



# **Spotlight on...**

**Understanding and implementing  
reasonable adjustments**

**Embedding effective reasonable adjustments is one of seven key building blocks for creating a workplace environment inclusive of mental health and free from mental health stigma and discrimination.**

**Failure to provide reasonable adjustments is a specific form of discrimination outlined in the Equality Act (2010), which applies to all employers and employees, so it's important that organisations and line managers understand their legal requirement in relation to this.**

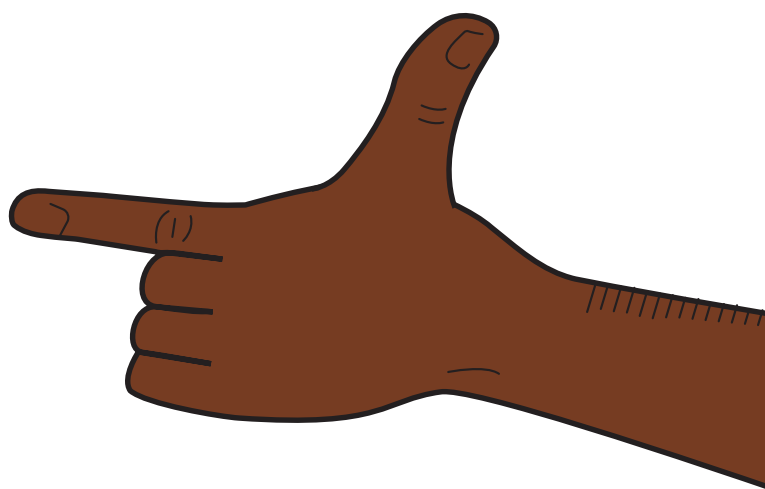


# Understanding reasonable adjustments in the workplace

**A Censuswide poll commissioned by See Me revealed that only 64% of people thought that their workplace would support a colleague with a mental health problem by making adjustments to their workload.**

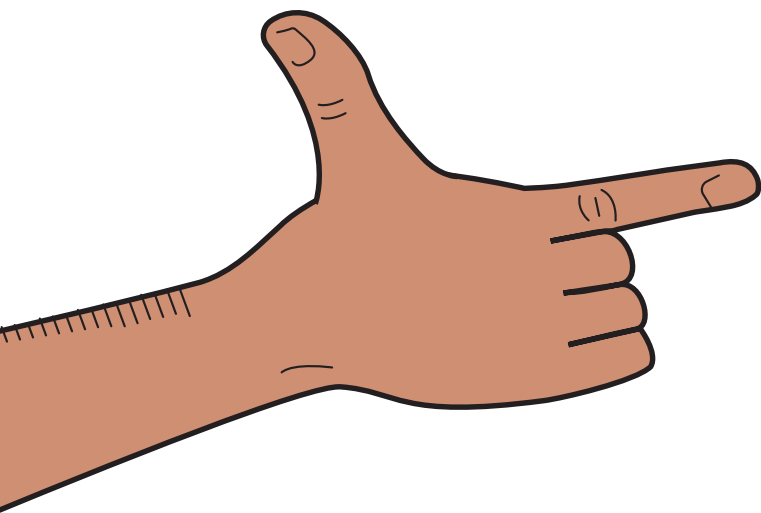
## What is a reasonable adjustment?

- Reasonable adjustments are any change to an employee's workplace or way of working that will remove any barriers preventing them from doing their job to the best of their ability, whilst living with a disability. The term disability includes both physical and mental health conditions.
- Reasonable adjustments can be temporary or permanent.
- What is 'reasonable' will depend on each situation, place of work and type of job carried out by the employee. It's down to the employer to determine whether a requested adjustment is 'reasonable'.
- Workplace adjustments can be requested by an employee at any stage of the employment cycle, from recruitment and interview to returning to work after a period of absence.



## What is the legal requirement on employers?

- The Equality Act 2010 states that failure to make reasonable adjustments for an employee that has disclosed a disability (whether physical or mental) is a specific form of discrimination.
- The act applies to all employers and employees, including apprentices and contract workers.
- Failure to make reasonable adjustments can result in employment tribunals which can be costly, time consuming, damage the reputation of the business, and impact negatively the wellbeing of the employee and anyone else involved.







## What are examples of reasonable adjustments relating to mental health conditions?

- Providing assistive technology for an employee that struggles with fatigue.
- In relation to concentration or distraction issues, offering:
  - Frequent check-ins with reminders of tasks and deadlines
  - A standing desk where the employee struggles to stay seated
  - Moving to a quieter work environment
  - Frequent short breaks
  - Shorter and more regular meetings.
- In relation to management of treatment and medication, offering:
  - Flexible schedules to allow for appointments and possible side effects, and until medication plan stabilises (e.g. part-time, later and finish start times, etc.)
  - Frequent short breaks for taking medication privately
  - Access to water during work-times (e.g. personal bottle).
- In relation to coping with anxiety at work, offering:
  - Use of white noise ear phones or head phones
  - Ability to have assistance dogs at work
  - Short breaks to go for a walk or take time out
  - A fixed desk rather than hot-desking
  - Remote/virtual meeting attendance
  - Working from home part or full time
  - Sharing some non-essential job tasks with another employee (if appropriate.)
  - Flexibility in management style of supervisor.

# Talking about reasonable adjustments

Reasonable adjustments are not favouritism; they are made to remove disadvantage to disabled employees and allow them to perform at their best.

Reasonable adjustments for mental health conditions can be very different to adjustments for physical conditions and don't have to be complicated or costly.

Line managers and employees should be aware of what processes the organisation has in place to request and implement reasonable adjustments, e.g. disclosure procedures, key forms and guidance, occupational health referral process, Employee Assistance Programme information, signposting information to sources of information and support, etc.



## What should line managers do when an employee has disclosed a mental health problem?

When an employee discloses a mental health problem, the line manager:

- Should **not** wait for the employee to initiate a request for reasonable adjustments; instead, they should explore these with the employee as soon as the problem is disclosed or at the first signs of poor mental health – this can help the employee stay well in work and prevent sickness absence.
- Should **not** assume what reasonable adjustments somebody might need based on their condition. Just because something has worked for someone it doesn't mean it will work for everyone else.
- Should always have a conversation with the employee as they're best placed to know what would work best for them, based on personal needs and circumstances.
- Should encourage the employee to explore reasonable adjustments together, and keep any adjustments made under review in case they need to be changed. Employees that are given a new diagnosis might be unsure of what would help and might have to test adjustments for a period of time.
- Should capture the key points from any discussions around reasonable adjustments, including what reasonable adjustments have been agreed, when these will be reviewed and any other actions identified. These notes should be kept confidential but easily accessible for the line manager and the employee.
- Should discuss with the employee impact of making adjustments on both the employee and the wider team, and agree what (if anything) the individual would like to share with the team as the reason for workplace adjustments (e.g. because of health/wellbeing reasons).

## What support is there to help with costs of reasonable adjustments?

### Access to Work

*“Access to Work is a publicly funded employment support programme that aims to help more disabled people start or stay in work.”* UK government website

#### Access to Work can\*:

- Help employees get or stay in work if they have a physical or mental health condition or disability. The support offered will depend on personal needs.
- Provide employees with a grant to cover the cost of special workplace equipment, adaptations, support worker services and help getting to and from work (e.g. taxi fares when public transport can't be used).
- Provide confidential mental health support and advice.

The employer should always make efforts to identify an alternative role for the employee in the organisation wherever possible. However, sometimes, regardless of efforts, the role or organisation might not be right for the employee anymore.

The important thing is that line managers can evidence they have tried hard, explored and exhausted all possible avenues to support the employee to manage the impact of their mental health condition at work.

## What the See Me in Work programme identified

1

Some employers recognise the benefits of offering workplace adjustments to all employees, whether they are disabled or not.

2

Employees perform at their best in flourishing environments.

3

Open and honest conversations between the employee and the line manager, that follow the [Let's Chat tool](#) guidance, are the most effective way of discussing mental health needs and support, including reasonable adjustments.



\*Some exclusions do apply so check the Access to Work website listed below for details.




# Key resources and reading

## See Me resources and case studies

- **Effective implementation of reasonable adjustments – A case study from Burness Paull LLP:**  
[www.seemescotland.org/media/10233/see-me-bb6-case-study\\_reasonable-adjustments.pdf](http://www.seemescotland.org/media/10233/see-me-bb6-case-study_reasonable-adjustments.pdf)
  - **See Me – What are reasonable Adjustments:**  
[www.seemescotland.org/workplace/understanding-discrimination-at-work/policy-practice-and-law/reasonable-adjustments](http://www.seemescotland.org/workplace/understanding-discrimination-at-work/policy-practice-and-law/reasonable-adjustments)
  - **See Me in Work Self-Assessment Tool:**  
[www.seemescotland.org/workplace/resources-and-e-learning/tools-and-packs](http://www.seemescotland.org/workplace/resources-and-e-learning/tools-and-packs)
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## Other resources and guidance

- **ACAS – Information about Reasonable Adjustments:**  
[www.acas.org.uk/reasonable-adjustments](http://www.acas.org.uk/reasonable-adjustments)
  - **Access to Work:**  
[www.gov.uk/access-to-work](http://www.gov.uk/access-to-work)
  - **CIPD – Working Lives Scotland 2022:**  
[www.cipd.co.uk/Images/working-lives-scotland-2022\\_tcm18-109949.pdf](http://www.cipd.co.uk/Images/working-lives-scotland-2022_tcm18-109949.pdf)
  - **Gov.uk – When a mental health condition becomes a disability:**  
[www.gov.uk/when-mental-health-condition-becomes-disability](http://www.gov.uk/when-mental-health-condition-becomes-disability)
  - **Reasonable adjustments in practice – A guide for employees:**  
[www.equalityhumanrights.com/en/multipage-guide/reasonable-adjustments-practice](http://www.equalityhumanrights.com/en/multipage-guide/reasonable-adjustments-practice)
  - **Office of National Statistics – Is Hybrid working here to stay?**  
[www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/is-hybrid-working-here-to-stay/2022-05-23](http://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/is-hybrid-working-here-to-stay/2022-05-23)
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**Find out how See Me in Work can help  
your organisation at:**

**[www.seemescotland.org](http://www.seemescotland.org)**

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