

Employment

Current Employee

Support and adjustments to do your job



**RIGHT TO
PARTICIPATE**

Useful knowledge

Under the Equality Act 2010, employers have a duty to make 'reasonable adjustments' on the grounds of disability. However, this duty may not apply if the employer is unaware of your disability - they cannot therefore be expected to know that you're disadvantaged as a result.

The duty to make reasonable adjustments, as stated by the Equality and Human Rights Commission (EHRC) "*aims to make sure that as a disabled person, you have, as far as is reasonable, the same access to everything that is involved in getting and doing a job as a non-disabled person.*"

Useful skills

- Effective communication
- Openness
- Self-awareness
- Problem solving

Ways to assert your legal rights

As the employee, you'll probably become aware of the barriers you're facing before your employer does. It's best to raise them as soon as possible so your employer doesn't become concerned about your performance.

Raise the issue(s) at a pre-arranged one-to-one session, or ask your line manager for a confidential chat. If this is too difficult, write to or email your line manager. Explain the difficulties or barriers you're facing and why these are arising. It's also a good idea to make suggestions on the types of 'reasonable adjustments' the employer could make.

If you're unsure what adjustments would be suitable, there is support available for both you and your employer to explore and agree what will work. The government's [Access to Work](#) scheme can carry out an assessment and offer support based on the needs identified. Some support might be the responsibility of your employer.

Others, such as providing a job coach, would not.

- Adjustments in the workplace can include (but aren't restricted to):
- Amending working patterns e.g. starting later, offering flexible working
- Providing or modifying equipment e.g. software packages, desk and chair
- Adjusting duties or job descriptions
- Modifying premises, or access to premises
- Providing additional training
- Providing instructions in a different format
- Allocation of a support worker; job coach, interpreter, reader, etc.
- Moving the employee to a different position within the company.

If after you've raised the issue, you're not satisfied with the action taken, contact your organisation's Human Resources Officer or similar. Let them know the steps you've already taken with your line manager. Again, outline the issues you've faced, and provide examples of the adjustments you require to do your job. It would also be appropriate to inform your line manager of the action you're taking. This could even act as a prompt for them to take further action themselves.

If appropriate action is still not taken via this informal approach, you can take formal steps through your employer's grievance procedure. This is normally found in a staff handbook, employment contract, or HR intranet site. It may have been provided to you as part of your induction to the company. 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 about a former employer. However, for many reasons it is always advisable to act 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 a tribunal. If engaged within its own time limit (also three months less one-day), early conciliation extends the time 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