

## REASONABLE ADJUSTMENT GUIDANCE AND DOCUMENTATION

### 1. RECOMMENDATIONS

- 1.1 That the Committee support the introduction of updated reasonable adjustment guidance for managers and employees, including the documentation of agreed reasonable adjustments using the 'Reasonable Adjustments Employee Plan'.

### 2. INTRODUCTION

- 2.1 The Council continues to be committed to supporting all employees with long term health conditions and disabilities based on their needs.

### 3. BACKGROUND

- 3.1 The Council already supports all employees with long term health conditions and disabilities by agreeing reasonable adjustments, where possible, based on employee circumstances.
- 3.2 The aim of this updated guidance is:
- i. Improved management direction and support in agreeing reasonable adjustments
  - ii. Improved employee awareness of their available support and the process followed to agree it
  - iii. To create a living record of agreed support through a documented plan
  - iv. Improved recording of employee disabilities of the Councils HR Management System to aid monitoring and reporting

### 4. CURRENT PROCESS

- 4.1 Employees with long term health conditions and disabilities are supported on a case-by-case basis to agree reasonable adjustments.
- 4.2 Managers are supported by the HR Advisory Team to identify and agree the right adjustments. Medical advice is sought through Occupational Health, or if appropriate, Access to Work on suitable reasonable adjustments based on the employees' health and role.
- 4.3 The manager and employee review medical advice indicated in 4.2. If adjustments are reasonable, they are agreed and implemented.
- 4.4 If employee adjustments are agreed as part of the absence management procedure, adjustments are documented in meeting outcome letters.
- 4.5 If employee adjustments are agreed whilst employees remain at work, adjustments are documented as outcomes to meetings in emails or letters.
- 4.6 Where employees are experiencing poor mental health, to support them in the workplace employees and managers are encouraged to complete a [Wellbeing Action Plan](#) together.
- 4.7 Documents referred to in 4.4 to 4.6 are recorded on the employees Employee Record.

4.8 Employees are encouraged to record health conditions on the Councils HR Management System

## **5. UPDATED PROCESS AND DOCUMENTATION**

- 5.1 The process for identifying and agreeing reasonable adjustments in consultation with the affected employee will not change from that indicated in 4.1 and 4.3. The HR Advisory Team will provide advice and support to employees and line managers throughout the process.
- 5.2 Where it is identified an employee is likely to need a Reasonable Adjustment, both the line manager and employee will read the proposed Reasonable Adjustments guide (**Appendix 1**). The aim of this guide is to explain what reasonable adjustments are and the process for agreeing them. It will be available to all employees and managers. This will ensure both parties at the offset understand the process and expectations are managed.
- 5.3 Agreed adjustments will be documented using the Reasonable Adjustments Employee Plan (**Appendix 2**). The aim of this document is principally to create a living record of the impact of a health condition on the employee, the reasonable adjustments that have been agreed and how often this will be reviewed between the employee and management. It will also detail, where appropriate, plans for contacting disabled employees whilst off sick.
- 5.4 The line manager will be responsible for arranging future reviews at the agreed intervals and documenting these meetings using the Reasonable Adjustments Employee Plan. As support is reviewed, should changes to adjustments be needed, the line manager will consult the HR Advisory team.
- 5.5 The HR Advisory Team will record the employee health condition on the Councils HR Management System and ensure the documented plan is filed on the Employee Record. Recording the health condition on the HR Management System will ensure if a disabled employee's role or line manager is changed, the HR Team are automatically notified to ensure arrangements for effective support to continue.
- 5.6 The following wording is proposed to be added to Section 20 of the Councils Absence Management Procedure (red text indicates new wording):

### **20. Disability and Sickness Absence**

*20.1 Managers will need to consider if an employee's absence is attributable to a disability related illness. Consideration must be given to the provisions of the Equality Act legislation. The application of the legislation is complex and it is essential that managers obtain advice from Human Resources. If the employee is disabled or becomes disabled the Council are under a legal duty to make reasonable adjustments to enable the employee to continue to work, under the provisions of the Equality Act 2010.*

*20.2 Any medical opinion received from Occupational Health should also state whether or not the employee should be viewed as disabled in accordance with the legislation.*

*20.3 Employees with disabilities should be given the opportunity, time and support to request and receive any appropriate facilities they need in order to participate fully in formal meetings.*

*20.4 Line managers will support employees with disabilities to agree suitable reasonable adjustments, where possible. Reasonable adjustments can be agreed in conjunction with*

*supporting an employee back to work following a long-term sickness absence (see section 14), or whilst they have been able to remain working.*

*20.5 Full guidance on reasonable adjustments, what they are and the process of agreeing them is detailed in Appendix L(i).*

*20.6 Where reasonable adjustments are agreed, depending on the nature of the health condition and role, the employee and line manager will formalise these arrangements using the 'Reasonable Adjustment Plan' (Appendix L(ii)). This will be in consultation with the HR Advisory Team.*

*20.7 Advice from Occupational Health and/or Access to Work is likely to be sought to support identifying appropriate reasonable adjustments.*

*20.8 In the unlikely event where the employee and line manager are unable to agree on the nature of a reasonable adjustment, this will in the first instance be referred to the HR Advisory Team. If the employee remains unsatisfied the Service Manager will make the final decision on agreeing reasonable adjustments.*

*20.9 The Reasonable Adjustments Plan will be reviewed at agreed regular intervals or when circumstances change that could impact their effectiveness. The length of review intervals will depend on the nature of the employees' health condition and their role.*

*20.10 Once reasonable adjustments are agreed and documented, this will also be recorded on the Councils HR Management System. This is to ensure corporate reporting and monitoring and that any change of line manager is informed to enable effective support to continue.*

## **6. CONCLUSIONS**

- 6.1 The proposed process is aligned with current CIPD and ACAS recommended employment practices and will ensure employees continue to be supported based on their health circumstances.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 None

## **8. CRIME & DISORDER IMPLICATIONS**

- 8.1 None

## **9. ENVIRONMENTAL IMPLICATIONS**

- 9.1 None

## **10. EQUALITY & DIVERSITY IMPLICATIONS**

- 10.1 Equality Impact Assessment included as Appendix 3

## **11. DATA PROTECTION IMPLICATIONS**

- 11.1 None

## **12. EMT COMMENTS**

12.1 EMT support the introduction of the updated reasonable adjustment guidance for managers and employees, including the documentation and agreed reasonable adjustments using the 'Reasonable Adjustments Employee Plan'.

### **13. EMPLOYEE SIDE LIAISON PANEL COMMENTS**

13.1 Unison requested that an appeal process should be included as part of the process.

13.2 In section 5 above point 20.8 has now included to explain the process in the unlikely event that the employee and manager are unable to agree the reasonable adjustments.

#### **For further information contact:**

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#### **Background Papers:**

None