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Workplace Adjustments

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Policy**

Contents

1	Purpose	3
2	Related documents	4
3	Scope	4
3.1	General Principles	4
4	Workplace Adjustments	5
4.1	What is an individual workplace adjustment plan?	5
4.2	What is the process to put workplace adjustments in place?.....	6
4.2.1	What is the process if a manager and staff member are unable to agree on the appropriate workplace adjustments?.....	8
4.3	What might a workplace adjustments look like?	9
5	Useful contacts / additional resources	9
5.1	Employee Support Service (ESS) (People & Culture)	9
5.2	Access to Work (ATW).....	10
5.3	Health & Safety Team.....	12
5.3.1	Display Screen Equipment (DSE) and workplace assessments.	12
5.3.2	General & Stress Risk Assessments	12
5.3.3	Hearing Loops.....	12
5.3.4	Fire Safety – Evacuation	12
5.3.5	Temporary Disabled Car Parking Permits	12
5.4	Operational Human Resources (People & Culture).....	13
5.5	Occupational Health Services	13
5.6	Information Technology (IT).....	13
5.6	Equality, Diversity and Human Rights Team (People & Culture)	15
5.7	Staff side / Union representatives	15
5.8	Business Disability Forum (BDF)	15
5.9	Recruitment Team	15
5.10	Finance Department	16
6	Definitions	16
7	How this procedure will be implemented	17
7.1	Training needs analysis	17
8	How the implementation of this procedure will be monitored	17
9	References	18
10	Document control (external)	18
	Appendix 1 - Equality Analysis Screening Form.....	20
	Appendix 2 – Approval checklist	25
	Appendix 3 - Agenda for Meeting to discuss workplace adjustments	27
	Appendix 4 - Individual Workplace Adjustment Plan template	28
	Sharing this Tailored Adjustments Plan	33
	Appendix 5 - Step by Step guide to Access to Work (ATW)	34
	Appendix 6 - Temporary Parking Permit.....	37

1 Purpose

During their employment with the Trust, staff may need workplace adjustments and support to maximise their full potential and keep them at work. The Trust is committed to being a great place to work for all employees: an inclusive, equal opportunities employer in which diversity is welcomed, valued and viewed by all as positive.

The Trust's Equality, Diversity and Human Rights Strategy aims to ensure that Trust staff who need a workplace adjustment have these in place when agreed.

We know there is sometimes variation in managers' understanding of what constitutes a disability. This procedure helps managers to provide support to staff that identify as having a disability or/and long-term health conditions. This procedure will support all staff with disabilities and long-term health conditions to have a positive experience of employment with the Trust.

The purpose of this document is to:

- Provide practical support, information and guidance for staff with a disability or long term health condition that require adjustments in the workplace
- Support Trust managers to have supportive and meaningful conversations with staff about any adjustments that may be required
- Help managers understand their responsibilities in relation to the Equality Act 2010 and how workplace adjustments can impact positively on the wellbeing, experience and performance in the workforce.
- Provide a clear and consistent pathway for all Trust staff who may require adjustments in the workplace at some time during their employment with the Trust

The Equality Act 2010 defines a disabled person as "someone with a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities". The Trust has a legal duty to:

- Make reasonable adjustments
- Provide equality of opportunity for staff that have a disability or long-term health condition, and
- Ensure that they have as equitable access to everything that is involved in getting and doing a job as a non-disabled person, as far as is reasonable to accommodate.

It might not be clear if a person is disabled or would fall under the statutory legal duties and provisions of the Equality Act 2010. However, the Trust will ensure that all staff with disabilities and long-term health conditions have a positive work experience with us, as their employer. The Trust strives to provide support and positive outcomes, wherever it is possible to achieve this.



By law, an employer must consider making reasonable adjustments when they know, or could be expected to know;

- an employee or job applicant has a disability
- an employee or job applicant with a disability asks for adjustments

- an employee with a disability is having difficulty with any part of their job



The principles of this procedure will be applied to staff without a disability or long term condition who need shorter term adjustments, for example, temporary adjustments made for a staff member with a broken limb or who is pregnant.

2 Related documents

This procedure describes what you need to do to implement section 5.2, 8.1 and 8.3 of the Equality, Diversity and Human Rights Policy.

This procedure also refers to / should read in conjunction with the following:-

- ✓ Recruitment and Selection Procedure
- ✓ Display Screen Equipment (DSE) Procedure
- ✓ Health & Safety Policy
- ✓ Sickness Absence Management Procedure
- ✓ Flexible Working Procedure
- ✓ Home Working Procedure

3 Scope

This procedure applies to all staff.

3.1 General Principles

All staff will approach this procedure in line with the Trust values;

- With **respect**, by listening to each other, being inclusive and working in partnership
- With **compassion**, by being kind, supportive and recognising our differences and celebrating them
- Taking **responsibility**, by being honest, taking a learning approach and being ambitious

The following general principles will be applied:

Managers will:

- Be supportive and recognise signs that an employee might be struggling and require adjustments. Proactively and positively consider workplace adjustments, including seeking information about who can advise and provide extra support where appropriate.
- Ensure their staff members with a disability / long term health condition, (that they are aware of) are offered the chance to meet and develop an Individual Workplace Adjustment Plan.

- Review the effectiveness of the adjustments that are already in place and review, where appropriate, with the staff member.
- Be mindful the adjustments needed may change depending on circumstances. If they are straightforward and can be easily accommodated, support the adjustment as soon as possible. Carry out any actions assigned as part of an Individual Workplace Adjustment Plan.
- Consider the Trust expectations of its managers for providing workplace adjustments in line with needs of organisation and service. Seek further advice if unsure.

Staff will:

- Engage with their manager as soon as possible to make them aware if they are struggling and may need workplace adjustments, or if their circumstances have changed and their workplace adjustments needs a review.
- Discuss with their manager if further specialist advice is required, e.g. dyslexia assessment, IT / Health and Safety advice, occupational health.
- Consider the needs of the service they work in and consider with their manager the reasonableness of adjustments requested.
- Carry out any actions assigned as part of an Individual Workplace Adjustment Plan, including reviewing the adjustments as needed and agreed within the plan.

4 Workplace Adjustments

4.1 What is an individual workplace adjustment plan?

An individual workplace adjustment plan is a live document that helps and supports staff and their managers to explore options for accommodating adjustments in the workplace.

The purpose of the plan is to be **“a living document and therefore it should be reviewed regularly and travel with the staff member to whatever role or position they have within the Trust”**

The staff member completes the plan when they know that they need an adjustment/s or need a review of any adjustments that are already in place. The plan can be completed with the support of their line manager if the staff member prefers. As it is designed to be portable, staff members can take their individual workplace adjustments plan with them to any new job within the Trust (or externally) and review this with their new manager.



Any equipment (including software) that is purchased for a staff member as a workplace adjustment will transfer with them if they move to another role within the Trust.

If the staff member leaves the Trust, managers will consider if any bespoke kit can also be kept by that individual. This would be subject to there being no ongoing costs or licencing / information governance implications associated with this. If in doubt, seek advice from the HR department.

Managers will progress the request when they have agreed a workplace adjustment is needed, and will seek help if the complexity is beyond their area of knowledge.

The purpose of the individual plan is to:

- Record any agreements about workplace adjustments between a staff member and their Line Manager
- Minimise the need to re-negotiate adjustments each time the staff member is allocated a new Line Manager
- Provide staff members and their Line Manager with a structure for discussions about workplace adjustments
- Help a staff member's Line Manager understand how a staff member's disability or circumstance affects them at work
- Prompts staff and /or Line Manager to seek expert advice if needed
- Review the effectiveness of any adjustments already in place
- Allow both parties the chance to explain any changes in circumstances i.e. personal or organisationally.

This plan can be created and amended as needed:

- On start of employment (**NOTE:** There are significant financial benefits if Access to Work are involved within six weeks of start of employment – see section 5.2)
- At any regular 1:1 supervision
- At a return to work meeting following a period of sickness absence
- On receipt of Occupational Health advice or other specialist advice
- At appraisal or review
- Before a change in job or duties or introducing new technology or ways of working
- Before or after any change in circumstance for either the Trust or the staff member.
- If it is felt that the adjustments no longer meet the staff member's needs

Review any individual workplace adjustment plan at least annually.



Staff do not need an Individual Workplace Adjustment plan if satisfied with the adjustments they have already in place and that are agreed with their manager.

4.2 What is the process to put workplace adjustments in place?

Staff can discuss workplace adjustments at any point during employment from the recruitment stage. Once aware that a staff member with a disability or long term condition would potentially benefit from some adjustments, and it is felt that an Individual Workplace Adjustments Plan would be helpful, follow the process below:

Staff member advises and / or manager becomes aware that the staff member may benefit from a workplace adjustment.



Arrange a meeting to discuss what support the staff member may need. Signpost the staff member to Appendix 3 of this procedure which details what to expect at the meeting.



Staff member and Line Manager meet (within 7 days of request / manager becoming aware of possible need for workplace adjustment. This timescale can be adjusted within a reasonable timeframe by staff member and manager as deemed appropriate). Staff member may be accompanied at the meeting by a companion / union representative as detailed in Appendix 3 .

The purpose of the meeting is to:

- understand the barriers / difficulties being experienced by the staff member
- discuss workplace adjustments in line with the individual's job description and service needs
- discuss what adjustments are currently in place, what other options / support could be considered
- discuss if any further advice or assessment may be required. (see section 5)
- agree how, if any, information needs to be communicated to others, e.g. team members and if so, how this should be done
- confirm review dates



Line Manager and staff member complete "Individual Workplace Adjustment Plan" at the end of the meeting detailing what adjustments are needed, any actions to be taken, by whom and with timescales. Further advice or assessment may be needed before the plan is finalised.



Arrange a review meeting no later than 1 month after initial meeting to ensure actions have been taken or are on target.



If the staff member and the Line Manager are unable to agree what is needed or can be accommodated, refer to section 4.2.1.

A draft agenda with areas and examples for consideration during the meeting is given in [Appendix 3](#). The nature of the adjustments being considered may need additional information to be sought. [Section 5](#) of this guidance gives details of teams and contacts who can provide advice as needed. The Individual Workplace Adjustment Plan template is at [Appendix 4](#).

4.2.1 What is the process if a manager and staff member are unable to agree on the appropriate workplace adjustments?

Manager and staff member have not been able to reach agreement via initial discussions as to what workplace adjustments can be accommodated.



Manager or staff member contacts the Employee Support Service (ESS) **within 14 days of those initial discussions**. A member of the ESS team will join the manager and staff member in a facilitated discussion with a view to reach agreement.



If, after ESS involvement agreement has still not been reached the matter is referred to a manager who is more senior **than** the manager who has made original decision. The line manager will produce a written summary of discussions to date that includes:

- The workplace adjustments requested by the individual
- Rationale of how the adjustments would support the employee at work / impact on the individual of not putting the adjustments in place
- The justifiable business reasons for not accommodating the workplace adjustments
- Details of other options explored
- Any other relevant information

This summary will be shared with the staff member, their companion, ESS contact and the senior manager within **7 days** of the facilitated conversation (unless otherwise agreed).



The senior manager will review the information, with support and guidance from a member of the Operational HR team or the Equality, Diversity and Human Rights Team.

They may be able to make a decision based on the information provided or they may need further information and/or a meeting with the line manager, staff member and ESS team member. The staff member can be accompanied (if a meeting is required) by a union representative, colleague or family member / friend. The manager may be accompanied by HR representative if appropriate.

A decision should be provided to all parties in writing ideally within **14 days** from receipt of the summary / additional information or any meeting (unless agreed otherwise).

4.3 What might a workplace adjustments look like?

Each case will be assessed individually and consider the individual's needs and impact on the team/service. Adjustments are needed for many reasons and within differing timescales, including physical, sensory impairments and mental health, neurodiversity and wellbeing needs.

Examples of reasonable adjustments that could be considered are:

- Modifying workplace and/or duties (i.e. not hot-desking, exemption from some duties)
- Modifying reading and information formats
- Purchasing/modifying equipment or IT software
- Flexibility or changes to working patterns/hours
- Working from home
- Reallocation of certain duties to other team members
- Changes to procedures or working practices
- Additional training
- Time off for rehabilitation, assessment or treatment/disability leave
- Close proximity to welfare facilities e.g. toilets, refreshments, washing etc.
- Providing a mentor/additional support
- Additional support with travel to and from work
- Temporary disabled parking permit.

Managers need to be mindful that people's needs and circumstances can change. Review adjustments regularly, not less than annually.

[Appendix 7](#) provides scenarios/more detailed examples of potential workplace adjustments.

5 Useful contacts / additional resources

If a staff member with a disability or long term condition identifies that they may benefit from workplace adjustments, there are a range of contacts and teams who can assist depending on the nature of the adjustment required. Managers and staff are not expected to be the experts on all disabilities and conditions and therefore it may be appropriate to seek further advice.

5.1 Employee Support Service (ESS) (People & Culture)

The employee support service provides listening support and practical guidance to staff who are experiencing issues that affect their health and/or wellbeing. It also works with managers to positively support mental health and wellbeing in their teams. This team can support staff when considering what adjustments might assist them to remain well and at work, or if they need support to discuss this with their manager. They are able to support staff when attending meetings to discuss workplace adjustments and will help to facilitate discussions where a manager and staff member are unable to reach agreement as per section 4.2.1.

5.2 Access to Work (ATW)

Staff with a disability can request additional support via Access to Work (ATW). Access to Work is a specialist disability service delivered by the Department of Work and Pensions (DWP) which gives practical advice and support. This may include grants to disabled people, whether they are working, self-employed or looking for employment.

Examples of support offered by Access to Work are:

- recommendations about equipment or ways of working to help staff do their job
- training/coaching for the staff member and others i.e. disability awareness training for colleagues
- interpreters, note takers, support workers, job coaches
- money towards any extra travel costs to and from work if staff can't use available public transport or for travel required as part of work
- access to work mental health support service

The process involves an assessment with the staff member and an advisor from Access to Work who then provides a report detailing recommendations. The Trust can reclaim some or all of costs associated with adjustments from Access to Work via their cost sharing scheme.

Access to Work do not undertake assessments relating to diagnosis of conditions, for example dyslexia or ADHD. The line manager will discuss with the individual if such an assessment is required and explore how this can be facilitated. The Trust has a list of contacts for Dyslexia assessments on the Intranet.



If Access to Work is contacted within 6 weeks of a staff member starting employment with Trust, ATW may consider paying up to 100% of grants.

The Flowchart below details this process and [Appendix 5](#) provides a step by step guide for staff and managers, including the contact details for Access to Work.

Access to Work (ATW) process:

Staff member contacts ATW to request an assessment. This can be carried out online or via telephone (with other options available if online / telephone are unsuitable).
Staff member provides some basic personal details plus information in regards to their condition and how it impacts at work (see **Appendix 5**).



ATW will contact the staff member for the assessment (usually within 3 weeks from application being submitted). This may be via telephone or in some cases workplace assessments may be required.



The staff member will receive, via post (unless otherwise agreed), a full report containing assessment findings, recommendations and details of any grant awarded.
The line manager will receive a shorter report with details of recommendations along with suppliers of any equipment / training that has been recommended.
The line manager and staff member will discuss the recommendations detailed in the report together with any other information which may be relevant.



The staff member will also receive a **declaration form** which has to be returned to Access to Work by a given date (usually 1 month) Only when this has been returned is a **claim pack** generated from Access to Work. At this point the grant is confirmed and the manager is able to order any equipment / make arrangements for support identified.



Manager will place order for equipment / training via Cardea.
If any recommendations are IT related please refer to Section 5.6 as the IT department will order and coordinate this equipment. (N.B: IT related training should also be arranged by the line manager via Cardea.)



Manager will contact finance to request invoices of any purchased equipment / training. Invoices are to be attached to the completed claim form and submitted to ATW. This should take place **within 6 months** of the assessment in order to reclaim monies.

5.3 Health & Safety Team

The Trust's Health and Safety Team provide advice and support with assessments on a range of Health and Safety issues. Key assessments that are likely to be useful when considering requests for workplace adjustments include:

5.3.1 Display Screen Equipment (DSE) and workplace assessments.

Display screen equipment comprises PCs, laptops, multiple screens, tablets etc. A workstation comprises display screen equipment, optional accessories, telephone, document holder, work chair, work desk, work surface, work environment around the display screen equipment. If a computer is used for more than one hour per day continuously, a DSE should be completed.

The H & S team can provide support if a manager needs further guidance with this. They also provide broader assessments which may include attending the workplace. See the Trusts Display Screen Equipment procedure for more information.

5.3.2 General & Stress Risk Assessments

The forms to complete are available on the Health and Safety pages on the Trust Intranet. The Health & Safety Policy provides further information and guidance in relation to a range of risk assessments.

5.3.3 Hearing Loops

The Trust has portable hearing loops available for staff, visitors and patients at TEWV receptions. These can be signed out and used in meeting rooms with individual hearing aids. A list of where these are available is on the Health and Safety pages on the Trust Intranet.

5.3.4 Fire Safety – Evacuation

Staff who need extra help to follow their area's evacuation plan, should complete a Personal Emergency Evacuation Plan (PEEP). Consider situations where a staff member visits various bases and how a PEEP would apply in each situation. The PEEP will be completed by the staff member, their Manager and a Fire Safety advisor. The person's Individual Workplace Adjustments Plan will show when a PEEP has been completed.

5.3.5 Temporary Disabled Car Parking Permits

These requests must be discussed with the relevant line manager first as part of the workplace adjustment request process.

Whilst the Health and Safety Department will enable the production of a permit, the decision to issue a permit will be made by the line manager (the line manager will need sight of medical proof that warrants any privileged parking in a disabled bay without matching the criteria needed to obtain a blue disabled permit). HR or Health & Safety departments can provide advice. The line manager's decision/authority needs to be countersigned by the relevant Director.

Permit application form can be found at [Appendix 6](#).

5.4 Operational Human Resources (People & Culture)

Contact the Trust's Operational HR department for advice around workplace adjustments including disability leave and signposting to relevant information (depending on the nature of the adjustment being considered).

They can also advise on changes to working patterns/hours which should be applied for via the Trust Flexible Working Procedure (available on the Trust's intranet).

Length of service is not a consideration for staff to apply for a flexible working pattern if it is requested as part of a workplace adjustment linked with their disability.

5.5 Occupational Health Services

Staff may be referred to Occupational Health for advice including adjustments that support staff members with their health and wellbeing and attendance at work.

If a workplace adjustment is identified as beneficial by both the staff member and manager and it can be facilitated, the staff member does not need to be referred to Occupational Health for this advice.

5.6 Information Technology (IT)

This department can provide advice about IT equipment (hardware and software) that may assist staff members. This may include:

- Helping managers to order specialist equipment that may be outside of usual Trust procurement processes, including receiving equipment and coordinating delivery and installation.
- Review any hardware/software requests to ensure that this is compatible with Trust systems and policies for information security, risk management and governance. The Trust will not be able to support IT equipment which compromises information security. Where a request is not compatible, suitable alternative options will be suggested.
- Recording any IT equipment purchased as part of a workplace adjustment to allow the Trust to monitor the level and timeliness of such requests.



The IT department do not provide in-house training on IT equipment. Managers must source training for any new equipment which is purchased for staff.

If IT equipment (hardware or software) is identified as needed to support staff member at work, follow this process:

Manager / Staff identify that IT equipment is needed to assist staff member at work (e.g. via an Access to Work (ATW) assessment)



Order IT equipment linked with a workplace adjustment as detailed below:

- Go to IT Help on the intranet page
- Technical help
- Log a call
- Applications, Hardware & Infrastructure
- Buy it Bin it,
- Applications, Hardware and Infrastructure - Access to Work
- Complete the form, selecting the support team as 'Supporting Users NS procurement' at the bottom, attach (if applicable) the specific section of the ATW report which details the IT equipment / suppliers only (**please ensure that no sensitive assessment details from report are attached**).
- Within this request, highlight any existing hardware/ software already in use to allow the IT procurement team to check that new requests are compatible with existing kit and Trust security and technical standards.
- Include a contact name for the IT procurement team to link with – this may be the staff member's name or line manager. This ensures that IT have the appropriate contact details for when kit becomes available.



IT Procurement clerk will contact the manager to notify them that the request has been received and / or clarify any details of the request as required. If part of the request is not compatible, alternative options will be discussed. The manager should ensure they involve the staff member in these discussions.



IT procurement will place the order on behalf of the manager for software / hardware. They will provide approximate timescales for delivery so that any associated training can be planned accordingly.

N.B Please note that IT do not provide or arrange IT training and managers should arrange training for new IT kit using the ATW supplier recommendations and order via Cardea.

IMPORTANT: To avoid any delays the Manager must remember to authorise the order as the budget holder.



IT will contact the staff member / line manager when all IT hardware / software is ready to be delivered and installed to make these arrangements.

IT will send the line manager an RX3 reference number. This will enable managers to locate the appropriate invoices for reclaiming monies which may be required if linked to an ATW assessment.



IT will record when all the IT kit has been requested, delivered / installed for monitoring purposes and provide quarterly reports to the EDHR team.

5.6 Equality, Diversity and Human Rights Team (People & Culture)

Advice and support from the Trust's Equality, Diversity and Human Rights team can be sought by staff or managers at any point, including if there are any difficulties in implementing this procedure.

This team may provide support in situations where a manager and staff member are unable to reach agreement about reasonable workplace adjustments and where further expert advice would be helpful. See section 4.2.1.

5.7 Staff side / Union representatives

Staff side representatives are available for advice and support to union members. Details of individual unions are available on the Trust intranet.

Staff may wish to be supported or accompanied by a union representative at meetings when discussing workplace adjustments.

5.8 Business Disability Forum (BDF)

To improve the Trust's disability-related employment policies and practices, the Trust is a member of the Business Disability Forum (BDF). This is a "not for profit" organisation that provides expert advice and support on disability in the workplace.

Trust managers can access the BDF advice service via email and telephone Monday to Friday between 9am and 5pm. (This service is limited to Trust managers only.) Part of their role is providing advice about workplace adjustments.

The BDF knowledge hub contains a range of resources and toolkits on topics such as neurodiversity; workplace adjustments; recruitment, retention, health and wellbeing and inclusive communication. Managers can access podcasts, presentations and best practice guides on a wide range of relevant topics by registering for an account via their website. Individual situations can also be discussed confidentially via the advice service line.

The Advice Service telephone number is 020 7403 3020

The Advice Service email address is advice@businessdisabilityforum.org.uk

The BDF website address is www.businessdisabilityforum.org.uk

5.9 Recruitment Team

The Trust has signed up to the Disability Confident Scheme which replaced the 'two ticks' symbol. This scheme builds on the best practices of the 'two ticks' model. The Disability Confident Scheme demonstrates a positive action by the Trust to avoid discrimination. The Trust guarantees to interview all applicants with a disability who meet the minimum essential criteria for a job vacancy and to consider them on their merits.

Advice can be sought from the Trust recruitment team about any adjustments that may be offered as part of the recruitment and selection process.

Examples of reasonable adjustments may include:

- offering assistance with access or communication
- changing room arrangements that ensure a disabled candidate is not disadvantaged
- adapting arrangements for selection or completion of tests.

5.10 Finance Department

The Finance department can provide assistance with reclaiming any monies linked to Access to Work (ATW) grants. Once the Trust has purchased any equipment, training or support as recommended within an ATW assessment, the manager can reclaim monies by providing copies of invoices along with a claim form to ATW. Managers can request copies of invoices by providing the Cardea order number(s) to tewv.financeinfo@nhs.net.

The Finance department can also provide guidance in relation to other adjustments such as reimbursement of taxi fares which have been implemented as part of a workplace adjustment (contact tewv.financeinfo@nhs.net).

6 Definitions

Term	Definition
Workplace Adjustment	Employers have a legal duty under the Equality Act 2010 to make reasonable adjustments where disabled staff would otherwise be put at substantial disadvantage compared with non-disabled colleagues.
Disability	Someone with a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities, and that has lasted or is likely to last 12 months or more.
Disability Leave	A type of workplace adjustment. It is a short period of (usually) pre-agreed paid time off work to help manage a disability. For example to attend appointments, consultations or have treatment related to the ongoing management of a disability. This should not be recorded as sickness absence on ESR, but as Special Increasing Balance Leave.
Disability Related Sickness	Sickness absence that is directly or indirectly attributed to a person's disability or long term condition.
Long Term Health Condition	A condition that cannot at present be cured but can be controlled by medication or therapies

Neurodiversity	<p>Neurodiversity is a relatively new word. Cultural and personal understandings of neurodiversity and neurodiverse conditions have changed significantly and rapidly, and in many cases, they continue to do so but neurodiverse is a term that is preferred by many in the neurodiverse community.</p> <p>Common conditions include ADHD, Dyslexia, Dyspraxia, Dyscalculia, Asperger's and Autism.</p>
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7 How this procedure will be implemented

<ul style="list-style-type: none"> • This procedure will be published on the Trust's intranet and external website.
<ul style="list-style-type: none"> • Line managers will disseminate this procedure to all Trust employees through a line management briefing.
<ul style="list-style-type: none"> • Support will be available to all staff and managers who may feel they require further guidance to identify and action appropriate workplace adjustments.
<ul style="list-style-type: none"> • The newly devised procedure will be accompanied by a communications plan to ensure all staff and managers are aware of its creation.

7.1 Training needs analysis

Training in relation to managers responsibilities in respect of workplace adjustments will be included within Management and Leadership programmes within the Trust.

Awareness sessions for all staff will be available accompanied by a communications plan when the procedure is first launched.

8 How the implementation of this procedure will be monitored

Auditable Standard/Key Performance Indicators		Frequency/Method/Person Responsible	Where results and any Associate Action Plan will be reported to, implemented and monitored; (this will usually be via the relevant Governance Group).
1	Review of staff survey results with % of staff with disabilities reporting that reasonable adjustments have been implemented.	Annual	E & D Steering Group JCC WDES monitoring

2	Central records monitoring the number of workplace adjustments that are implemented within a timely fashion. This should include those requests denied and those not implemented in a timely manner.	Annual	E & D Steering Group JCC WDES monitoring
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9 References

The Equality Act 2010
Trust Equality, Diversity and Human Rights Strategy 2020 – 2023
Workforce Disability Equality Standard (WDES)
Equality Delivery System (EDS2)
Equality and Human Rights Commission
Department of Working Pensions / Access to Work

10 Document control (external)

To be recorded on the policy register by Policy Coordinator

Date of approval:	03 August 2021	
Next review date:	03 August 2024	
This document replaces:	n/a	
This document was approved by:	Name of committee/group	Date
	JCC	03 August 2024
This document was ratified by:	Name of committee/group	Date
An equality analysis was completed on this document on:	1 July 2021	
Document type	Public	
FOI Clause (Private documents only)	n/a	

Change record

Version	Date	Amendment details	Status
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1	21 May 2021	New document	Consultation copy
1	3 August 2021	Approved by JCC	Approved

Appendix 1 - Equality Analysis Screening Form

Please note; The Equality Analysis Policy and Equality Analysis Guidance can be found on the policy pages of the intranet

Name of Service area, Directorate/Department i.e. substance misuse, corporate, finance etc.	Human Resources				
Policy (document/service) name	Workplace Adjustments				
Is the area being assessed a...	Policy/Strategy	<input type="checkbox"/>	Service/Business plan	<input type="checkbox"/>	Project
	Procedure/Guidance			x	Code of practice
	Other – Please state				
Geographical area covered	Trustwide				
Aims and objectives	<ul style="list-style-type: none"> • Provide practical support, information and guidance for staff with a disability or long term health condition that require adjustments in the workplace • Support Trust managers to have supportive and meaningful conversations with staff about any adjustments that may be required • Help managers understand their responsibilities in relation to the Equality Act 2010 and how workplace adjustments can impact positively on the wellbeing, experience and performance in the workforce. • Provide a clear and consistent pathway for all Trust staff that may require adjustments in the workplace at some time during their employment with the Trust 				
Start date of Equality Analysis Screening (This is the date you are asked to write or review the document/service etc.)	1 March 2021				
End date of Equality Analysis Screening	1 July 2021				

(This is when you have completed the equality analysis and it is ready to go to EMT to be approved)

You must contact the EDHR team if you identify a negative impact. Please ring the Equality and Diversity team on 0191 3336267/3046

1. Who does the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan benefit?					
All staff.					
2. Will the Policy, Service, Function, Strategy, Code of practice, Guidance, Project or Business plan impact negatively on any of the protected characteristic groups below?					
Race (including Gypsy and Traveller)	No	Disability (includes physical, learning, mental health, sensory and medical disabilities)	No	Sex (Men, women and gender neutral etc.)	No
Gender reassignment (Transgender and gender identity)	No	Sexual Orientation (Lesbian, Gay, Bisexual and Heterosexual etc.)	No	Age (includes, young people, older people – people of all ages)	No
Religion or Belief (includes faith groups, atheism and philosophical belief's)	No	Pregnancy and Maternity (includes pregnancy, women who are breastfeeding and women on maternity leave)	No	Marriage and Civil Partnership (includes opposite and same sex couples who are married or civil partners)	No

The procedure outlines the process and supporting documentation to follow to identify and action workplace adjustments. It provides clear guidance on a variety of processes to support staff having workplace adjustments implemented in a timely fashion, signposting to relevant sources of information dependent on the specifics of the situation. It also includes a process should staff and managers not be able to reach agreement on the appropriate workplace adjustments. In addition, the principles of this procedure should be applied to staff who do not necessarily have a disability or long term condition but may require a shorter term / temporary adjustment. A proforma (Passport) template is included within this procedure to ensure a consistent approach is taken Trustwide.

3. Have you considered other sources of information such as; legislation, codes of practice, best practice, nice guidelines, CQC reports or feedback etc.? If 'No', why not?	Yes	X	No	
Sources of Information may include: <ul style="list-style-type: none"> • Feedback from equality bodies, Care Quality Commission, Equality and Human Rights Commission, etc. • Investigation findings • Trust Strategic Direction • Data collection/analysis • National Guidance/Reports 	<ul style="list-style-type: none"> • Staff grievances • Media • Community Consultation/Consultation Groups • Internal Consultation • Research • Other (Please state below) <p>Advice and best practice : Business Disability Forum, NHS Employers, Access to Work</p>			
4. Have you engaged or consulted with service users, carers, staff and other stakeholders including people from the following protected groups?: Race, Disability, Sex, Gender reassignment (Trans), Sexual Orientation (LGB), Religion or Belief, Age, Pregnancy and Maternity or Marriage and Civil Partnership				
Yes – Please describe the engagement and involvement that has taken place				
Procedure will be reviewed / commented upon by members from the Trust Long Term Health Conditions group, as well as being circulated for information / comment to the LTHC network and Neurodiversity network.				

Key staff from IT, Health and Safety, Finance, Employee Support Services, HR and Equality and Diversity and Human Rights team have also reviewed this procedure and provided input accordingly.
 The procedure will also be reviewed by the policy working group.
 This will be in addition to Trustwide consultation.

No – Please describe future plans that you may have to engage and involve people from different groups

5. As part of this equality analysis have any training needs/service needs been identified?

Yes Please describe the identified training needs/service needs below

A training need has been identified for: Awareness raising sessions will need to take place to publicise the new procedure.

Trust staff	Yes	Service users	No	Contractors or other outside agencies	No
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Make sure that you have checked the information and that you are comfortable that additional evidence can provided if you are required to do so

If you need further advice or information on equality analysis, the EDHR team host surgeries to support you in this process, to book on and find out more please contact the team.

Appendix 2 – Approval checklist

To be completed by lead and attached to any document which guides practice when submitted to the appropriate committee/group for consideration and approval.

	Title of document being reviewed:	Yes/No/ Not applicable	Comments
1.	Title		
	Is the title clear and unambiguous?	Yes	
	Is it clear whether the document is a guideline, policy, protocol or standard?	Yes	
2.	Rationale		
	Are reasons for development of the document stated?	Yes	
3.	Development Process		
	Are people involved in the development identified?	Yes	
	Has relevant expertise has been sought/used?	Yes	
	Is there evidence of consultation with stakeholders and users?	Yes	LTHC / Neurodiversity networks as well as PWG and other key stakeholders as detailed within EIA
	Have any related documents or documents that are impacted by this change been identified and updated?	Yes	Identified – no changes required
4.	Content		
	Is the objective of the document clear?	Yes	
	Is the target population clear and unambiguous?	Yes	
	Are the intended outcomes described?	Yes	
	Are the statements clear and unambiguous?	Yes	
5.	Evidence Base		
	Is the type of evidence to support the document identified explicitly?	Yes	
	Are key references cited?	Yes	
	Are supporting documents referenced?	Yes	
6.	Training		

	Title of document being reviewed:	Yes/No/ Not applicable	Comments
	Have training needs been considered?	Yes	
	Are training needs included in the document?	N/A	Awareness raising rather than specific training
7.	Implementation and monitoring		
	Does the document identify how it will be implemented and monitored?	Yes	
8.	Equality analysis		
	Has an equality analysis been completed for the document?	Yes	
	Have Equality and Diversity reviewed and approved the equality analysis?	Yes	
9.	Approval		
	Does the document identify which committee/group will approve it?	Yes	Approved by JCC - 3 August 2021
10.	Publication		
	Has the document been reviewed for harm?	Yes	
	Does the document identify whether it is private or public?	Yes	
	If private, does the document identify which clause of the Freedom of Information Act 2000 applies?	N/A	

Appendix 3 - Agenda for Meeting to discuss workplace adjustments

1. Welcome / Introductions
2. Staff member can be accompanied by one of the following:- a companion who may be a colleague / employee of the Trust (not acting in their professional capacity), a Union Representative, or they may also choose to be accompanied by a support worker or family member.
3. Line Manager welcomes staff member to the meeting and explains that the purpose of the meeting is to discuss whether a workplace adjustment would be beneficial in line with the staff members job description and explore what help the staff member may need.

The following points may be discussed:

- Discuss how the staff member is feeling and the impact of any disability / long term condition on them.
 - Explore adjustments (new and existing) that will make it easier for the staff member to do their job and discuss how this may support the staff member to remain well and at work.
 - Review relevant information from experts e.g Occupational Health, Access to Work, other specialists and agree if any further information should be gathered. Evidence of a diagnosis is not required in order to agree workplace adjustments.
 - Discuss the needs of the Trust / service and explore any potential impact of any adjustments
 - Agree on what adjustments can be accommodated and discuss if not, why not.
 - Discuss if a Personal Emergency Evacuation Plan (PEEP) is required. If any member of staff needs extra help to follow their areas evacuation plan, a PEEP should be completed. This may apply to staff with disabilities / long term conditions where assistance and / or specialist support is required. E.g. an individual with a hearing impairment may not hear a fire alarm or a person with limited mobility may not have use of a lift in a fire alarm situation.
 - Agree timescales for when adjustments will be put in place and if these are temporary / permanent.
 - Agree a review period to ensure the adjustments meet the needs of both the staff member and Trust. (Must be within 4 weeks of meeting and a minimum of annually thereafter)
4. Discuss any confidentiality issues and agree what information can be shared with whom and when. Consider how the changes will be communicated to others, ie other team members.
 5. At the end of the meeting the staff member and line manager should complete the "Workplace Adjustment Individual Plan". This is a living record of adjustments agreed between a staff member and their manager. This should be retained on staff members personal file and a copy provided to the staff member if they wish. A copy should be provided to the Equality, Diversity and Human Rights team as they will hold a central register of all workplace adjustment requests for monitoring purposes. In the event that workplace adjustments are not agreed a copy of relevant documentation should also be provided to the Equality, Diversity and Human Rights Team.

Appendix 4 - Individual Workplace Adjustment Plan template

Your Name:

Your Role:

My long term health condition / disability has the following impact on me at work:

(It may be helpful to consider what are the difficulties or concerns you experience. For example: I need easy access to toilet facilities, or I need more time to read and digest documents)

I have the following adjustments already in place / these are the adjustments I have made to suit my needs (if applicable):

(For example: I have dragonspeak software installed on my laptop or I have flexible start times so that I can come to work when its quieter / avoid rush hour)

If my condition fluctuates, the following would be helpful for my manager to know, in order that they can support me at work:

Consider what a 'good day feels like versus a 'bad' day and how might the adjustments you need vary? Are there any triggers that would be helpful for other to be aware of?

For example: Are there some days where working from home or an office base is preferable to being at various sites? Are there some situations where you might need someone to proof read your reports / documentation?

Some adjustments are fairly straightforward to obtain and you may already know what you need. Whilst others are more complex, in the same way that people's needs can be more complex.

Some workplace adjustments can be agreed straight away. Others may require that your manager seeks further advice. Section 5 of this procedure provides details of where you can obtain more information and advice around your situation.

Please note: There may be particular situations where workplace adjustments cannot be accommodated. In these circumstances, other options will be explored with you.

I believe I need the following workplace adjustments:

Is there any other information or advice that would be helpful to have before adjustments can be agreed? If so, agree who, what and when?

For example: Contacting Access to Work for an assessment.

Is a Personal Emergency Evacuation Plan (PEEP) required ? If so, please link with the Fire Safety Advisor.

For example: Would you need assistance to safely leave a building in the event of a fire alarm?

Is there any information that would be helpful to share with others? If so, discuss what this information would be, who will share it, how and when.

For example: Sharing with another manager what adjustments / support may be needed or advising colleagues of certain tasks that you need to undertake differently?

Confirm below what has been agreed with staff member and line manager. This should include:

- * details of adjustments agreed and those not (included rationale why not, if not agreed)
- * if additional information / advice needed and who will be responsible for getting this
- * timescales for implementing adjustments and review dates
- * if any information will be communicated to others and if so how / who by.

My contact details in case of an emergency are:

First contact

Name:

Relationship to employee:

Name:

Address:

Telephone:

Email address

Second contact

Name:

Relationship to employee:

Name:

Address:

Telephone:

Email address:

It is your responsibility to inform your line manager if there are changes to your condition which have an effect on your work and/or if the agreed adjustments are not working. You should then arrange to meet privately with your manager to discuss any further reasonable adjustments or changes that should be made.

If your line manager notices a change in your performance at work or feels that the adjustments are not working, your manager can arrange to meet with you to discuss alternative options.

Signed (Staff member):

Date:

Signed (Line Manager)

Date:

Appendix 5 - Step by Step guide to Access to Work (ATW)

1) Applying to Access to Work

Staff members can contact Access to Work directly to arrange an assessment. An initial application is submitted by the staff member, they will then usually be contacted by an ATW assessor via telephone usually within 3 weeks from the date the initial application was submitted.

Managers cannot apply on behalf of staff although they can help staff members with the application process if needed. As part of the assessment ATW may also need to link with the Trust to talk about how they can help. ATW will make the staff member aware that they are contacting the Trust prior to doing so.



If Access to Work is contacted within 6 weeks of a staff member commencing employment with Trust, ATW may consider paying up to 100% of grants.

Access to Work can be contacted via their website:

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

Or via:

Telephone: 0800 121 7479

Textphone: 0800 121 7579.

Relay UK (if you cannot hear or speak on the phone): 18001 then 0800 121 7479

Alternative methods of contact are also available on the ATW website if the above are not suitable.

The following information is required:

- workplace address and postcode
- national insurance number
- the name of a workplace contact who can authorise the Access to Work payments (this usually would be staff members line manager)
- workplace contact's email address or work phone number

Staff members will also need to explain:

- how their condition affects them at work or getting to work
- what help they are already getting

- what else could help

2) Assessment process

Depending on the individual circumstances the assessment may take place via telephone or further assessments / workplace assessments may be required.

Once the assessments are completed Access to Work provides the individual with a report detailing the assessment findings, recommendations and details of any grant awarded. This report is usually sent via post unless specifically requested via email.

The full report is not shared with the line manager but details of what has been proposed along with providers are shared. The manager and staff member should discuss the recommendations and agree what is to be put in place.

Depending on the nature of the recommendations further advice from other Trust departments may be required. For example, it may be necessary to link with the Trust IT department to arrange the ordering of any IT software / hardware or a manager may need to link with the finance department to agree the process for reclaiming taxi journeys.

Managers should also be mindful that training for any equipment / software is arranged as the Trust may not provide this in-house. Often ATW will provide details of associated training providers within their report and frequently this is at no cost to the Trust.



The staff member will receive a declaration form with their assessment report which has to be returned to Access to Work by a given date. (Usually 1 month). Only when this has been returned is a claim pack generated from Access to Work. At this point the grant is confirmed and the manager is able to order any equipment / make arrangements for support identified.

3) Cost share with Access to Work and reclaiming monies

Often within the Access to Work assessments a grant is awarded to the staff member which allows for the Trust to share costs for reasonable adjustments.

The Trust would be expected to order and purchase any equipment / support and then reclaim monies from Access to Work. As the Trust employs more than 250 staff it is liable for the first £1000 of costs and generally the next 20% of any further costs up to £10,000. Details of the costs and cost sharing will be provided within the ATW report. If the support also provides a general business benefit, a contribution will be sought from the Trust in addition to any compulsory cost share.

Details of how to reclaim monies spent are provided by ATW as part of the documentation provided. Generally the Trust has 6 months to reclaim monies (this has been extended to 9 months due to the pandemic temporarily).

To reclaim any monies from Access to Work managers should complete the claim form issued by ATW and attach copies of the invoices to their claim form. ATW do not accept print outs from Cardea. Managers can request copies of invoices by providing the Cardea order number(s) to tewv.financeinfo@nhs.net



Please note ATW require claims to be submitted within a given timescale which will be detailed on the claim paperwork. Claims submitted outside of these timescales may not be paid.

4) Review and renewal of grants / adjustment

Access to work grants are usually agreed for a maximum of 3 years but often have annual reviews. Grants can be renewed on line. It is important to ensure that staff and managers agree how any grant will be reviewed and renewed as part of the individual Workplace Adjustment Plan.

If a staff member changes roles but remains employed by the Trust they should contact ATW as their grant may require a review. Again, it is helpful to include this within a staff members Individual Workplace Adjustment Plan so that any new manager is aware to support the staff member with this process.

Appendix 6 - Temporary Parking Permit

Temporary Parking Privilege Permit Application Form **Following Successful Workplace Adjustment Application**

*Prior to completing this application, please ensure you have read the guidance notes at bottom of this form.

Name	
Site	
Department	
Contact Number	
Vehicle Make	
Vehicle Model	
Vehicle Colour	
Vehicle Registration	
Reason for Temporary Permit	
Date Requested	
Length of Permit required (not to exceed three months)	
Line Manager Signature Authorisation and Name	
Service Director Signature Authorisation and Name	
Previous Permit Number (If Applicable)*	

**if you have a permit that has expired please return this to the address below:*

tevv.healthsafetyandsecurity@nhs.net or:

Health, Safety and Security Department

Tees, Esk and Wear Valleys NHS Foundation Trust

Estates and Facilities Management

Lanchester Road, Durham, DH1 5RD

GUIDANCE NOTES FOR APPLICATION FOR TEMPORARY PARKING PERMIT

Temporary (green) parking permits are usually offered to staff as a temporary interim measure whilst a blue parking permit is being applied for / issued . Staff will be required to provide the necessary evidence that they are applying for a blue badge. The criteria for eligibility for a blue badge is available from <https://www.gov.uk/government/publications/blue-badge-can-i-get-one>

Temporary green temporary permits may also be issued to staff who have a short term condition, but the temporary nature of the condition does not warrant the issue of a blue badge . The temporary permit may be issued on a short term reviewable basis subject to agreement with the individual's line manager and counter signed by the relevant Director. Advice should be sought from the HR department when agreeing to a temporary parking permit on this basis.

Appendix 7 - Examples of Workplace Adjustments

Scenario 1

Sarah shared with her manager that she has dyslexia. She advises that she has a slow reading speed and is slow at writing. She also shares that she has poor working memory and finds it difficult to concentrate, particularly when working in an open plan office. Sarah and her manager contact Access to Work for an assessment of Sarah's needs.

Sarah is provided with software for her computer which can read back her text to her and has speech detection. This allows her to speak and it types up her dictation.

After discussing that Sarah feels better placed to carry out paperwork and administrative tasks in the morning it is agreed that Sarah arranges her working day so that she undertakes admin tasks in the morning and patient visits in the afternoon. She has a recording device which she dictates her notes into and then is able to take time to reflect and then use these to type up her notes, usually the following day.

Sarah is ordered a set of noise cancelling headphones to help with her concentration. Sarah and her manager agree that a dedicated desk can be allocated to her each morning which is in the corner of the office so she is less distracted.

Sarah is also provided with coping strategy training to understand how her condition affects her. Colleagues within the team are also provided with training so that they have a greater understanding of dyslexia. This is provided by Access to Work at no cost to the Trust.

Prior to having her workplace adjustments in place Sarah was on a reduced caseload, feeling very stressed and working incredibly hard. Since her workplace adjustments Sarah has a full caseload, her technology ensures she works more efficiently and accurately and her stress levels are reduced.

Scenario 2

Paul has inflammatory bowel disease (IBD) and works in a community setting on a part time basis. He can experience flare ups which cause pain and discomfort. He does get anxious if he does not have easy access to nearby toilet facilities.

Paul and his manager discuss options available. They agree that a flexible approach to work will help Paul manage his flare up and reduce his anxiety. When Paul experiences a flare up he is able to work from home for an agreed period of time or can vary his start and finish times, depending on the nature of his work commitments that day / week. During flare ups Paul's manager looks to see what duties of Paul's can be temporarily transferred to other colleagues and Paul picks up some of colleagues other duties which he can more easily do from home, eg attending meetings on their behalf, admin / audit work etc. In addition, if Paul feels particularly unwell they have an agreement that he can work less hours that week (within a reasonable amount) with a view to work additional hours the following week provided he is well enough.

They also agree that Paul manages his diary to ensure that he books out regular breaks (regardless of whether he is working from home or not). Paul and his manager have regular meetings to check that the adjustments are supportive for Paul and still meet the team needs.

By allowing this flexibility Paul is able to fulfil his duties / requirements of the team and manage his condition, including his anxiety levels. This helps to avoid sickness absence and support Paul in his role.

Scenario 3

Simon has a hearing impairment and works in a large open plan office on the second floor. He works as part of a relatively large team and team meetings are held often by Microsoft Teams (MST) as team members work from various sites, including home. Some staff prefer not to put their camera's on during MST meetings and Simon can find it difficult to understand what they are saying as he does partly rely on lip reading. He also reported some difficulties in using the telephone.

Adjustments put in place to help support Simon included; moving his desk to the corner of the room to provide better acoustics for him. This allowed him to see the rest of the room easily and people coming and going into the office. Via Access to Work, he now has a Roger Pen, a wireless microphone, which enhances speech, to use in meetings, and an amplified telephone. All team members are requested to ensure their camera's are on if they are speaking during meetings.

As part of workplace adjustments meeting a personal emergency evacuation plan was agreed with Simon. This involves a buddy system in case of fire alarms.

Simon does have to attend audiology appointments each quarter and this has been agreed as disability leave with his manager and is recorded as Special Leave (not sickness absence) on ESR.

Scenario 4

Alex was born with primary lymphoedema and it affects their lower limbs, groin and hip. It is caused by a genetic mutation that also caused overgrowth of bone, muscle and lymph nodes and tissue. The extra bone length has caused issues with their hips and back and they have arthritis and will need hip replacements at some point in the future.

Alex is at risk of developing cellulitis infections and due to the lymph system not working as effectively as it should this can result in severe infections if not treated quickly. Alex has antibiotics at home and has to attend the GPs as soon as possible to commence IM antibiotics which usually prevent a hospital admission.

There is no cure for lymph oedema but Alex has identified ways to manage the condition to try to reduce the impact it has, the risk of infections and to try to slow any deterioration down. Alex previously would use annual leave to attend appointments for manual lymph drainage and compression bandaging however Alex's line manager was made aware of disability leave and has an agreement with Alex so that Alex does not have to use annual leave. When Alex has had infections the line manager allows the time to attend the GPs to receive the required IM medication to reduce the risk of hospitalisation.

It has been agreed that Alex can wear soft comfortable clothing. Arrangements were made so that Alex could work from home wherever possible so that Alex's legs could be kept elevated and keep the compression bandages on if required. This also supported Alex to take breaks as and when required.

Alex has now not had any infections for two years and the adjustments put in place have supported Alex to fulfil all of their duties whilst managing their conditions.