

WORKPLACE ADJUSTMENTS

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RELATED POLICIES / GUIDANCE

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[Workplace Adjustment Passport](#)

[You and Your Wellbeing \(Intranet\)](#)

[Online DSE Assessment](#)

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POLICY SUMMARY

It is Welsh Government's policy to provide a safe and healthy environment for our staff. We want to make sure that everyone feels they are treated with dignity and respect and that they have the same chance to perform their role to the best of their ability and to progress through the organisation. One of the ways in which we do this is by providing workplace adjustments to staff that require them, to enable them to attend and remain in work.

All our policies are fully inclusive of all staff regardless of age, marriage and civil partnership (both same sex and opposite sex), pregnancy and maternity, race, religion or belief, sex, sexual orientation, whether they have an impairment or health condition, are neurodivergent or use British Sign Language, their gender identity or gender expression. We acknowledge that the terms 'gender identity' and 'gender expression' are not protected characteristics as defined by the Equality Act 2010, however, we believe that Government policy which includes provision for those persons who identify within the 'trans' umbrella (rather than on the basis of binary gender) is a more inclusive approach and one which ensures the Welsh Ministers are in a position to comply with all their statutory duties related to equality and the promotion of well-being in Wales. If you have any feedback on the inclusivity of this policy, please email EqualityintheWorkplaceTeam@gov.wales

This policy will be updated after two years or earlier if legislation changes.

GUIDANCE AND PROCEDURES

1. These procedures provide advice and guidance for staff and line managers who need help with reasonable workplace adjustments. **They relate to adjustments for physical and mental health conditions.** Examples of potential adjustments (not an exhaustive list) are set out at Annex A.
2. These procedures will help if:
 - You are likely to be considered disabled as defined by the Equality Act 2010 (EqA) and need help to understand what adjustments could be provided.
 - You need adjustments to enable you to undertake your role, whether or not you are likely to be considered disabled under the EqA, and changes to your working environment or practices would make things easier e.g. by providing a particular chair, keyboard or mouse, or making changes to your working environment or patterns.
 - You are a line manager and need to help someone in your team who has come to you to ask about reasonable workplace adjustments or who has otherwise raised concerns about undertaking their role which might be addressed through the provision of reasonable workplace adjustments. If you know or have been advised by the Occupational Health Team (OH) that they are likely to be considered as disabled as defined by the EqA, you have a **duty** to provide a reasonable workplace adjustment. If a member of your team requests reasonable workplace adjustments,

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or you are aware that there may be a need for adjustments without the staff member raising this with you, even if they are not covered by the EqA, you should still consider whether a workplace adjustment could be of help to them.

ROLES AND RESPONSIBILITIES

3. **The employee.** If you are concerned that you may need reasonable workplace adjustments to enable you to perform in your role, you should undertake the following:
 - Establish what the issue is. Speak to your line manager and let them know the issues that you are facing and together develop a plan to help you manage these. You may already have experience of adjustments which have proved effective in other roles, or ideas as to what would enable you to perform effectively which you can discuss with your manager as possible reasonable adjustments in relation to this role and/or it may be helpful for your line manager to make a referral to Occupational Health (OH) to seek advice on any adjustments that may help you.
 - You and your line manager should seek to agree any reasonable adjustments that are likely to help you perform effectively in your role. However, legally the line manager (on behalf of the Welsh Government) has the final say on what is reasonable and what can be implemented in that role, after taking into account all the circumstances, advice and any recommendations regarding your request. Should a line manager unreasonably refuse to implement a reasonable workplace adjustment, having received advice from the Case Advisory Team, and potentially also OH and Legal Services, and if the case were taken to an Employment Tribunal, they would ultimately have to defend their decision on behalf of Welsh Government.
 - If a potential adjustment is non-physical, e.g. a request for a flexible working pattern, the line manager should agree to this unless there are sound business reasons why this isn't possible. Examples where this is unlikely to be reasonable may include roles involving staffing a helpdesk or carrying out reception duties where the hours of work are fixed.
 - If a potential adjustment may be physical (i.e. one that requires equipment that is not IT related such as a footrest, document holder or gel pad), complete the online [DSE Assessment](#) and contact our Workplace Adjustment team via the Shared Service Centre (SharedServiceHelpdesk@gov.wales) about any questions arising.
 - If you would like to, consider using the [workplace adjustments passport](#) to record the workplace adjustments that are in place to help you so that you can share this with your current and any future line manager.
 - Talk to your manager if planned adjustments are no longer helping you or if your condition or circumstances have changed. Your line manager could consider whether an alternative adjustment, that you suggest or as recommended by OH, may be reasonable or whether an upgrade may help. A further referral may be made to OH for revised advice if appropriate. Make sure you use your workplace passport (if you have one) to help your manager understand any issues relating to environment or working pattern which you think could be resolved through reasonable workplace adjustments.

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- When any physical adjustments have been put in place, you must not share any equipment issued to you with your colleagues – equipment provided for you is for a specific reason and may make someone else's condition worse.
4. **The Workplace Adjustments team** will arrange for any reasonable physical workplace non-IT related adjustments to be implemented once the line manager has determined that the adjustment is a reasonable one to make. As your first point of contact for any help with your physical environment, the Workplace Adjustments team are responsible for supplying any equipment (except for IT) you may need in the office or when homeworking.
5. **The Line Manager.** As a line manager you have a duty to consider requests made by staff and recommendations made by OH or a GP when your staff member is likely to be covered by the EqA. You may also wish to consider a request for reasonable adjustments by a staff member not covered by the EqA. You have a vital role to play in supporting your staff as well as monitoring attendance and performance, so if you feel a member of your team needs additional support make sure you are:
- **Helpful** and supportive and make it easy for them to talk to you about any concerns they have;
 - **Pro-active** and acknowledge diversity as a strength and not see differences as weakening the team. Good managers know how to manage differences to get the best from their team.
 - **Alert** to early warning signs that someone needs additional support e.g. coming in late, a drop in performance, a behaviour change, or the appearance of discomfort whilst working.
 - **Supportive** and help them complete the online DSE training and risk assessment for advice and guidance so they can see whether there are any solutions they had not considered that could help them manage their work. If this doesn't resolve the issue, make a referral for a specialist DSE assessment;
 - **Considerate** and help identify any reasonable changes to working practices, non-physical adjustments or environment to help get the best out of everyone in the team.
 - **Encourage** impairment declaration and the use of workplace passports. This will help both your team member and a new manager in the future understand any workplace adjustments you have agreed on behalf of the Welsh Government making it easier to help your team member as they progress through the organisation and
 - **Familiar** with the [Disabled Employee Special Leave](#), [Attendance Management](#), [Carers](#) and [Workplace Adjustment Policies](#) and the [Workplace Adjustments Passport](#) – to make sure that people who work for you are getting the right support.

As a line manager, it is your role to work proactively and in partnership with staff to put in place adjustments that allow them to work effectively in the Welsh Government. In many cases staff will be experts in managing their own condition and able to advise you of adjustments that have worked well for them in previous roles or which they believe would make a difference in their current role. In more complex cases, cases where a staff member is unsure about possible adjustments, or cases where you are not sure how

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reasonable an adjustment would be in the particular work area, the role of others such as CAT and OH will be crucial. The presumption is in favour of supporting staff requests for adjustments, unless they are unreasonable and Welsh Government will be responsible for providing the support when deemed appropriate.

In determining what is reasonable or unreasonable, you should consider the benefits for work delivery that would derive from the adjustment along with any cost considerations as well as any resulting impacts for the team. It is often reasonable to consider a different way of working to achieve the same or similar results. An adjustment that would limit delivery of results is less likely to be deemed reasonable.

- Legally, you are responsible for deciding on behalf of the organisation whether or not a workplace adjustment is reasonable. In doing so you should take into account your staff member's knowledge of their own condition and (where applicable) adjustments that have been effective in previous roles, the nature of the work and advice from the CAT, OH, and, potentially, Legal Services. You should also consider what may be reasonable in this team. Should you make a decision to refuse a reasonable workplace adjustment, it is possible that you would be called as a witness to give evidence before an Employment Tribunal on behalf of the Welsh Government, following the organisation taking legal advice.

BACKGROUND TO THIS GUIDANCE

6. The Equality Act 2010 (EqA) aims to protect people from discrimination in the workplace and wider society and defines groups that have protected characteristics. This guidance and procedures is designed to support not only Welsh Government employees who fall into one of these groups but anyone who needs adjustments to be made to enable them to carry out their role effectively. The principles (see 9 below) apply equally to all staff.
7. The EqA defines a person as disabled if they have a physical or mental impairment which has a substantial impact and long-term adverse effect on their ability to carry out normal day-to-day activities. The EqA protects them and makes sure that we provide people with reasonable adjustments to perform their role to the best of their ability. The Welsh Government has a **legal obligation** to make reasonable adjustments to premises or working practices where:
 - A policy or practice would put a disabled person at a disadvantage in comparison with a non-disabled person.
 - A physical feature (such as a step) means a disabled person is at a disadvantage to a non-disabled person.
 - A disabled person would be at a disadvantage to a non-disabled person if it were not for additional aids or adjustments.
8. While adjustments need to be reasonable, we look at each person's needs on an individual basis. The term 'reasonable' is open to interpretation and so a decision as to what is 'reasonable' will have to be made on a case by case basis by managers in consultation with you, seeking advice from the Case Advisory Team and/or OH as

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necessary. Some examples of workplace adjustments can be found in a non-exhaustive list in Annex A to this document.

9. Our principles are that:

- You will be treated with respect, confidentiality, professionalism and courtesy.
- You will be supported to take control of your own reasonable workplace adjustments and to seek to agree them with your line manager, without the need for complex processes or OH input, **where possible**.
- A team of experts are available to advise, support and assist you, should you or your manager need their help or advice.
- We will adjust the workplace where we have a duty to do so. In making an adjustment there is no financial cost to you personally. In some instances, your Division will need to fund a necessary adjustment.
- You will be kept fully informed of what can and cannot be provided, the timescales and when the adjustment will be reviewed.
- If you have a disagreement about the provision or implementation of adjustments with your line manager, you should discuss with your HR Business Partner in the first instance. If you are a union member, you might also want to discuss the matter with your trade union representative. If you are still not satisfied, you can raise the matter with your Deputy Director. If that doesn't resolve matters to your satisfaction, if appropriate, you could raise a grievance.

THE PROCESS FOR OBTAINING A REASONABLE ADJUSTMENT

10. Line managers are responsible for ensuring that any workplace adjustments they consider reasonable are provided to meet your needs. While you should inform your line manager of an underlying health condition, there may be times when you do not, either through choice or lack of awareness that you could fall under the EqA. As an employer, we will still strive to consider physical or non-physical workplace adjustments where we have implied or actual knowledge of a health issue which may be impacting on your ability to undertake your role.

11. The range of workplace adjustments is potentially extensive, so to define a process for obtaining each adjustment would be difficult. The following approach will therefore be adhered to when considering a workplace adjustment:

12. If, in discussion with your line manager, you feel you need a workplace adjustment, you will need to identify whether this is a physical or non-physical one. Generally, non-physical adjustments (e.g. changes to working patterns or start/finish times, etc.) can be agreed between you and your line manager, taking advice from the Case Advisory Team if necessary. If a physical adjustment is needed (including IT related), your line manager should refer you to OH for advice. If, however, you are asking for a non IT related physical adjustment which has been provided in a previous role and your condition has not changed in any way, your line manager may be able to request it from the Workplace Adjustment Team, provided that it remains reasonable given your

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responsibilities and role within the new team. (Should the adjustment be, for example, a chair, mouse or keyboard you should take it with you to your new role).

13. Each physical workplace adjustment must be recommended by the OH physicians and approved by the line manager, or referred by a recognised specialist.
14. The Workplace Adjustment team will work with you to make sure (as far as reasonably practicable) that the item recommended, or a suitable alternative, is suited to your needs.
15. Any adjustment should be implemented on a three-month trial basis initially. During this period, the line manager should regularly discuss with you how things are bedding in to address any issues as they arise and for you to consider together whether the adjustment is actually assisting in reducing or removing your disadvantage and meeting your and the business needs.

IT WORKPLACE ADJUSTMENTS/ASSISTIVE TECHNOLOGIES

16. If an IT adjustment is recommended and your line manager determines this is reasonable, they should place the order on the IT catalogue which will indicate what other support/equipment/software might be needed. For example, if Zoomtext is recommended, a large monitor will automatically also be recommended for the line manager to order at the same time. If an item or software is recommended that isn't standard in the IT catalogue, the line manager will need to check with ATOS and/or IT Division whether it is compatible with our standard or other specialist IT equipment or software.
17. If an IT adjustment has been provided for you and it isn't working or if the equipment has been delayed, you must escalate the matter via your line management chain and ultimately IT Services if necessary, not to or through the Workplace Adjustments Team.
18. When you would like to have a second set of IT equipment or software, you will either need to take it with you to work at home or another office where possible or your Division will need to fund a duplicating set.

THE LENGTH OF TIME FOR A WORKPLACE ADJUSTMENT TO BE PROVIDED

19. In many cases, a workplace adjustment is intended for medium/long term use. You must take the item with you or make a service request for Facilities to move it when you move to another location/ Division/Group. A record in your Workplace Passport may assist with briefing a new line manager on existing adjustments.
20. When you leave WG, it is your responsibility and/or that of your line manager to notify the Workplace Adjustment team and IT so that arrangements can be made to re-use the item(s) supplied. If you are moving to another civil/public service role, you may be able

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to take that adjustment with you¹. You may only retain the item(s) by express permission from the Deputy Director, Corporate Services OD, which must be sought and obtained prior to departure from the Welsh Government.

21. If a non-IT related physical workplace adjustment item is unserviceable, beyond repair or damaged in the course of normal use, you should contact the Workplace Adjustment team for a replacement. In these cases, the cost of the replacement will normally be met centrally by the Workplace Adjustment team (but may have to be met by your Division depending on the circumstances and budgetary considerations). The source of funding for each case will be considered on its merits.
22. If an item is lost or stolen, you should contact the Workplace Adjustment team immediately. Further action and investigation may be taken, depending on the nature of the loss. The cost of a replacement may have to be borne by the Division for the same reasons as at 21 above.
23. If you no longer require the use of the workplace adjustment item (e.g. if a specialist footstool was provided to aid in recovery from a Musculoskeletal Disorder (MSD) and you subsequently make a full recovery) then the Workplace Adjustment team must be notified as soon as possible, so they can make arrangements for the return and re-use of the item.

¹ This does not include any IT related equipment (laptop, iPad, phone, etc.)

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ANNEX A

TYPES OF WORKPLACE ADJUSTMENTS

A workplace adjustment can be one (or more) of the following (not an exhaustive list):

- a) **Workplace equipment** – the most commonly used adjustments and cover items such as chairs, keyboards, mice, monitors, alternative telephones, headsets etc.
- b) **Provision of support staff** to assist in carrying out day to day duties
- c) **Interpreter support** for staff with hearing difficulties
- d) **Adjusted trigger points under the attendance management procedures** for staff likely to be covered by the EqA
- e) The **payment of taxi fares** for those needing assistance with commuting (agreed only as a result of an assessment).
- f) **Assistive technology** - specialist Health & Safety software (such as Dragon DITate, ZoomText, Read & Write gold, Jaws, etc.)
- g) **Phased return to work.** If an individual is off work sick, with the recommendation of Occupational Health, a phased return to work can be put in place over a period of 4 weeks. The Workplace Adjustment Team needs to be notified as soon as possible in advance of the return so that any physical adjustments can be made. (See also Attendance Management procedures).
- h) **Informal changes to working hours.** Often, it is within the line manager's authority to agree a slight change in working hours to allow an individual some additional flexibility. For example, a start time can be changed to allow a person the time to take medication relating to their condition.
- i) **Working flexibly from other offices / from home** on a temporary basis. For example, an employee recovering from regular outpatient sessions may not feel well enough to travel to the normal office base to do a full day's work but may be able to work from home or an office closer to their home (details in the Attendance Management policy).
- j) **A move to another office/home or another role** on a permanent basis, on the recommendation of OH. This may or may not be in conjunction with other physical or non-physical adjustments. Depending on the condition, homeworking, interim physical adjustments, other flexible working arrangements or other reasonable adjustments, such as adjusted duties, may be possible until an alternative location or role is identified.
- k) Changes to **working patterns** – either permanent or temporary.
- l) **Mobility** adjustments – for example, approval for car parking spaces (arranged by line management with the Case Advisory Team and Facilities) or adjusting working arrangements (by line management with OH recommendation and Case Advice) so that an individual has to do less walking.
- m) **Travel** adjustments – e.g. the provision of taxis (following assessment and recommendation only) or reducing the requirement to travel to other sites (line management with Case Advice).
- n) **Adjustment of working duties** - there may be occasions when consideration should be made to adjust a person's duties.
- o) **Timings of meetings** – Changes can be beneficial in some circumstances.

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- p) The **lateral moving** of an individual. This may be considered when the nature of adjustments required mean the current role is no longer suitable (e.g. if the individual is no longer able to drive, but driving is an essential part of the role).
- q) **Assessments for Dyslexia**, and the provision of adjustments arising out of the assessment;
- r) **Team awareness training on neurodiversity** in the workplace, so the team are more aware of neurodivergence (e.g. Autism / ADHD / Dysgraphia / Dyslexia / Dyspraxia / Tourette's etc.) and how to support their colleague;
- s) **Adjustments or adaptations to our offices**, to make them more accessible;
- t) **Disabled Employee Special Leave**. At times an individual who falls under the EqA may require additional leave as a direct result of their impairment (see the Disabled Employee Special Leave policy).
- u) **More time permitted for recruitment testing / interviews etc.** to allow individuals with certain conditions an equal chance to complete the tests (more information is contained in the Recruitment policy).

It is difficult to list all possible scenarios where non-physical adjustments could be made. We will look positively at any reasonable request for an adjustment, providing it makes a significant improvement to an individual's ability to work to the best of their ability, is reasonable and does not cause substantial disadvantage to others.

OH will recommend that, where someone is suffering from stress or anxiety, line managers should undertake a [stress risk assessment](#) to determine whether workplace adjustments would assist in addressing the issues giving rise to the condition. Where this is the case, any adjustments identified should then be considered and agreed between the staff member and line manager.

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ANNEX B

FREQUENTLY ASKED QUESTIONS

What is “reasonable”?

For physical adjustments, reasonableness should be determined by a number of factors, such as the size of the organisation, the budget of the organisation, the cost of the adjustment and the practicality of implementing that adjustment. For non-physical adjustments, the factors would include the needs of the individual, business need and potential impacts on the rest of the team.

What am I entitled to have?

There is no entitlement to have adjustments – if as a result of an assessment or recommendation (either by OH or similar) a physical adjustment is proposed, then the reasonableness of that adjustment will be considered by the line manager taking into account relevant advice (e.g. from OH or the Case Advisory team). They should discuss the proposed reasonable adjustment with you and, if they consider it is reasonable, they will usually contact the Workplace Adjustments team to purchase the item and arrange for its delivery and installation at your workplace or IT for IT related adjustments. For non-physical adjustments for staff with a mental health condition, OH would be able to advise. For other non-physical adjustments, the Case Advisory Team will be able to advise as needed. Simple adjustments may be agreed between the staff member and line manager without need for such involvement.

So there may be times when I won't get an adjustment?

Occasionally, the Team receives a recommendation in a report that, through past experience, they know will not work; alternatively they may want to consider other adjustments or recommendations first, to see if they may help matters. For example, if an external assessor or a GP recommends that a light above someone's head is switched off, there may be better alternatives than just switching off the light, such as moving the person to a different desk to avoid glare.

Who pays for these reasonable adjustments?

The Workplace Adjustments team has a central budget that should cover most physical adjustments (where the item is not part of the standard offering for that office). Where adjustments are required for business convenience, cost effectiveness for the business or to meet the needs of the role (such as a larger monitor so that finance spreadsheets can be viewed) then the Business Area should pay. This may also be the case for non-physical adjustments, although most non-physical adjustments do not cost money; they may simply involve changes to ways of working.

I need two of the same items as I work from another office / home – what do I do?

The Workplace Adjustments team can advise you and your line management on this matter. It depends on your specific circumstances, but we usually request that the Division pays for the second set of equipment.

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How soon can I get the adjustments once they've been recommended?

This will depend on the type of adjustment recommended. When we are notified that a workplace physical adjustment is needed, we will provide you with an estimated timescale. You will need to discuss with your line manager the timescales for implementing a non-physical adjustment. This may be able to be accommodated immediately. All adjustments, physical or non-physical, should initially be put in place for a three-month trial basis to assess whether they are working for the individual and the business.

What if the adjustment doesn't help?

In the weeks after you've received the adjustment, the line manager should regularly discuss with you how things are going. Sometimes it may take a few weeks before using the item becomes natural; however, if it's not helping, or making things worse, then you can contact the Workplace Adjustments team (or IT for IT equipment and software) and they will be on hand to help you, either with advice or possibly to change the item for an alternative.

I'm not covered by the EqA and my line manager does not think my request for an adjustment is reasonable. What can I do?

Your line manager will need to consider whether an adjustment is reasonable or not. This may depend on a number of factors, including whether your request meets business need. You should discuss with your line manager why they consider the adjustment to be unreasonable. If you are not satisfied with the response, you may wish to discuss with your HR Business Partner. If you are not happy with the outcome you should also raise the matter with your Deputy Director and, if still not happy, raise a grievance. If you are a union member, you may also wish to seek the advice of your trade union representative.

A recommendation for a workplace adjustment for me is to adjust my work duties. Who should I discuss this with?

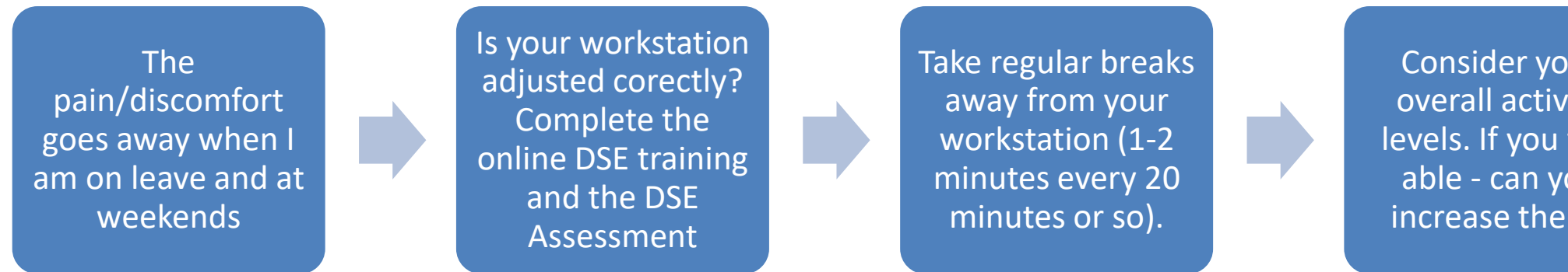
In the first instance you should discuss it with your line manager and then seek advice from your HR Business Partner to take matters forward.

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ANNEX C

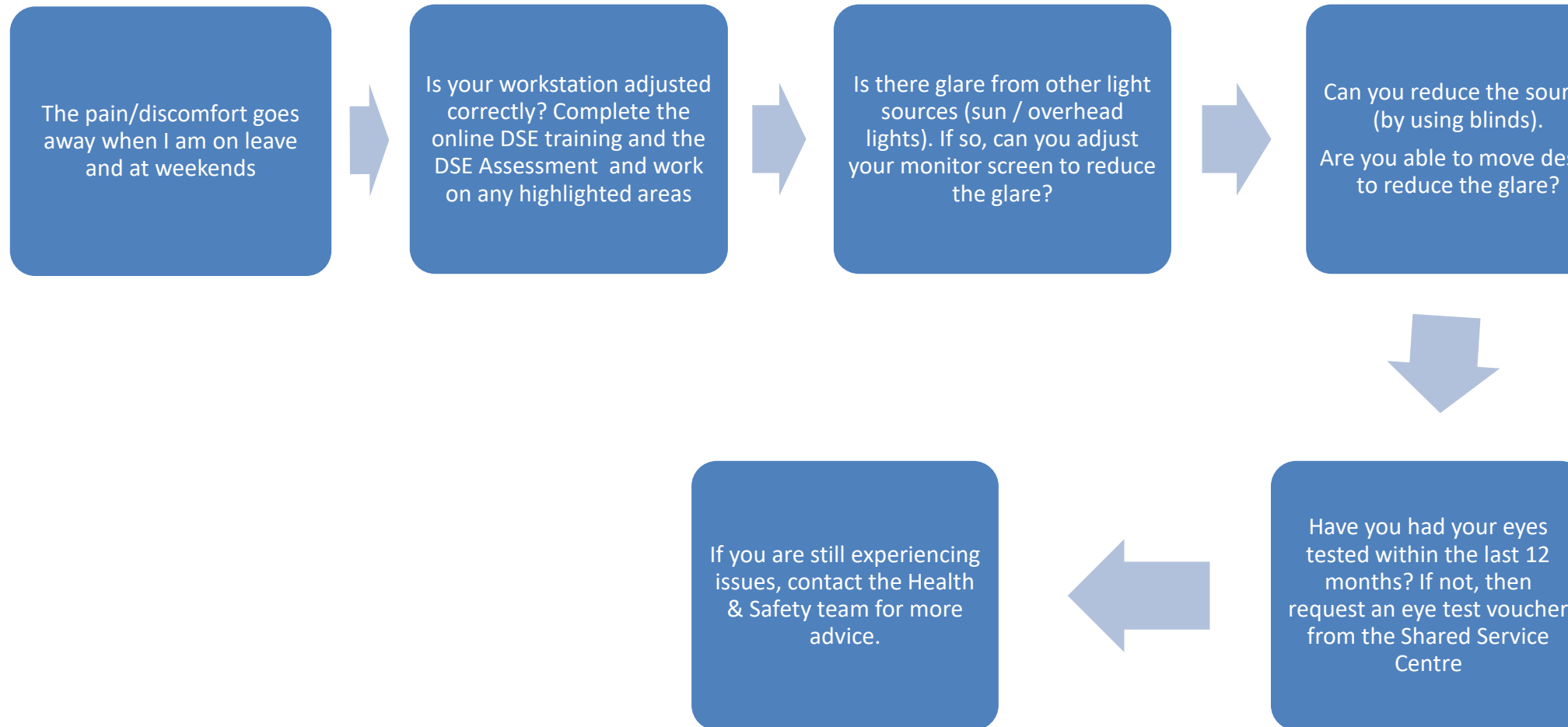
FLOWCHARTS TO HELP YOU WITH CERTAIN HEALTH CONDITIONS

I am in good/average health but am experiencing muscular discomfort when at my workstation



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I am experiencing headaches / eye strain while at my workstation



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I've been diagnosed with a long term condition that could impact on work

Ask your line manager to make a referral to OH.

I have a short term condition which could affect work (e.g. broken leg, recovering after surgery)

Discuss with your Line Manager to understand what the business requirements are.



If appropriate (and in line with the Attendance Management Policy) then local adjustments can be made



If additional adjustments required (e.g. advice on temporary home working) contact the Workplace Adjustments Team.