



TORPOINT TOWN COUNCIL

DISABILITY EMPLOYMENT POLICY

DATE: - June 2023

NEXT RENEWAL DATE: - June 2023

Reviewing Body:-

Personnel Committee

Policy Statement

Torpoint Town Council is committed to building and maintaining a workforce which is representative of the community we serve and to ensuring that we provide equality of opportunity to all our employees. The Council welcomes applications from people with disabilities, values the contribution of existing employees with disabilities, and will treat employees fairly should they become disabled during their employment with the Council. In this context the Council will develop a working environment which offers employees with disabilities support to maintain employment with the Council and will remove any organisational, physical or mental health conditions that employees with disabilities may face.

It is recognised that this policy is generic as it is intended for all employees with all disabilities. The Council recognises that to be effective, officers will need to tailor their practices according to the individual's needs in the light of their disability.

Purpose and aim of the policy

This policy is to support the Council's ambition to offer an inclusive and supportive working environment which meets the needs of all employees according to their individual need. This includes enabling all employees with disabilities to participate as fully as possible in all aspects of working life with the Council. The Council's commitment to prospective and current employees with disabilities is summarised below. This overarching policy is supplemented by additional information in the following appendices.

- Time off for rehabilitation, assessment or treatment in connection the employee's disability (Disability Leave) (appendix 1)
- Access to Work information (appendix 2)
- Support worker/job coach Protocol (appendix 3)
- Dyslexia policy statement (appendix 4)
- Managers guide explaining how to make reasonable adjustments (appendix 5)

Scope

This policy applies to all employees of Torpoint Town Council and to job applicants to Torpoint Town Council.

Policy principles - defining disability

A person is defined as disabled under the Equality Act 2010 if they have a physical or mental impairment that has a substantial and long term negative effect on their ability to do normal daily activities.

- Substantial means neither trivial nor minor
- Long term means that the effect of the impairment has lasted or is likely to last for at least 12 months
- Normal day to day activities – include everyday activities like walking, eating and caring for oneself
- This broad definition, whilst not listing specific conditions, protects from discrimination people with diabetes, asthma, back problems, facial disfigurements and many other long term physical impairments.
- Mental health conditions such as anxiety, depression and obsessive compulsive disorder are also considered as disabilities.
- People who have cancer, multiple sclerosis and HIV are automatically protected by this legislation from the moment of diagnosis.

Relevant impairments may include:

- Sensory reduction including sight or hearing which cannot be substantially corrected with spectacles or hearing aids

- Impairments with fluctuating or recurring effects such as rheumatoid arthritis, muscular dystrophy, chronic fatigue syndrome, Fibromyalgia, depression or epilepsy
- Progressive illnesses such as dementia, motor neurone disease or lupus
- Learning difficulties
- Mental health conditions such as eating disorders, personality disorders and self-harming
- Organ specific conditions such as heart disease, liver disease or asthma
- Illness or serious impairment resulting from injury to the body or brain

The list illustrates that the term “disability” applies to a range of different impairments, not just visible physical conditions requiring wheelchair usage.

Many hidden conditions such as depression can be included in the definition. If you are in doubt whether or not a condition and its affects are covered by the Equality Act 2010, please contact Cornwall Council Occupational Health for further guidance.

Notifying a disability

At the point of recruitment, employees are encouraged to complete the Equal Opportunities Monitoring Form. At the application stage, all candidates are asked to declare if they wish for their application to be considered as part of the two ticks Guaranteed Interview Scheme. A Resourcing Advisor will inform the recruiting manager if an applicant has requested that their application is considered under the two ticks Guaranteed Interview Scheme.

Furthermore, during the recruitment process, candidates are asked if there are any reasonable adjustments that the Council can make to enable them to participate.

Successful candidates complete a confidential Health Assessment Questionnaire which is sent to Cornwall Council Occupational Health. If there are any declared health issues, the candidate is required to complete a supplementary form to give further details. This allows Occupational Health to complete the risk assessment and assess for any reasonable adjustments. Confidential medical information is not shared with the Town Clerk or other Torpoint Town Council officers, only information relating to the reasonable adjustment is given.

Once in post all employees are encouraged to update their “Personal details” and “Further Personal Details”, including information relating to disability. This information is not available to managers, only anonymous data relating to total numbers of employees with protected characteristics is available.

Reasonable Adjustments - The line manager’s role

Managers are required to fulfil the employer’s legal duty to make reasonable adjustments to enable an employee with disabilities to work effectively and without detriment.

Our duty is to remove barriers that exist for disabled employees so that they are able to carry out their jobs effectively and perform to a high standard. For example this may include:

- Allowing a disabled person to undertake a working pattern so they avoid travelling at rush hour
- Acquiring or modifying equipment (e.g. voice activated software for someone with a visual impairment).

The manager’s role will include exploring options for reasonable adjustments with the employee and considering other sources of support, such as Occupational Health or Access to Work. Managers are expected to prioritise this as a matter of urgency to ensure that the reasonable adjustment is arranged and implemented as soon as possible. The manager’s guide will take you through the process (see appendix 5).

Support to be offered throughout the employment lifecycle:

The following sections provide general information about what employees can expect from the Council at each key stage during the employment life cycle and key employment activities.

1. **Recruitment:** The Council will:

- Ensure that our recruitment and selection policies and procedures are equitable and fair so that the best people are attracted to apply and be appointed to deliver our services.
- Only consider applicants for jobs on the basis of their relevant experience, skills and abilities unless a 'Genuine Occupational Requirement' (GOR) exists for specific posts.
- Guarantee to offer an interview to all disabled applicants who meet the minimum criteria for a job vacancy. Applicants with a disability will be guaranteed an interview for any role, subject to their meeting any pre-requisite qualification in respect of relevant roles e.g. social workers and solicitors.
- When inviting to interview, the Council will ask if the candidate needs any adjustment to be made to allow barriers to attendance to be removed. This could include measures such as ensuring the interview room is accessible for a wheelchair user or allowing a person with dyslexia additional time during a test.
- Applicants who have a disability are encouraged to declare their disability at the application stage in order that reasonable adjustments can be made and to support applicants who meet the 'two ticks' criteria.

2. Time off for rehabilitation, assessment or treatment connected with a disability (Disability Leave):

The Council will:

- Offer reasonable paid time off to attend appointments for rehabilitation, assessment or treatment in connection with the disability. (Disability Leave) (See Appendix 1)

3. Learning and Development:

The Council will:

- Ensure that all new employees are made aware of the Council's policy on the employment of people with disabilities as part of the Induction process.
- Require all employees and managers to attend the relevant equality and diversity training and complete the Equality Essentials – e-learning package.
- Ensure that all employees with a disability have access to learning and development opportunities and will make reasonable adjustments where required to make this possible.

4. Working Environment:

The Council will:

Ensure that employees with disabilities are provided with all reasonable support, equipment and facilities to continue in their employment, for example ensuring that hearing loops are available at meetings and training courses, that support workers and/or job coaches are invited to events and offered reasonable refreshments within the Council's rules regarding subsistence, free of charge.

- Seek to accommodate the travel needs of employees with certain mobility issues.
- Seek to meet the needs of employees with disabilities when attending meetings, interviews etc. to ensure they are inclusive and accessible to all.
- Where reasonable to do so, make adjustments to the working arrangements and/or physical features of premises where they cause a disadvantage to an employee with a disability.
- Offer flexibility in employment and modern working conditions for employees with disabilities to reduce the need for commuting and business mileage.

5. Setting and assessing objectives – Appraisal System and Performance and Development Pay (CRP)

Managers will make any reasonable adjustments necessary in setting and assessing the objectives for the annual Appraisal System and Performance Related Pay.

6. Redundancy and Redeployment:

The Council will:

- Ensure that disability is not used as a criterion for redundancy.

- Ensure that every effort is given to making relevant reasonable adjustments to ensure the employee is not disadvantaged during the redundancy selection process. For example allocating additional time for employees with dyslexia if specific tests or tasks are set as part of the redundancy selection process (See Dyslexia Policy Statement at Appendix 5.)
- Ensure that if an employee becomes disabled, every effort is made to keep them in employment if at all possible. Where an employee's current employment is compromised by their disability, full consideration must be given to making reasonable adjustments to overcome barriers to working (See Appendix 5).
- In the event that an employee becomes disabled or develops a health condition, or if a pre-existing disability or health condition changes; the Council will make arrangements to identify and put in place reasonable adjustments to retain the talent, skills and experience of the employee and to promote their future prospects.
- If the employee has not already done so, the employee will be encouraged to make an appointment with their local disability advisor through Job Centre Plus to assess their eligibility for additional assistance through their "In Work support programme"
- In cases where no reasonable adjustments would enable the employee to continue in their current job, and the employee's Service has established that there are no opportunities within their team or wider Service; support and assistance will be provided by the Town Council employment support team.

The employee with a disability will become eligible for redeployment. The search for alternative opportunities is not necessarily restricted to advertised vacancies and it may be reasonable to consider other opportunities for providing the employee with continued employment.

7. Monitoring:

The Council monitors workforce information on the basis of employees' age, sex, gender identity, sexual orientation, disability, religion and belief and ethnicity in the following areas:

- Access to learning and development
- Promotion and career development
- Outcome of the appraisal system and performance related pay assessments
- Disciplinary procedures and grievances
- Those leaving the council's employment

8. Bullying and Harassment/Discrimination/Grievances:

The Council will:

- Take appropriate action against incidents of harassment, bullying or discrimination, and offer support and advice to victims or witnesses to incidents.
- Take disciplinary action against employees who discriminate against people who work for the Council or who seek employment with the Council.
- Have in place a process by which an employee or job applicant who considers that they have been treated unfairly or discriminated against on the grounds of their disability can raise the matter and have it heard fairly and objectively.
- Refer to Torpoint Town Council's Dignity at Work Policy.

9. Annual Review of Reasonable Adjustments:

The Town Clerk is required to:

- Annually review any reasonable adjustments in place for employees with disabilities to check that the measures are still effective.
- Annually review the duties and working conditions of employees with disabilities.
- Discuss the outcome of the reviews with the RFO/HR Manager to ensure that any employment and/or financial implications are addressed or referred to the relevant committee if appropriate.

10. Alternative Formats for documents:

The Council will:

Ensure that our key documents and forms are available in Easy Read format, that plain English is used, and that alternative formats are available on request.

11. Employees with disabilities who are off sick

If an employee with a disability is off sick (i.e. not on disability leave – see appendix 1), then this absence still needs to be logged on ERP as sickness whether disability related or not.

Managers are expected to manage the attendance of disabled employees fairly and sensitively, and, as with all employees, should follow up any absence with a return to work interview as outlined in the Attendance Management Policy.

The Attendance Management policy and procedures still apply to employees with disabilities, and the absence triggers to hold an evaluation meeting are the same (See Attendance Management Policy). However, Managers and Officers are expected to take medical advice to understand the potential impact of the disability on sickness absence levels and to discuss the sickness absences with the employee before making a judgement about what action is reasonable in the light of all the facts and circumstances. Managers and Officers should also explore with the employee whether further reasonable adjustments would improve attendance.

Recording disability leave absence

Disability Leave (as explained in Appendix 1) should be recorded as "Absence" – Health Appointment/Medical or Hospital Appointment and then describe the leave as "disability leave".

Breaches and Non-Compliance

Any instance of a breach of this policy which comes to the Council's attention will be investigated and appropriate action taken. This may include action under the Council's disciplinary procedures.

Prepared by: the Torpoint Town Council RFO and HR Manager together with the Finance and Personnel Committee.

If you would like this information in another format please contact:

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Appendix 1

Time off for rehabilitation, assessment or treatment connected with a disability (Disability Leave)

Disability leave is intended to provide disabled employees with reasonable paid time off work for reasons related to their impairment. It may be for a long, or short, period of time and may or may not, be planned in advance.

The Equality Act 2010 specifically identifies the provision of leave as a reasonable adjustment where a person with a disability needs to be absent from work for 'rehabilitation, assessment or treatment'. (For example the routine assessment of hearing aids, hospital or specialist check-ups including monitoring of related equipment or treatment).

Time off for rehabilitation, assessment or treatment does not apply to those types of appointments when the individual is already off sick, (whether it is related to a disability or not), which is determined by either self-declaration or medical certification. Where an employee is on sick leave and it becomes clear that they now qualify for disability leave the employee may request a transfer to disability leave.

Who may apply for time off?

Any employee who considers themselves disabled can apply to their manager for disability leave when they need it. Employees are encouraged to notify the Town Clerk. The employee with a disability must have declared that they have a disability otherwise the Council would not be able to consider making adjustments and adaptations.

Time off for a disability related reason is not a right and as such each case will be considered on its merits. An employee may request paid time off for rehabilitation, assessment or treatment for a disability related reason and Managers and Officers are expected to agree reasonable paid time off work.

The following list provides some examples of disability related reasons but is not exhaustive. The time off must relate directly to the employee's disability:

- Specialist hearing or sight examinations
- Assessment for diabetes, HIV, dyspraxia, dyslexia
- Training with a guide, hearing or companion dog
- Training in the use of specialist pieces of equipment
- Training in the use of Braille, Moon (allows people who are blind or partially sighted to read by touch using a code of raised shapes) signing, lip reading.
- Counselling or therapeutic treatment e.g. relating to a mental illness
- Recovery time after a blood transfusion or dialysis
- Physiotherapy
- To allow time for adjustments or adaptations to be made

Time off can be requested for a single day or a series of individual days depending on the circumstances.

Disability leave will not be used as a criterion when:

- (a) Assessing performance;
- (b) Selecting an employee for promotion; or
- (c) Selecting an employee for redundancy

Appendix 2

Access to Work – How can they help our employees?

Access to Work is a scheme run by the Department for Work and Pensions which provides funding to facilitate reasonable adjustments in the workplace. Please be aware that as a Manager or Officer you may contact Access to Work for advice but it is the responsibility of the employee to contact Access to Work to arrange an assessment. Contact details provided below.

An assessor will usually visit the employee and manager in the workplace and carry an assessment of their needs. They will also advise of the funding that can be provided.

Access to Work can apply to any job whether full time, part time, permanent or temporary.

The funding available depends on the employment status of the disabled individual at the time of their application:

In all instances when securing funding from Access to Work for any reasonable adjustments that are to be made, the reasonable adjustments must first be agreed with Access to Work prior to any adjustment being made.

Access to Work may be able to offer money to an employee to provide support to overcome work related obstacles resulting from a disability, health or mental health issue. For example

- enable employees with disabilities to work on a more equal basis with their non-disabled colleagues
- Encourage employers to recruit and retain disabled people by offering practical help.
- Support people with disabilities or long term health conditions to remain in employment.
- Support people who are experiencing mental health issues and need additional support to gain employment.

To be eligible for help, the employee or prospective employee must:

- Be disabled or have a physical or mental health condition. A person is disabled under the Equality Act 2010 if they have a physical or mental impairment that has a substantial and long term negative effect on their ability to do normal daily activities.
- Be over 16 years old;
- Be in, or about to start, paid employment (including self-employment);
- Normally live and work in Great Britain, or required to travel abroad with their duties; and
- Not be claiming Incapacity Benefit or ESA once they are in work (with the exception of Permitted Work).

The main elements within Access to Work are:

- Special Aids and Equipment
- Travel to Work
- Travel in Work
- Support Worker
- Communication Support at Interview
- Adaptations to Premises and Equipment
- Mental Health Support Service

Where adjustments are expensive, funding may be available through Access to Work.

Access to Work no longer considers the following provisions to be disability related:

- Chairs - other than very specialised chairs
- Desks - including electric height adjustable
- Dragon software (this is now marketed as mainstream technology meaning Access to Work no longer feel it is assistive technology)
- Dragon Software training

To access the scheme the individual will need to contact Access to Work and may need the following information:

- National Insurance Number
- Workplace address including postcode
- Name, e-mail, address and work phone number of their line manager

Contact details for all new enquiries are:

Telephone: 0345 268 8489 Text phone: 0345 608 8753 E-mail: atwosu.london@dwp.gsi.gov.uk

Appendix 3

Protocol for Support Workers for employees with disabilities and job coaches for employees with learning disabilities

Why do we need a protocol like this?

The working relationship between the employee, the worker engaged to provide assistance to the employee and the manager is unique. Having a framework in place to support all parties can help create the best outcome for all parties. For managers and officers who may be working with a support worker/job coach for the first time, it is helpful to explain what the protocols are, so that there is a common understanding of the aims from the outset.

Access to Work

“Access to Work” may provide funding for a support worker/job coach for an employee who has a disability or learning disability which affects the employees’ ability to do their job. Any employee who has been granted funding for a support worker/job coach should contact Resourcing for further information about how to recruit to this post.

The first step will be for the employee to identify which elements of the role profile the employee needs help with.

Common Aim – support for the employee with a disability

All parties are encouraged to recognise that the support worker/job coach’s role is to help the employee with the disability to remain in work and to provide practical assistance to enable the employee to perform to the best of their ability, within the full or amended duties of the role. The support worker/job coach is not there to be the employee’s carer, but rather to remove barriers that are preventing the employee from fulfilling their potential at work e.g. helping with paperwork, driving, use of particular information systems or other equipment and making hot drinks etc. It may be useful to be clear what tasks, activities or situations do not require assistance.

The principle that is unique to this relationship is that the manager/officer and the support worker/job coach are encouraged to look at all aspects of the support worker/job coach role from the employee’s perspective without imposing their own view of what they believe the employee needs.

The role profile of the employee should be used as a basis for explaining what role the support worker/job coach will provide.

Employment Status of the Support worker/job coach

The support worker/job coach is there to provide assistance to the employee. It is on the basis of the employee’s disability that they have been given this individual funding. The Support Worker/Job Coach is not part of the team and should not be expected to help other employees.

“Access to Work” pays for the support worker/job coach, and the support worker/job coach is only paid when the employee is at work and not paid when the employee is on leave or off sick.

Training and Risk Assessment

The support worker/job coach will need training in how to assist the employee according to his or her individual needs and the manager may need training in how to step back and allow the employee to make their own decisions. A risk assessment will need to be undertaken to highlight any areas where an individual is exposed to an unacceptable risk.

Resourcing

Whoever is recruiting to the post should check with the employee what skills, experience and training is needed – for example do they need special training on the Council’s Information Technology systems or other equipment used by the individual. Is there clarify about the scope of their role, confidentiality, client work, practical issues, the role profile, the nature of the disability etc.?

Guidance for the manager of the employee who has a support worker/job coach:

The manager of the employee receiving the support does not have any management responsibility for the support worker/job coach, this rests with the employee who is “the client” or the agency, if the support worker is recruited through an agency. If the manager has any concerns about the working relationship between the support worker/job coach and the employee, the manager is expected to speak to the employee about this, not usually directly to support worker.

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Managers and other employees are not expected to ask the support worker/job coach to undertake any tasks – this is the role of the employee.

It is the employee's right to have exclusive access to their support worker/job coach.

The working relationship between the manager and the employee is separate from the relationship between the employee and their support worker/job coach. The manager must not include the support worker/job coach in any confidential discussions with the employee unless the employee requests this.

Guidance for the employee

You must clearly communicate the specific tasks you need the support worker/job coach to undertake. For employees with learning disabilities this may include the Disability Employment Advisers at Job Centre Plus. It is also helpful to identify any activities that are particularly high risk, in relation to their personal safety. You may need the support worker/job coach to help with paperwork, driving, the use of particular information systems or other equipment and make hot drinks etc. It may be useful to be clear what tasks, activities or situations you do not need assistance with. Be mindful that the support worker/job coach also has needs and may not feel comfortable expressing these. It is suggested that you have regular time for discussing how things are working out between the two of you and whether anything needs to change.

The support worker/job coach is entitled to a lunch, usually a minimum of half an hour break for every six hours at work.

You should give your support worker/job coach plenty of notice regarding appointments, holidays, and other time away from work.

Guidance for the support worker/job coach

You must fully understand the role and the boundaries that it entails, i.e. the role is not to be a personal carer.

You should understand that if you are asked to undertake anything by someone else then you should check with the employee with the disability if this is acceptable and permissible. (As it is Access to Work who are paying the support worker/job coach to work for the employee with the disability nobody else). You need to be aware of the boundaries of the role and that your role is to support the employee at all times and not create dependency.

You should not get involved with clients or /members of the public the employee may be working with. There may be occasions when the employee may need your support however once the specific area of support has been accomplished you are requested to ask if there is anything else needed and then withdraw.

Confidentiality Agreement

You will be expected to read, sign and comply with a Confidentiality Agreement.

Appendix 4

Dyslexia

The purpose of this document is to give guidance to managers, employees and those involved with recruitment and training about the reasonable adjustments and support Cornwall Council will put in place for a person known to have dyslexia.

What is dyslexia?

- Dyslexia is a learning difficulty that primarily affects the skills involved in accurate and fluent word reading and spelling.
- Characteristic features of dyslexia are difficulties in phonological awareness, verbal memory, verbal processing speed and/or visual processing and visual memory.
- Dyslexia occurs across a range of intellectual abilities.
- It is best thought of as a spectrum, not a distinct category, as there are no clear cut off points.
- Co-occurring difficulties include language, motor co-ordination, mental calculation, concentration, and personal organisation, but these are not in themselves markers of dyslexia.
- A good indication of the severity and persistence of dyslexic difficulties can be gained by examining how the individual responds, or has responded to effective learning opportunities and well-founded interventions.

(Definition of dyslexia in light of that stated in the Rose Report; 'Identifying and Teaching Children and Young People with Dyslexia') (Rose 2009):

Responsibilities:

Corporate responsibility

- Under the Equality Act 2010, Torpoint Town Council is required to make reasonable adjustments for disabled employees. This means removing barriers wherever possible that get in the way of a disabled person performing well in their work.
- The Equality Act 2010 also requires Torpoint Town Council to promote equality of opportunity for disabled people.

Managers are expected

- To highlight the support mechanisms available to employees and to ensure that they have access to this support.
- To carry out operational Risk Assessments arising from an employee's dyslexia, and put in place specific control measures identified to manage or mitigate against that risk.
- To identify other potential areas of risk and ensure that control measures are in place.
- To discuss areas of concern with the professionally qualified personnel.

Employees

- Will be enabled to declare their dyslexia confidently and safely in order that this policy and the guidance within it can be put in place.
- Employees working with colleagues who have dyslexia will seek to understand their specific requirements.
- They will also afford their colleagues dignity and respect and be aware that a person who has dyslexia may be particularly vulnerable to harassment from their colleagues.

Recruiting team and process

- To highlight applicants who identify themselves as having dyslexia and to ensure that reasonable adjustments are put in place to support that applicant throughout the recruitment process.
- To ensure that short listing for those declaring dyslexia is completed in accordance with our commitment to the Disability Two Ticks symbol.
- To monitor the progress of the application to ensure that the candidate does not experience detriment due to their disability.

Town Clerk and RFO

- To ascertain the specific needs of individuals which may restrict their learning and development, and to put in place appropriate support mechanisms in order that they fully benefit from the training course or development process, thus enabling opportunity for career development.
- To monitor the effectiveness of the requirements of this policy.

- To liaise with the Disability Employment Adviser (Access to Work) and other agencies who can support the Service in ensuring fairness and equality of opportunity for those with dyslexia.
- To ensure that all those who have a role in working/supporting a person with dyslexia have the necessary prior information that adequately enables them to fulfil their role.

Health, Safety & Wellbeing

- To support managers and employees to identify the risks posed by a person's dyslexia, to input in respect of suitable adjustments and to ensure the control mechanisms are implemented.
- The mechanisms to help an employee decide their specific requirements may lead to unintended emotional stress. The Occupational Health team can support an employee with issues relating to emotion and confidence that may result. Counselling Support (Insight Healthcare) can also be a good source of support and help.

Supporting a person with dyslexia

It is important to remember that the experience of a person with dyslexia will be individual to them, therefore prejudging the way it might affect their performance is not helpful. However, some awareness of the nature of dyslexia and how it can affect people is an essential start for providing appropriate support, so that the employee can demonstrate their full potential. A good start is to ask the person what their specific needs are.

Many people with dyslexia have a special education needs statement – this means that the level of their dyslexia has been assessed and recommendations have been provided to support them. Otherwise, many people have lived with dyslexia and formed their own strategies for coping and will know what adjustments will best suit them.

Some people do not know they have dyslexia. Some people may display some of the common features of dyslexia. People with dyslexia may:

- Communicate well verbally, but reports and written communication do not reflect this.
- Be reluctant to go for training or promotion.
- They might have difficulties with listening, taking instructions and learning new tasks.
- Find it hard to remember dates, times and appointments.
- Confuse telephone numbers and messages.
- Have difficulties with note-taking and recalling the content of meetings.
- Display a tendency to panic, with difficulties becoming more acute when they are placed under time pressure, including formal evaluations, or when asked to take tests for recruitment purposes.
- Show a fear of public speaking.
- Have low confidence and high anxiety levels.

Supporting employees

The following is a step by step process for employees who seek support with their dyslexia:

- If the dyslexia is having some impact on the ability to cope or perform at work, the employee should discuss the matter initially with their manager and identify jointly any immediate support needs.
- Notwithstanding this, and in acknowledgement that the employee may be feeling vulnerable about discussing this matter, they are able to seek the confidential support of Cornwall Council Occupational Health. Ultimately, however the matter is likely to require some discussion with the manager in due course.
- The employee should be given a copy of this policy.
- The employee, their manager and Occupational Health will decide whether or not a Dyslexia Assessment is required or indeed sought by the employee.
- If an assessment is sought, a referral to a professional service, skilled at carrying out dyslexia assessments will be made. The employee will be made aware that their personal details will be passed to an external service provider.
- The employee will be given an assessment form to complete, which is forwarded to the external provider, followed by an appointment with that provider.
- A report will be provided to the employee and a summary provided to the manager. This report will identify the likely reasonable adjustments required by the employee to help minimise the impact of their dyslexia.
- It is the joint responsibility of the employee and their manager to ensure that agreed adjustments are met. The action plan should feature as part of the annual appraisal discussion

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The manager should regularly communicate with the employee receiving support for dyslexia until such a time both feel comfortable that the adjustments are working effectively. To support the emotional welfare of the employee, the manager can recommend the services of Occupational Health, although these arrangements remain a personal matter for the employee.

Additional support to consider, wherever possible, include:

- The way instructions are provided to the employee.
- How information is provided.
- That unnecessary distractions and interruptions are avoided.
- Timing of meetings to permit reflection and preparation time.
- Building planning and reflection time into each day.
- The use of special aids and equipment.
- Fully understanding how best the employee chooses to work and manage their day to day activities.

Health and safety risk assessments

Some duties will be recognised as presenting risks for some employees who have dyslexia, in particular those in operational roles.

As stated above it is important to remember that the experience of a person with dyslexia will be individual to them. For this reason a Risk Assessment will need to be completed that is unique to that individual. The manager, the employee and the health and safety team should work together in identifying the risks and control measures using the dyslexia assessment, if completed, as a source of guidance. This may form part of the case conference or be carried out separately but with the involvement of the employee. Managers and the employee have a duty to ensure these risk assessments are reviewed to meet the specific needs of the individual. This will include when there are changes to the role or to the working environment or conditions.

Appendix 5

Managers Guide to Reasonable Adjustments

When should reasonable adjustments be made?

Reasonable adjustments should be made whenever necessary. Managers are expected to prioritise making the reasonable adjustment so that necessary equipment or changes to practice are made as soon as possible, without any undue delay.

Reasonable Adjustments may include:

- Recruitment and selection: this may apply to the way in which the application is completed, interview or test conducted or any of the criteria applied.
- On starting employment: if a new employee is starting with the council you may need to make reasonable adjustments.
- At any point during their employment with us
- When undertaking learning and development
- On a change of role or transfer of working environment or conditions

What is a reasonable adjustment?

When supporting a disabled person in the workplace, the law requires the Council to make “reasonable adjustments through removing barriers to allow them to do their job”.

A reasonable adjustment is one which suits the needs of the job and the employee. The Town Clerk/Manager should weigh up the following issues:

- The cost – can the Council afford it? Have all funding methods been considered (Access to Work, Job Centre plus, voluntary sector)
- The practicalities of the adjustment – what effects will it have on the organisation?
- The effectiveness of the adjustment – will it remove or reduce any difficulties?
- The impacts on other employees/team members for example the redistribution of work
- The health, safety and wellbeing implications - is there an effect on the individual employee or colleagues

Examples of reasonable adjustments:

One test of reasonableness is that if the cost of making the required adjustments is no more than the cost of recruiting and training a new employee then this is reasonable.

Allocating some of the duties to another role.

If there is a part of the role that an employee with a disability finds difficult or impossible to do, then the manager is expected to consider allocating the task to another role or restructuring the team so that the task is covered by other means, if this is reasonable and practicable.

Transferring the employee to an existing vacancy (see Transfer Policy)

If, after considering reasonable adjustments, the employee is still not able to carry out the main aspects of a particular role, an alternative could be to look at transferring the employee to an existing vacancy. It may sometimes be reasonable to consider transferring an employee to higher graded post.

Altering the employee’s hours of working

Changing or reducing the working hours may allow the employee to continue in the role.

Altering the time that training is available or the venue

Changing or reducing the timing of training, and ensuring the venue is suitable, may assist the employee to participate in the training and to get maximum benefit from it. If you need to attend training events, your employer might need to adapt the sessions so you are able to fully access the training. This might mean having additional support or setting up a new way of acquiring the information, such as mentoring or online learning.

Giving, or arranging for, training or mentoring (whether for the disabled person or any other person)

Work at a different location

It may be possible to change the work place location or sometimes working from home may provide a solution.

Time off during working hours for rehabilitation, assessment or treatment.

(see time off for rehabilitation, assessment or treatment which is explained in Appendix 1.

Getting or changing equipment

One way to support the employee may be to provide or adapt equipment to suit their particular needs – for example, by providing wrist rests to assist with difficulties typing for any length of time or a CCTV for an employee with sight issues. If you are deaf or hearing-impaired, you may be able to use a work telephone modified with an amplifier or you might need a text telephone. Many of these pieces of equipment can be paid for by the Access to Work scheme.

Changing instructions or reference manuals

If you can't access written materials, for example equipment and reference manuals, policies and procedures on fire evacuation, reports etc., then your employer could translate these into accessible formats such as large print, audio-cassette easy read or mind maps (if you are dyslexic).

Modifying procedures for testing or assessment

Employees may be concerned about taking part in an internal assessment or testing session – such as for a promotion or for redundancy selection. It is reasonable to make these events accessible to you. This might include providing a support worker, using practical instead of written tests, giving extra time or providing written instructions in different formats.

If psychometric tests are to be used to assess intelligence, aptitude, personality and motivation only suitably trained people should carry out and interpret such tests, and expert advice should be sought on how and if the test can be changed to take account of disability or health issues. This might include extra time for the employee to read if they have dyslexia or provision of interpreters if the employee has a hearing impairment.

Managers should ask employees if they have any problems completing the tests, and how these problems could be overcome. They could:

- provide practice examples to all candidates if possible;
- make sure the venue is accessible to all employees; and
- provide any equipment/support you need.

Providing a reader or interpreter

Employees may need someone to provide communication support for them at work or at an interview, possibly by reading written information onto tape or directly for providing sign language interpretation. There is a national shortage of interpreters and other communication support staff nationwide, so Managers/Town Clerk/HR will need to plan ahead.

Providing supervision or other support

Employees starting in a new job may need extra support and supervision.

Where this is provided, it is important that the person supporting the new employee is relieved of some other duties so that they are able to fulfil the extra role. This counts as a reasonable adjustment.

Other examples of possible adjustments

- Additional modified equipment to support the individual in the workplace
- Provision of a reader, interpreter or signer
- Adjustments to premises
- Job carving - the individual completes that part of the job they are able to whilst other employees pick up the work that they cannot complete
- Flexibility in working practice - the consideration of flexibility in working times, the provision of additional breaks, the ability to work from home or in a quiet working zone
- Conducting a proper assessment of what reasonable adjustments may be required.
- Allowing flexible working, such as part-time work, annualised hours, non-standard start and finish times.
- Allowing a disabled employee to take a period of time off for rehabilitation, assessment or treatment.
- Adjusting redundancy selection criteria for example by giving extra time where necessary to complete an assessment centre.

Reasonable adjustments for employees with mental health issues

Depending on the circumstances managers may consider the following reasonable adjustments:

- Development of Flexible working, phased return, etc.
- Putting in place a buddy or mentor arrangement
- Temporary reduction in targets or reallocation of tasks
- Additional time to complete certain aspects of job role
- Regular formalised 121 meetings to review concerns

Who is responsible for making the reasonable adjustment?

The manager is responsible for making the reasonable adjustment(s), with assistance from Occupational Health and the Town Clerk/HR Team.

Some of the changes that are made may require a revised Statement of Particulars of Employment to reflect those changes.

Help and advice should also (where necessary) be sought from:

a) Occupational Health– In some circumstances Occupational Health may be able to provide more advice on the adjustments that will enable an employee to operate effectively in their role. Please note an employee may self-refer to HR/Occupational Health. Where necessary and with the employee’s agreement, Occupational Health will contact the employee’s manager to discuss any reasonable adjustments that may need to be made. Please be aware that the employee may request that the reason for them needing a reasonable adjustment remains confidential. As a manager you do not have to know the reason why your employee needs an adjustment. You must therefore respect your employee’s wishes but continue to ensure that you carry out your statutory duty to ensure that the adjustment is put in place.

Employees who are also members of Trade Unions may wish to discuss options regarding reasonable adjustments with their Trade Union representative who may be able to offer further support and guidance.

Funding for reasonable adjustments

It is important to remember that as the Town Clerk/Manager you have a legal duty to ensure that any adjustments that are found to be reasonable are put in place. It is worth noting therefore that the majority of adjustments cost nothing or very little.