



Royal College of Nursing

Reasonable adjustments: the peer support service guide for members affected by disability in the workplace



The RCN's Peer Support Service for ill and disabled members

If you find yourself at a career crossroads due to a change in health, you are not alone. The RCN recognises that many of our members will acquire impairments in the course of their working lives.

Although it is impossible not to think about the implications that changes to your health will have, it's important to allow time to think positively. You have valuable skills and experience that our health care sector needs. Your insight into life as a patient or being disabled can also add a new dimension to your understanding as a care giver, including increased resilience, resourcefulness and empathy. For help identifying your transferable skills visit www.rcn.org.uk/careers and see "transferable skills."

Most workplaces can be adapted to allow you to continue to use your existing skills. Alternatively you may decide to retrain within health care or in a different sector. Either way your careers adviser can talk this through with you.

If you have a disability you are protected by law and your employer has certain duties to fulfil including making reasonable adjustments. These also apply during recruitment to a new job.

A guide to discrimination is available [here](#).

If you feel you may have been treated negatively by your employer because of your disability, you should contact RCN Direct to discuss the support available.

Whilst there is a lack of guidance relating specifically to working in health care with an impairment, there is a lot of information available online about working more generally. Often workplaces can be adapted to allow you to continue in your current role, and at little expense.

This guidance is also available online and will evolve as more information including member experiences, are available.

Additionally, you may wish to speak to other RCN members about how they have continued to work with an impairment, retrained, returned to work or retired on medical grounds. You are able to do this by joining our [peer support service](#) for ill and disabled members.

You can also contact the peer support officer or your careers adviser for further advice.

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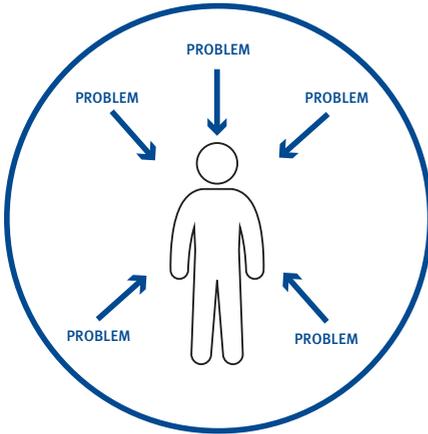
This guidance is for health care professionals with long term health conditions or chronic impairments.

It aims to provide information about reasonable adjustments that enable you to make changes to your work and working environment so you can work to the best of your ability.

Historically, disability was seen as a "fault" of the individual and attempts were made to "normalise" people as much as possible using medical interventions. This is known as the medical or traditional model of disability.

From the 1970s onwards, disabled people campaigned for equal rights, citing that environments and attitudes caused disablement, rather than the impairments they had. This is known as the social model of disability. The theory of the social model is that removing barriers promotes inclusion.

The Medical Model



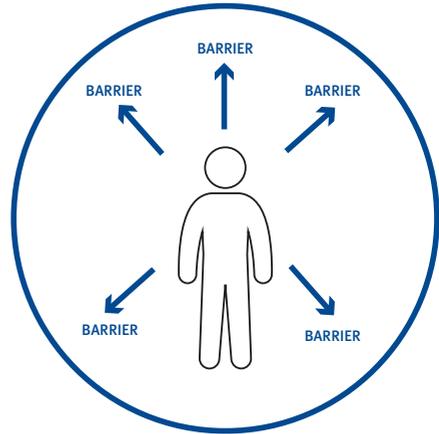
The medical model has persisted in the health care sector probably due to the clinical/ medical education of practitioners. Studies have shown that this way of thinking about disability is at the root of many issues facing health care professionals with impairments as they train and work.

The RCN is firmly committed to working within the social model of disability and this guidance is designed to help you use a number of tools to improve your experience if you have need of a reasonable adjustment in the workplace. It aims to provide you with tools, tips and techniques to empower you to get the resources and adjustments you need to perform at your best at work.

Adjustments are rarely expensive and aren't necessarily just beneficial for you. Adjustments at work can benefit the whole workforce, and its customers, so anticipating and removing barriers ensures a better environment and service for all.

In this guidance we explore some practical issues around reasonable adjustments and also provide you with some tools for understanding and talking about these issues in the workplace.

The Social Model



Your rights

Many people with health conditions or impairments are protected in law by the Equality Act 2010. This legislation means that it is illegal to treat someone differently because of a disability either directly or indirectly. It also means that employers have a legal duty to make reasonable adjustments that enable you to do your job.

In the context of the Equality Act, a disability is established through legal, not medical, tests. Disability is defined within the act as having a physical or mental impairment that has substantial and long-term adverse effects on your ability to carry out normal day-to-day activities.

It is up to you whether you disclose your disability or not, but an employer cannot be held accountable for their duty to you under the Equality Act if they do not know (or have reasonable grounds to suspect) that you have a disability.

If you have an invisible disability, you have more choice about disclosing than if your impairment manifests physically. Should you choose to reveal that you have an impairment this brings the advantages of being able to feel you are being yourself, and not burdened by hiding your impairment.

The only time you must disclose an impairment by law is if it could lead to an accident or health and safety issue.

In this guidance we will not focus on discrimination but it is important that you are mindful of your rights.

The position of the RCN is that employers should implement reasonable adjustments when asked, without assessing the employee against the legal definition of disability. This is because adjustments can assist us all to work to the best of our ability and help to retain experienced staff and so make good business sense.

If you suspect that you are being treated differently because you have an impairment you should contact the RCN to get [advice and support](#).

What are workplace adjustments?

You might have heard them referred to as “reasonable adjustments” and think of physical changes to an environment such as ramps, accessible toilets and altered seating.

Actually they could be a number of other things too, such as disability awareness training for a whole team, altered shift patterns or renegotiated duties.

If you have an impairment you probably already have coping mechanisms in place day to day that you don’t realise are adjustments. Often when adjustments work they are not acknowledged as adjustments – so it can be difficult to explore the changes that would benefit you.

Sometimes you may feel you have no idea what you could suggest to improve your working life. Then you may want to do some research, and speak to a specialist organisation regarding your impairment. You may also be able to arrange a workplace assessment as part of your plan to instigate adjustments.

Adjustments should work for both you and the employer. This is why they are often referred to as “reasonable” because, in law, employers do not have to make costly changes that would have an adverse effect on their business. A better description might be “effective adjustments” and they are changes that both sides must agree to. Further, if you are working in a team you may need to engage them too. Without understanding from those around you (sometimes via training) it is hard to implement and retain adjustments.

Telling your colleagues about your impairment

In order to discuss changes to your working environment, you will need to let your manager know that you have an impairment. You can request to keep this conversation confidential, but in some cases the best way to ensure meaningful change will also mean involving your direct team mates too.

Conversations of this nature come more naturally when you have regular catch-ups with your manager, although obviously this is not always taking place. Reassure yourself about what you can expect from the meeting by checking your work’s relevant policy, speaking to HR or calling RCN Direct. You should feel confident that all meetings are confidential and feel able to confirm this at the start of your meeting.

Depending on their experiences and how well they know you, your manager might be concerned about offending you by asking inappropriate questions or displaying a lack of knowledge about your particular impairment. Try and anticipate this and volunteer any appropriate information they need. It has been known for some health care managers to assume they “know” about disability or impairment because of their clinical training or background. Don’t forget you are the expert on your situation and be clear that you are happy to discuss this openly, but in confidence.

Asking for adjustments

It is worth taking some time to prepare. Especially in busy environments, your manager may have different thoughts about your request than you feel entitled to expect. This may not seem fair, but it is a human reaction. Try and put yourself in your manager’s shoes. They may be thinking:

- What will this mean for staffing rotas?
- Is there a health and safety risk?
- How will I afford to implement these changes within my budget?

If you can pre-empt these concerns, you can alleviate them. Many adjustments cost very little; and they can ensure you do your best work.

Of course, you may also find raising your issues difficult. Remember that you are the expert in the situation – who else knows your situation and abilities better than you? You are not asking for a favour, only the chance to work to the best of your ability and one that you may, indeed, be legally entitled to. Don't be afraid to sell your assets – skills, experience, flexibility. Try as well to think about adjustments you may have already made and use these as examples of how straight forward changes can be. Lead the conversation.

It is better to try and resolve any issues early on, and have adjustments in place, than risk your competency being questioned.

Types of reasonable adjustment

Equipment such as voice activated software, an ergonomic mouse.

Changes to working patterns such as shift patterns, working from home, working nearer home.

Changes to the workplace such as automatic doors, altered lighting.

Training to educate colleagues and change attitudes.

Re-deployment which means moving to another more suited role that becomes available, when you can't continue in your current role.

Disability-related sickness targets in addition to general sickness targets, so that you can have time off for regular needs related to a disability.

Telling people about your impairment at recruitment stage

During the recruitment process, an employer should ask if you require any reasonable adjustments. However, they should not equate this to you having a disability. Should you declare a disability, or should they become aware that you are disabled, discussions around the adjustments you need to perform the role should only be discussed after a job offer is made. Health-related questions are not permitted during interviews unless they are crucial to the nature of the job and the activities it entails.

However, employers are entitled to explore with you how you might undertake an essential element of the role with adjustments in place before they make an offer. Employers may also ask you if you have an impairment as part of their diversity monitoring process or as part of a policy to increase the number of disabled people they employ (positive discrimination). Ideally this should be done apart from the actual recruitment process or interview, usually by way of a monitoring form.

You can always check that a question is appropriate by contacting the RCN or the Equality and Human Rights Committee.

Some people struggle with the idea of people with impairments working in health care settings, despite the benefits they can bring. There are cases where a potential employer can refuse an applicant based on their inability to meet the core “occupational requirements” of the role. However, these are exceptional and the employer would have to prove that the element of the role that cannot be fulfilled is essential to the post, not just one of several important aspects of the role.

There has been confusion around the Nursing and Midwifery Council (NMC)'s position on individuals with impairments practising as nurses. This is because “good health” is referenced as a requisite of fitness to practise. The NMC website states:

“Good health is necessary to practise as a nurse or midwife. **Good health means that you must be capable of safe and effective practice without supervision. It does not mean the absence of any disability or health condition.** Many people with disabilities and health conditions are able to practise with or without adjustments to support them”

People with impairments who successfully obtain work often report that being upfront and demonstrating how they can do the job on offer, and the skills such as resourcefulness that having an impairment can bring, is a good way of standing out from other candidates.

Establishing and obtaining adjustments

Access to Work is a government initiative that can potentially fund adjustments for you. This could be in a long-standing or new role and involves a workplace assessment and reimbursement for agreed equipment/alterations to your employer.

There are also other organisations who can provide assessments for you – including condition based by organisations such as British Dyslexia Association or Vocational Rehabilitation. Make sure you are clear who is paying for any assessments you undertake. See links at the end of this document.

If you require changes to shift patterns or regular time off due to a disability, your employer will need to arrange this. NHS Employers released guidance in 2014 that highlights Disability Leave as an example of good practice.

The RCN can support you in obtaining reasonable adjustments if you are having difficulty. Please call RCN Direct on 0345 772 6100.

Reviewing your adjustments

Make sure that your manager is committed to helping you make adjustments work – ideally by agreeing them in writing. In most cases adjustments will be open-ended which means that you can rely on them being in place as long as they are needed. It is important though that you are able to review how effective these are. It may be that better ways of working occur to you, or that your situation changes. Your manager must also be clear that adjustments can take time to work; and won't necessarily be an instant solution. When adjustments are working well, feedback so that those involved are clear that adjustments can be effective.

Continuity during change

Often members report that a change at work leads to their adjustments being forgotten or denied. Staffing issues and a change of manager are two common reasons for this. Having an agreement in writing can be a helpful way of broaching your needs with a new manager. Some organisations have “disability passports” which can also record your requirements.

If your agreed adjustments are not maintained, contact the RCN for advice.

When adjustments fail

Unfortunately, it is sometimes simply not possible to continue working in your current role due to an acquired impairment or a deterioration in your health. Sometimes you may be able to obtain an alternative role at your place of work via redeployment. If this is not possible you may lose your job. Understandably this is a period of disappointment and upset for many; and has been described as a grieving process by some. It is important to take stock of your situation and allow time to accept your altered abilities, whilst acknowledging your skills and experience.

As soon as you are aware that your ability to fulfil your role is being called in to question (or if you have significant concerns yourself, including your ability to meet the criteria of your NMC registration,) you should call RCN Direct for advice; and to arrange representation as required. This applies if you feel you are being unfairly treated and if you accept that the process is appropriate as the RCN can assist you by making you aware of your rights and options, helping you establish what is best for you.

You may also wish to access the RCN's Counselling Service. The RCN's Careers Service can also assist you in looking at other employment that better suits your situation, whilst making use of your skills and interests.

Students on placement

Nursing students study both in the academic setting and also on work placements which is not common to all degrees. As a result students sometimes tell us that securing adjustments on placements can be difficult due to confusion over the process and whose responsibility it is (placement workplace or university.)

Good practice would be to discuss your requirements at a pre-placement meeting and/or include them in your personal learning plan; with input from both the placement provider (eg. your mentor) and the university.

You are not obliged to disclose your disability unless it could cause risk – but it will be difficult to obtain assistance during the course if you find that you are struggling and you haven't disclosed.

Students are covered by the Equality Act 2010 and Disability Rights UK has some helpful information here: www.disabilityrightsuk.org/adjustments-disabled-students

Your university will have a person or team whose specialise in supporting disabled students and have expertise around the adjustments you can access. Find them online.

Alternatively ask your student's union who will probably have an elected disabled student's officer (but if not will still be able to support you with issues.) They will be able to direct you to the correct university contact, or if you are having problems or experiencing discrimination, they can offer advice and support.

The RCN may be able to offer additional support with placement issues (but never with academic issues.) We always suggest that you contact your student's union first, as they have invaluable local knowledge and more specialist insight into student specific issues.

Summary

People with impairments are able to undertake employment and are a valuable resource. Changes to work place environments and attitudes can assist in ensuring that employees with impairments have a fair opportunity to work to the best of their abilities.

Reasonable adjustments – success stories

If you have agreed changes to your work in order to accommodate an impairment then we would love to hear from you; so that we can share your successes with others who are trying to remain in work.

Useful resources

Some helpful resources are listed below. The organisations listed are independent of the RCN and not endorsed by us. The list is not exhaustive.

Often the organisations referenced are able to provide tailored advice based on your circumstances if you contact them. Remember that adaptations are not just about equipment but also different ways of working and, crucially, supportive attitudes from managers and colleagues. So you may find that you need to re-learn certain skills in a way that works with your impairment or that your team require some training around your condition.

Additionally some sites offer a forum where you can speak to others and share experiences.

Resources for common presenting conditions amongst RCN members

Arthritis

www.arthritisresearchuk.org/arthritis-information/arthritis-and-daily-life/work-and-arthritis.aspx

www.arthritiscare.org.uk/managing-arthritis/work

Back pain and back injuries

BackCare is a UK charity that has a centralised library of information concerning back pain
www.backcare.org.uk/i-have-back-or-neck-pain/back-pain-work/

Cancer

Cancer Research UK

www.cancerresearchuk.org/about-cancer/coping-with-cancer

Macmillan – the link is to their work related information but the site contains other useful info throughout.

www.macmillan.org.uk/information-and-support/organising/work-and-cancer

Chronic Pain

Away with Pain:

www.awaywithpain.co.uk

Pain Concern – helpline and resources related to employment:

<http://painconcern.org.uk/resources/pain-topics/living-with-pain/work>

Diabetes

Diabetes UK – advice on managing Diabetes at work and throughout life

www.diabetes.org.uk/Guide-to-diabetes/Living-with-diabetes/Employment

Dyslexia

British Dyslexia Association, including a helpline:

www.bdadyslexia.org.uk/dyslexic

RCN guidance on Dyslexia, Dyscalculia and Dyspraxia:

www.rcn.org.uk/professional-development/publications/pub-003835

Southampton University's guide to supporting students on practice placements:

www.southampton.ac.uk/assets/imported/transforms/content-block/UsefulDownloads_Download/CB91FC2A61FC42EF962A64A9CF3A6115/Supporting%20students%20with%20dyslexia%20in%20practice_2nd_edition.pdf

Dyspraxia

www.dyspraxiafoundation.org.uk

www.dyspraxiafoundation.org.uk/downloads/.../employer_guide_to_dyspraxia_1-0.p...

www.lse.ac.uk/intranet/LSEServices/.../Staff.../dyslexiaDyspraxiaAdulthood.pdf

Epilepsy

Epilepsy Action

Information on the law including driving. A section of guidance on studying and work
www.epilepsy.org.uk/info

Epilepsy in the workplace – guidance by the **TUC**
www.tuc.org.uk/sites/default/files/EpilepsyInTheWorkplace.pdf

Fibromyalgia

Fibromyalgia Action UK including helpline:
www.fmauk.org

Hearing Loss

Action on hearing loss – a range of information including how to get the best from **Access to Work** (Government funding for adaptations at work)
www.actiononhearingloss.org.uk/supporting-you.aspx

Heart conditions

British Heart Foundation - Advice on living with heart conditions and returning to work including a helpline
www.bhf.org.uk/heart-health/living-with-a-heart-condition/returning-to-work

Mental ill health

If you are experiencing stress, anxiety or depression seek help sooner rather than later.
The RCN's Counselling service can help you find a way forward www.rcn.org.uk/membership/member-support-services/counselling-service

The RCN has also produced **Healthy You guidance** which explores the benefits of self care
www2.rcn.org.uk/newsevents/campaigns/healthy-workplace/healthy-you

Mind everyday living advice including work
www.mind.org.uk/information-support/tips-for-everyday-living
www.mindfulemployer.net

Multiple Sclerosis

The Multiple Sclerosis Society:
www.msssociety.org.uk/ms-support/practical-and-financial-help/work-and-money/employment

guidance for employees and employers including toolkit:
www.msssociety.org.uk/sites/default/files/Documents/Core%20pubs/Work%20and%20MS%201210%20-%20Web.pdf

Post Traumatic Stress Disorder

www.ptsduk.org

Spinal Injury

The Spinal Injuries Association provide a vocational support service and peer support:
www.spinal.co.uk/living-with-sci/life-after-injury

Aspire
www.aspire.org.uk

Strokes

The Stroke Association including a back to work service:
www.stroke.org.uk/finding-support

Links to information, groups and general support for those with impairments

Ableize

“The largest and most viewed UK disability resource offering the largest collection of disability, mobility and health websites and social media pages in the UK and Europe.”
www.ableize.com

Access to Work

Information on the Government access to work scheme which can assist with funding that helps you get in to and stay in work
www.gov.uk/access-to-work/overview

Benefits and Work

Specialist guidance on disability benefits
www.benefitsandwork.co.uk

Centres for Independent Living (CIL)

These are user-led organisations across the UK. Search for your area and “centre for independent living” to find a centre in your area.

College of Occupational Therapists

Information on what occupational therapy is and how it may be able to help you
www.cot.co.uk/ot-helps-you/what-occupational-therapy

Disability Rights UK

“DR UK is itself led by people with diverse experiences of disability and health conditions, from different communities. We work with allies committed to equal participation for all”
www.disabilityrightsuk.org

Equality and Human Rights Commission

Advice on discrimination for employees and employers
www.equalityhumanrights.com/en

Fit For Work

A Government scheme that provides online and telephone advice plus referrals to Occupation health for employees in small or medium sized businesses (referred via GP or Employer)
<http://fitforwork.org>

Health and Safety Executive

Advice for people with disabilities and their employers with practical examples of how to apply health and safety law positively.
www.hse.gov.uk/disability/index.htm

NHS Employers

Guidance relating to disability for the NHS
www.nhsemployers.org/~media/Employers/Documents/Plan/Guidance%20on%20flexible%20working/Guidance%20relating%20to%20disability.pdf

RCN *Healthy Workplace, Healthy You* guidance

www2.rcn.org.uk/newsevents/campaigns/healthy-workplace

RCN Peer Support Service

Join other members to share experiences of ill health and disability and promote positive change
www.rcn.org.uk/membership/member-support-services/peer-support-services

UK Government’s Office for Disability Issues (ODI)

www.gov.uk/government/organisations/office-for-disability-issues

VARK

An online questionnaire that helps you to understand your learning style and further information on visual, aural, read/write and kinaesthetic learning preferences. Some content has a cost attached.
<http://vark-learn.com/introduction-to-vark>



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The RCN represents nurses and nursing, promotes excellence in practice and shapes health policies

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