

Employment

Previous Employment

Failure to provide 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 was unaware of your disability and therefore they couldn't be expected to know that you were disadvantaged as a result.

The duty to make reasonable adjustments, as stated by the Equality & Human Rights Commission, "*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

We encourage people to raise the issue of any barriers they're facing in the workplace before employer becomes too concerned about their performance.

Adjustments in the workplace 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.

It's possible to take action against a former employer who you believe discriminated against you by failing to provide support and adjustments to do your job.

This is through an employment tribunal. However, there are timescales within which the issue should be raised. 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 a 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 the situation. 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.

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