

Making reasonable adjustments

Are you aware that if you employ a disabled person there is an onus on you to make 'reasonable adjustments'?

A recent tribunal case reported in [People Management Online](#) concerned a woman who had a work based accident causing permanent damage to her arm. The accident resulted in limited movement making her role difficult to perform. Eventually the firm implemented an occupational health assessment taking on board the recommendations made. A second assessment was later requested but the firm did not implement any further recommendations.

The employee took her case to tribunal and the panel agreed that her employer had failed to make reasonable adjustments. The employer appealed. The EAT determined that the tribunal panel had not considered the role requirements in any detail and therefore were unable to determine if she was substantially disadvantaged. The EAT also said that too much emphasis had been placed on the health assessment. The case has been sent back to the same panel for reconsideration.

So, what does this mean for you? Firstly, if you have a medical, disability or sickness absence issue you must deal with it quickly. Ensure that as soon as you start dealing with the issue you make notes. A medical assessment is useful to establish what adjustments may be needed. With regard to disability the law requires you to make reasonable adjustment. So what might this include. Think about the following points - make sure you document your findings especially if they show that adjustments are an unreasonable option. How effective would the adjustment be? How easy is it to make the adjustment? Will the adjustment cause problems or disruption for others? How much will the adjustment cost?

Lack of action due to cost is not usually an acceptable defence in a tribunal. Where cost is prohibitive you can apply for help by approaching Access to Work. Work out what action can be taken to support the person. Don't forget to discuss the adjustments with them to ensure that they meet the needs of the person.

People are your biggest asset. It's much more cost effective to make adjustments so that your employee can be as motivated and as effective as possible.

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