

Employment

Applying

Reasonable adjustments not made
in recruitment process



**RIGHT TO
PARTICIPATE**

Useful knowledge

Employers have a duty to make 'reasonable adjustments' for disabled applicants at all stages of the recruitment process. This means everything that informs their decision on who they employ to fill a vacancy. This includes job vacancy adverts, application forms or processes, and participation in interviews, exercises, assessments or tests.

Useful skills

- Effective communication
- Negotiation skills

Ways to assert your legal rights

Make sure the recruitment person or HR department know, as far ahead as possible, the adjustments you need to participate equally at the interview or assessment. This will enable them to make the adjustments in good time.

Many employers will ask all applicants in advance if they require need adjustments for this purpose. Although most employers' recruitment processes will allow for basic adjustments e.g. interview rooms with door frames wide enough for wheelchair access, it's best not to assume this will be the case. You are the one who understands your needs and knows best what will work for you.

If the recruiter hasn't made suitable adjustments, despite being made aware in plenty of time, you should raise this with them as soon as possible. Explain the impact this will have / has had on your ability to participate in what can already be a stressful process.

The recruiter must provide you with the same opportunity to participate in the process as non-disabled applicants. They must therefore make sure any barriers faced by you have been fully considered before making any decisions about who to appoint.

If this hasn't happened, and you feel you were unable to perform to your best ability due to adjustments not being made, ask for the contact details of the recruiter's line manager, supervisor or head of the department where the job vacancy is. Explain by telephone, email or letter what happened and explain the impact the lack of adjustment had on your performance. [Click here for a template letter you can send to the employer.](#)

If you don't get a satisfactory resolution, you can take a claim to an employment tribunal. There are timescales within which a claim should be made. In general, the time limit within which a claim of disability discrimination must be raised is three months less one day from the date of the discrimination taking place.

Before taking an employer to an employment tribunal, you must first attempt what is termed 'early conciliation'. Early conciliation is a service delivered by the Advisory, Conciliation and Arbitration Service (ACAS), a publicly funded but independent organisation. Engaging early conciliation can reduce the stress and anxiety caused by taking a claim to an employment tribunal. If engaged within its own time limit (also three months less one day), early conciliation extends the time period for taking action via a tribunal, if you need to take it that far.

If you're a member of a trade union, it's worth engaging their support as early as possible, but at any stage of the process. [Find out more about joining a trade union.](#)

You can have confidence in the process because

Disabled employees are protected from discrimination, harassment and victimisation by The Equality Act 2010.

You can get more help from

The [Equality Advisory & Support Service \(EASS\)](#) runs a free helpline assisting individuals with equality and human rights issues across England, Scotland and Wales.

- Telephone** • 0808 800 0082
- Text phone** • 0808 800 0084
- Email** • [through websites form](#)

ACAS runs the [Early Conciliation service](#) for when you can't sort out things directly with an employer.

- Helpline** • 0300 123 1100
- Website** • www.acas.org.uk