



SUCU Supporting Disabled Workers & Understanding Reasonable Adjustments in the Workplace

UCU believes and recognises that disabled people themselves have the best understanding of what adjustments are most likely to be effective and appropriate for them. UCU is committed to listening to staff to ensure that reasonable adjustments are effective, so that the barriers and disadvantages that disabled workers face can be removed, in order to provide equality for disabled workers. Remember that any changes that are made are likely to benefit the entire workforce.

[Disability equality](#)

UCU campaigns for a better future for all, and for accessible and inclusive workplaces. This document is based on the TUC's Manifesto for Disability Equality which sets out policies to achieve real equality for disabled people.

[The social model of disability](#)

UCU follows the 'social model' of disability. Legislation usually supports the 'medical model' which states that a disability is defined by an individual's medical condition that affects their ability to carry out tasks, and that the way to resolve a disability is to treat or cure the condition in order to bring about equal access. However, the 'social model' states that it is the interaction of somebody's disability with the barriers that society puts in place that prevent or hinder people's access to the built environment, media, transport or education.

The Law

The law around [disability and reasonable adjustments](#) is designed to make employers consider that a disabled person is usually made disabled by the environment they are placed in. They have a duty to provide conditions that all employees can carry out their work in.

The duty to make reasonable adjustments is embedded in the Equality Act 2010 (section 20) It states that it is unlawful to discriminate against workers because of a physical or mental disability or to fail to make reasonable adjustments to accommodate a worker with a disability. This relates to both current disabled employees and employees who become disabled. It also relates to any prospective employees, meaning employers must make reasonable adjustments in the recruitment and employment of disabled people.

The Employment Appeal Tribunal recently considered that this duty could include paying for an employee to receive

private medical treatment (in the form of private psychiatric services and counselling for example).

This thorough UCU guidance on [Removing barriers to disabled people at work](#) examines exactly what the law says, looks at some examples and case studies, and discusses how UCU reps can best approach negotiating reasonable adjustments for members.

What is meant by 'reasonable'?

Employers are not under any obligation to implement changes that may be considered unreasonable due to factors such as:

- its effectiveness in overcoming the disadvantage;
- its practicability in terms of finance and disruption;
- the availability of financial and/or other assistance;
- the nature of the employer's activities and whether it enables the person to carry out their work.

The criteria can make the outcome uncertain, and negotiations about reasonable adjustments often rest upon how well either side can argue that changes are 'reasonable'.

What is a reasonable adjustment?

A reasonable adjustment is an alteration an employer could make to enable a disabled person to continue to carry out their duties without being at a disadvantage compared to others. Under the Equality Act 2010, there is a legal duty on employers to make these reasonable adjustments for disabled employees.

Types of reasonable adjustment

The code of practice for (employment) for the Equality Act 2010 identifies the following examples of reasonable adjustments: Making adjustments to premises; Allocating some of the disabled person's duties to another person; Transferring them to fill an existing vacancy; Altering their working hours; Allowing absence for rehabilitation or for treatment; Arranging or giving extra training; Acquiring or modifying equipment; Modifying instructions or reference manuals; Modifying procedures for testing or assessment; Providing a reader or interpreter; Providing supervision.

Time limits

Many of our members find that they wait too long for reasonable adjustments to be put in place putting them at a huge disadvantage in being able to do their job effectively. They also dread going into work where they are being set up to fail. A time limit on decision and implementation of adjustments would give members the confidence and structure to do their job. If an employer fails to make a change that is later found to be reasonable at an Employment Tribunal, then the employer may be ordered to pay compensation, as well as implementing the change itself.

Getting support

If you're disabled or have a physical or mental health condition that makes it hard for you to do your job, you can:

- talk to your employer about changes they must make in your workplace
- seek support from your branch rep to negotiate with your employer for a reasonable adjustment
- get extra help from 'Access to Work', including mental health support (see below).

[Access to Work funding scheme](#)

The Access to Work scheme is a government funded scheme that provides a grant to support disabled people to start or stay in work. The grant provides practical and financial support if you have a disability, neurodiversity, health or mental health condition.

An Access to Work grant can pay for: special equipment, adaptations or support worker services to help you do things like answer the phone or go to meetings; help getting to and from work; etc.

Access to Work can also give practical advice and guidance to employers to help them understand physical and mental ill health and how they can support employees.

Check the [UCU guide to Access to Work](#)

[Adjustment Passport](#)

The adjustment passport is a live record of agreed adjustments between you and your manager to support you at work due to a health condition, impairment or disability. It is for you to keep and pass on to anyone you think needs to know about any impact or issue that can arise due to the interaction between your condition or impairment and barriers within or outside the workplace that can affect you at work.

[Disability Leave](#)

Institutions should have a separate policy for disability leave, and this brief guide provides some useful definitions, guidance and links around what disability leave is and how it differs from regular sick leave. A person with a disability should have their disability-related leave counted as a distinct and separate leave, and it can be argued for as a reasonable adjustment.

[Disability Awareness Toolkit](#)

This toolkit was developed by UCU with support from the UCU disabled members' standing committee to provide support for members seeking reasonable adjustments. The toolkit provides information, examples and resources on your right to reasonable adjustments and how to negotiate for them. It is designed to assist UCU equality officers who have responsibility for disability issues within their local branch. SUCU branch members can make interventions around disclosure and reasonable adjustments.

[Coronavirus and Disabled workers returning to work](#)

The current Covid-19 pandemic presents particular challenges and barriers for disabled workers. This advice sheet focussing on equality and health and safety was produced to support disabled workers in the workplace and at home.

[Making Adjustments Work](#)

Being disabled at work with a hidden or visible disability will often require an adjustment that removes or reduces barriers in the workplace that disabled people face. This adjustment passport is a live record of agreed adjustments between you and your manager to support you at work due to a health condition, impairment or disability. It is for you to keep and pass on to anyone you think needs to know about any impact or issue that can arise due to the interaction between your condition or impairment and barriers within or outside the workplace that can affect you at work.

[Mental Health Conditions and Issues](#)

This toolkit has been produced by the UCU Disabled Members' Standing Committee. It aims to provide practical guidance to reps in dealing with mental health issues, and is a companion to other UCUs publications, such as the "[1 in 4](#)" [Briefing on mental health at work](#).

[Stress at Work Toolkit](#)

Rising workloads, poor management culture, excessive audit and inspection, job insecurity and poor facilities have all contributed to rising levels of stress among staff. The UCU Stress Toolkit provides resources (including research, guidelines and model risk assessments) to help tackle stress in the workplace.

Other useful resources include:

[Disclosing a disability](#)

[Campaigning for accessible and inclusive workplaces](#)

[Enabling not disabling](#)

[Challenging discrimination: how to build an effective case](#)

About us

Sheffield University and College Union is the only body recognised by the University to represent, and negotiate on behalf of academic, academic-related and research staff. The SUCU Committee consists of volunteer members of staff whose work (on the membership's behalf) includes: negotiating terms and conditions with the University, advising and assisting members regarding work related issues, campaigning, and providing information on issues relevant to trades unions. [Join us now](#)

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