

Equality and Human Rights Commission Equality Act starter kit

Making Reasonable Adjustments and the Equality Act

An exercise

MAKING REASONABLE ADJUSTMENTS

FOR AN EMPLOYER

Employers are under a duty to make reasonable adjustments for disabled workers, job applicants and potential job applicants. Many reasonable adjustments may be small scale and relatively easy to implement. There are a range of measures you can take as an employer to ensure disabled employees are not placed at a substantial disadvantage compared to their non-disabled colleagues. By making reasonable adjustments, you will help your staff maximise performance.

As an employer, you are subject to the duty if you know or could reasonably be expected to know that a disabled person is, or may be, an applicant for work or that someone who already works for you has a disability and is placed at a substantial disadvantage as a result. Creating an open and supportive work environment will help you to identify and address any disadvantages which a disabled worker faces. Regular 1:1 discussions with your staff are likely to be helpful in doing this. Not everyone with a disability will require a reasonable adjustment and it is important not to make assumptions. Some employees may be reluctant to disclose a disability because they fear discrimination. However, you cannot make reasonable adjustments for a disabled worker if they do not disclose their disability to you and you cannot reasonably be expected to know that they are a disabled person.

The list below offers some practical hints and suggestions. Please note that this is not a complete list and further sources of guidance are available [here](#).

The key to making reasonable adjustments is to find out from the worker how their impairment affects them. People with the same impairment may not be affected in the same way by it and may require different reasonable adjustments.

- When advertising a role, state in the advert that you welcome applications from disabled candidates.
- Be ready to provide the application form in an **alternative format** if an applicant requests it e.g. audio file, large print.
- * Sign up to the guaranteed interview scheme for disabled people; if a disabled person meets the minimum criteria for the job then you automatically shortlist them for interview.
- * Ask applicants if they need any **reasonable adjustments** to be made so they can attend the interview. Do this in good time.
- Be prepared to be flexible with interview timings, e.g. because of their impairment, some candidates may require extra time to complete an interview.
- When an employee becomes disabled or their impairment/ long term health condition deteriorates, talk to the employee about what reasonable adjustments they may require and discuss flexible working hours or working from home if appropriate.
- Financial help for your workers and job applicants may well be available from **Access to Work**.
- Provide training to other employees on conducting meetings which maximises the disabled person's participation.

- Allow the individual extra time for reading written work, give verbal instructions or provide a reader, if they are dyslexic, for example.

*See Section 60 of the Act for more detail at <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice/>

FOR A SERVICE PROVIDER

Service providers in Britain have a legal duty to make 'reasonable adjustments' to ensure that disabled people are not placed at a substantial disadvantage compared to non disabled people in accessing the services you offer.

The duty is anticipatory, which means that it is owed to potential disabled customers. Clearly, it would not be reasonable to anticipate every disadvantage that a potential customer might encounter, but there are changes which you can make to remove the sorts of barriers or issues that disabled people with a variety of impairments (like visual or hearing impairments, mobility impairments, learning disabilities etc) are known to encounter when trying to access services. If you become aware that an actual or potential customer is disadvantaged in a way which you had not anticipated, then you should meet their needs, if it reasonable to do so.

Adjustments can be in the form of physical changes to premises (e.g. your shop, client consultation room), providing extra services, being flexible about the way in which you provide them, or changing a policy or procedure. Evaluating services from the design and planning stage will help to avoid making changes later, and

perhaps make them less costly.

Here are some examples:

- Allowing a disabled customer to park their car nearer your premises so that they have less difficulty when arriving or leaving the premises.
- Amending a no dogs policy so that guests with assistance dogs are permitted.
- Make sure that cleaning staff remember to leave visually impaired guests belongings in the places they were left when tidying a room.
- Ensure your website is fully accessible e.g. consider increasing the font size for customers with a visual impairment.
- Use Plain English (clear language) or easy read in your leaflets and promotional material so that they are accessible to people with a learning disability.
- Training staff to serve disabled customers.