for contact details, click [here](#) for an information flyer that can be printed and displayed in your office, or visit the [website](#).

8 – Reasonable Adjustment Maps

We have designed a **interactive navigator toolkit** to help you find your way around the processes that might be involved in arranging reasonable adjustments.

