

Employment

# Current Employee

Inaccessible premises



**RIGHT TO  
PARTICIPATE**

## Useful knowledge

Under the Equality Act 2010, an employer must make all 'reasonable adjustments' to any feature of a workplace premises that disadvantages a disabled worker. This applies to the whole premises. It includes internal features such as steps, lifts, toilets and washrooms, lighting and ventilation, doorways and door operation, flooring, as well as external features such as car parks and paving.

The Department for Work & Pensions (DWP) Access to Work scheme can help with adaptations to premises, equipment, and more, required by a disabled employee. [Click here for further information on Access to Work.](#)

## Useful skills

- Effective communication
- Problem solving
- Teamwork

## Ways to assert your legal rights

Ideally, all new employees will visit their new place of work as soon as possible following their appointment into a new role. In many cases interviews take place at the building where you will be working. This provides an opportunity to observe and 'experience' a building, the office etc, and raise any issues in advance of your start date.

If this isn't the case, any issues with the premises should be addressed as soon as possible after starting to minimise impact upon you and your work.

Raise the issue with your line manager or supervisor, outlining it and the impact it has upon you and your work. It's useful, but not essential, if you're also able to suggest a solution or 'reasonable adjustment', based on knowledge from a previous workplace, building or simply your own self-awareness. If you're unsure what adjustments would be suitable, there is support available for both you and your employer to investigate and agree what will work. The government's [Access to Work](#) scheme can carry out an assessment and offer

support based on needs identified. Some might be the responsibility of your employer. Others, such as providing a job coach, would not.

Ultimately the duty lies with the employer to find and implement a solution. It could help your employer and make it easier for you if your suggestions or solutions are provided in writing.

Regardless of the decision given by your line manager, ensure you receive their reasons in writing. If you're unhappy with the response of your line manager, write a letter to your Human Resources Officer or similar, outlining the issues still faced and steps taken already. At this point it could be useful to quote the Equality Act 2010.

*Under the Equality Act 2010, employers have a duty to make reasonable adjustments to ensure their employees are not disadvantaged in the workplace due to disability. I believe you have failed to meet this duty by not (outline adjustment needed), which I consider to be a reasonable adjustment.*

If appropriate action is still not taken, you can take formal steps through your employer's grievance procedure. This is normally found in a staff handbook, employment contract, HR intranet site, etc. If you cannot locate it, you should ask to be directed to or sent it. Grievance procedure steps normally include:

- Outlining your grievance in writing [Click here for template letter](#)
- Timescales and steps within which the grievance will be looked at
- When formal meetings are necessary, when they will be arranged and with whom
- The ability to appeal the decision if you disagree with it

If you still don't get a satisfactory resolution, you can take a claim for disability discrimination 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, or from the end of your employment with regard to a former employer. However, for many reasons it is always advisable to take action as soon as possible.

Before taking a current or former 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 tribunal. If engaged within its own time limit (also three months less one day), early conciliation extends the time period for taking action via an employment 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](http://www.acas.org.uk)