Managing Attendance
A Guide for all Managers and Employees

Reasonable Adjustments, Workplace Adjustments and Rehabilitation Guide
**Reasonable Adjustments, Workplace Adjustments and Rehabilitation**

Introduction

The Reasonable Adjustments, Workplace Adjustments and Rehabilitation Guide is one of several guides that have been designed to provide practical advice and guidance to managers and employees around Managing Attendance. Each guide supports the Council’s Absence Management Policy by answering the most common questions that both managers and employees have about their own sickness absence, and managing the absence of others.

The Council wishes to create and support a healthy and efficient working environment for our employees, not only through its obligations to comply with legislation but also through a caring, supportive and rehabilitative approach towards the management of sickness absence and providing workplace adjustments.

Disabled people are protected against discrimination at work by the Equality Act 2010. The law also requires employers to make reasonable adjustments for disabled employees. This means removing barriers wherever possible that get in the way of a disabled person doing their job.

Many employees may not tell you about their disability. This could be because they don’t consider themselves disabled or they are worried about any reactions or they may also just wish it to remain private. It is important you create a working culture where disability and an employee’s wellbeing can be discussed.

This guide focuses on three areas of supporting employees - reasonable adjustments due to a disability, workplace adjustments due to sickness absence and rehabilitation due to a sickness absence.
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REASONABLE ADJUSTMENTS, WORKPLACE ADJUSTMENTS AND REHABILITATION

• Reasonable Adjustments due to a Disability

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### REASONABLE ADJUSTMENTS, WORKPLACE ADJUSTMENTS AND REHABILITATION

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<td>If you are disabled, or have a health problem, and recognise that you may need adjustments in the workplace, you should discuss this with your manager.</td>
<td>If an employee is disabled, or has a health problem and recognises that they may need adjustments in the workplace they are encouraged to discuss this with you as they will recognise themselves that they need some support in the workplace.</td>
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<tr>
<td>Reasonable adjustments can take many forms, so you should outline to your manager what support you need. Examples could include:</td>
<td>You should be looking out for signs that an employee has a disability. Bear in mind that these signs might be linked to a disability that the person may or may not know about as yet. You should be aware that not all disabilities are physical and can include non-visible disabilities for example mental health conditions.</td>
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<tr>
<td>• a change of working patterns</td>
<td>Warning signs could be that:</td>
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<td>• time off to attend medical appointments</td>
<td>• attendance is poor</td>
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<td>• providing new supportive equipment.</td>
<td>• performance is poor</td>
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<td></td>
<td>• their behaviour at work changes and they are tearful, aggressive or irritable or withdrawn and forgetful</td>
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<td>• they are persistently late or miss deadlines</td>
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<td>• they appear to be experiencing pain and discomfort.</td>
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| **2. What happens if I feel, or my manager feels I need reasonable adjustments?**  
  To address any concerns about your own wellbeing it is recommended that the best place to start is by having the discussion with your manager. Also, if your manager has concerns for your wellbeing they may approach you to talk to you about the problems you are having, their observations or concerns.  
  You are also encouraged to contact the Business Disability Forum Advice Service. They offer information, support and advice on disability and give advice on all aspects of reasonable adjustments. You can contact the Advice Service on **020 7403 3020** or email them on advice@businessdisabilityforum.org.uk.  | **2. Having the discussion – what are my responsibilities?**  
  The place to start addressing any concerns about an employee’s wellbeing is always talking to the person that needs the adjustments. Talk to them about the problems they are having, your observations or concerns ensuring you back up your discussions with all the facts.  
  You are also encouraged to contact the Business Disability Forum Advice Service. They offer information, support and advice on disability and give advice on all aspects of reasonable adjustments. You can contact the Advice Service on **020 7403 3020** or email them on advice@businessdisabilityforum.org.uk.  
  For guidance and tips on how to hold conversations of this nature please refer to the Difficult Conversations Module on the RCT Source. |


3. What can I expect from my manager to identify how to make reasonable adjustments?

To identify what reasonable adjustments are needed, you can expect:
- a discussion with your manager around support and what reasonable adjustments you feel could be suitable
- a possible referral for an Occupational Health and Wellbeing assessment
- the possibility of being asked to obtain further medical reports for specific information
- to be asked to refer to Access to Work. (Access to Work are an external agency who will undertake a workplace assessment with you and recommend suitable reasonable adjustments) Individuals must self refer into the Access to Work service
- to have a discussion with your manager about the recommended reasonable adjustments and whether they can be put in place
- to review, with your manager, the adjustments regularly to ensure they are still appropriate
- depending on what the reasonable adjustments are, you may need to wait some time before they are implemented, for example, ordering and fitting new equipment. During this time you may be asked to undertake other duties suitable to your role.

In some circumstances, the recommended reasonable adjustments may not be agreed. This could be for a number of reasons which will be fully discussed with you and further advice can be sought from Human Resources.

3. How do I arrange reasonable adjustments?

Following your discussions with the employee, you will have a better idea of the reasonable adjustments that are required. At this point, you should refer to the Council’s Reasonable Adjustment Scheme.

The Scheme outlines that reasonable adjustments should be supported by an Occupational Health and Wellbeing report. Therefore, you need to refer the employee for an assessment, providing the Occupational Health and Wellbeing Unit with as much information as possible to provide a recommendation.

Information should be factual and will include:
- details of the reasonable adjustments discussion with the employee e.g. the areas the employee is having difficulty with, manager concerns, possible options
- job details e.g. tasks, working patterns, current equipment used
- all information should be factual as the employee is entitled to see any information in their referral

In some cases, external support will be needed to recommend reasonable adjustments. This may be where neither the manager or the Occupational Health and Wellbeing Unit have the specialist knowledge about what is available. You should ask the employee to refer to Access to Work. They will need to do this themselves through their local job centre and an assessment can be arranged over the telephone. Access to Work will undertake a workplace assessment with the employee, which you can be involved in, and will provide written recommendations.
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<td>You will provide your manager with your suggestions, they may also receive a medical report and possibly an Access to Work report if requested. Whilst most adjustments will be straightforward to implement and are likely to have no cost implications, others may need more consideration.</td>
<td>You will have the employee’s suggestions, a medical report, possibly an Access to Work and advice from the Business Disability Forum. Whilst most adjustments will be straightforward to implement and are likely to have no cost implications, others may need more consideration.</td>
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<td><em>It is important to remember that whether an adjustment is reasonable will depend on the individual disabled person, their workplace and their particular circumstance.</em></td>
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<td>The law says there are a number of factors that managers should consider when trying to decide if an adjustment is reasonable:</td>
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| • cost  
• practicality  
• effectiveness  
• disruption  
• effect on others  
• health and safety  
• valuable skills, contact or training  
• external sources of help e.g. Access to Work | • cost  
• practicality  
• effectiveness  
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| Often more than one factor will play a part in the decision as to whether an adjustment is reasonable. | Often more than one factor will play a part in the decision as to whether an adjustment is reasonable. |
| More information on each of the above factors is available on the Business Disability Forum guide on Reasonable Adjustments available on RCT Source. | More information on each of the above factors is available on the Business Disability Forum guide on Reasonable Adjustments available on RCT Source. |
REASONABLE ADJUSTMENTS, WORKPLACE ADJUSTMENTS AND REHABILITATION

### Employee Responsibilities

**5. What happens when Reasonable Adjustments have been agreed?**

Once the reasonable adjustments have been agreed between you and your manager the agreement form contained in the Reasonable Adjustments Scheme needs to be completed. This ensures there is a written agreement of the reasonable adjustments.

A copy of the form should be retained for your manager’s own confidential records and they must record in your record in Vision that reasonable adjustments have been made. This data is used for statistical and monitoring purposes.

Any reasonable adjustments that have been put in place should be reviewed regularly to ensure they are still suitable.

**6. What happens if reasonable adjustments cannot be agreed?**

In some circumstances it may be unreasonable to make the adjustments required (for example where the changes required may result in a diminished service for the public). In such circumstances your manager will seek advice from Human Resources on how to progress.
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REASONABLE ADJUSTMENTS, WORKPLACE ADJUSTMENTS AND REHABILITATION

• Workplace Adjustments due to a Sickness Absence

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### Employee Responsibilities

1. **How do I ask for support if I am in work but struggling with a health issue but it isn’t a disability?**

Not all sickness absence is related to a disability, but there may be times where a period of rehabilitation or workplace adjustments are required to support you back into your full duties.

Discuss your issues with your manager as some adjustments may be made to support you on a temporary basis. These temporary adjustments will be for an agreed period of time and will be reviewed regularly.

You should be mindful that workplace adjustments are not suitable for all employees and there are a full range of policies which may be more appropriate.

**These are:**
- Adoption and Surrogacy Leave Policy
- Annual leave, Statutory leave and Time Off Policy
- Domestic Abuse, Sexual Violence Policy
- Flexi Time Working Hours Policy
- Flexible Retirement Scheme
- Workplace Stress Policy
- Job Share Policy
- Leave of Absence Policy
- Maternity Support and Paternity Leave Policy
- Reasonable Adjustments Policy
- Right to Request Flexible Working Scheme
- Shared Parental Leave Scheme

### Manager / Supervisor Responsibilities

1. **In what circumstances should I consider workplace adjustments?**

There will be occasions where an employee is ready to return to work following a period of sickness absence, but due to their medical condition they may not be fully fit to undertake all duties, or work to their normal shift patterns. Workplace adjustments may be used to support the employee back into the workplace. They can also be used when an employee has not been absent from work, but are required to support them to remain in work.

You should be mindful that workplace adjustments are not suitable for all employees and there are a full range of policies which may be more appropriate.

**These are:**
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- Leave of Absence Policy
- Maternity Support and Paternity Leave Policy
- Reasonable Adjustments Policy
- Right to Request Flexible Working Scheme
- Shared Parental Leave Scheme
2. What type of temporary adjustments could my manager consider?

Your manager could consider a range of supportive mechanisms that would depend on your individual circumstances.

Examples could include:
- Lighter or changes to duties for a short time
- Changes in desk position
- Quiet space
- Using technology to support individuals such as talk to type dragon software
- Changes to shift patterns

To help your manager determine what temporary adjustments are appropriate and depending on your job role and medical condition, you may be referred to the Occupational Health and Wellbeing Unit for a functional capacity assessment to be undertaken.

2. What type of temporary adjustments could I consider?

As a manager you have a range of supportive options or workplace adjustments available as part of a employee support programme, these may include:
- Temporary or permanent changes i.e. to working hours/ patterns, exploring different work options working part time etc to build up strength over a period of time and to transition back in to the working environment
- Training or supportive programmes such as Coaching or the Managing My Life programme to build up an employee’s confidence and self esteem along with any statutory training required in their role
- Reviewing all aspects of the role and adjusting the content of the job, rearranging responsibilities
- Supporting the employee to attend therapeutic sessions
- Later or earlier start times for employees to accommodate the effects of medication or to avoid rush hours
- Reviewing the physical environment and whether any adjustments are possible, including the provision of supportive software or equipment
- Rehabilitation plans to return to work this should be decided on a case by case basis but usually does not exceed more than 4 weeks
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| No you and your manager can agree temporary adjustments between yourselves. Your manager will need to:  
  - Meet with you  
  - Review business needs and decide if adjustments can be accommodated  
  - Agree a period of time that the adjustments will be in place  
  - Clarify the adjustments in writing to the employee  
  - Set review dates and meet at the end date  
  
If your manager is unsure as to whether you, due to your medical condition, are fit enough to perform certain duties within your job description then they should refer you to the Occupational Health and Wellbeing Unit for a functional capacity assessment.  | No you and the employee can agree temporary adjustments between yourselves. You will need to:  
  - Meet with the employee  
  - Review business needs and decide if adjustments can be accommodated  
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  - Set review dates and meet at the end date  
  
If you are unsure as to whether the employee, due to their medical condition, is fit enough to perform certain duties within their job description then you should refer them to the Occupational Health and Wellbeing Unit for a functional capacity assessment. |
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<td>A functional capacity assessment is carried out by an Occupational Health and Wellbeing Clinician who will evaluate an employee’s ability to perform key demands within a role. For example: a school crossing patrol role requires an employee to lift a lollipop stand which weighs 3 kg for 3 minutes at a time, so the Occupational Health and Wellbeing Clinician tests that the employee can hold a 3kg weight for 3 minutes at a time.</td>
<td>A functional capacity assessment is carried out by an Occupational Health and Wellbeing Clinician who evaluates an employee’s ability to perform key demands within a role. As part of a referral you would need to identify the key demands or tasks of a role and their frequency of use such as: • frequent lifting • frequently walks a mile a day • often uses chemicals • never uses vibration tools It is important that the identification of key demands or tasks is based on a Job or Role and not based on the person. As the assessment evaluates a person’s ability to perform those tasks or demands. You should complete the job demands checklist when arranging the referral. This is available on RCT Source.</td>
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<td>Following an assessment the Occupational Health and Wellbeing Clinician will make recommendations to support an employee back to work. Upon reviewing the recommendations your manager needs to decide whether the recommendations are reasonably practicable to implement. A manager can seek further advice from HR and the Occupational Health and Wellbeing Unit.</td>
<td>Following an assessment the Occupational Health and Wellbeing Clinician will make recommendations to support an employee back to work. Upon reviewing the recommendations you will need to decide whether the recommendations are reasonably practicable to implement. You can seek further advice from your HR representative and the Occupational Health and Wellbeing Unit.</td>
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| **1. What is the purpose of a rehabilitation plan to return to work?**

If you have been absent from work due to sickness absence, you and your manager can agree a rehabilitation plan to support your return to work. These arrangements will be discussed at your welfare visits. A rehabilitation plan will help you build up to your normal duties over a period of time. The nature and length of the rehabilitation plan will be entirely dependant on your individual condition and work circumstances and will be mutually agreed on a case by case basis.

**2. What happens during a rehabilitation period?**

You and your manager will discuss your progress throughout the rehabilitation period. Should you, at any time during the rehabilitation period, feel you will not be able to perform the full duties of your job by the end of the period, you will need to discuss this with your manager who may refer you to the Occupational Health and Wellbeing Unit for further advice.

| **1. What is the purpose of a rehabilitation plan to return to work?**

The purpose of a rehabilitation plan to return to work is to rehabilitate an employee back to work. The rehabilitation plan helps the employee build up their strength to return to work after being absent for a prolonged period of time. The plan should be based on increasing time/work tasks on a stepped approach to build the employee back to their contracted working hours and the role.

**2. What happens during a rehabilitation period?**

You and your employee will discuss their progress throughout the rehabilitation period. Should the employee, at any time during the rehabilitation period, feel they will not be able to perform the full duties of their job by the end of the period, they will need to discuss this with you. You may refer the employee to the Occupational Health and Wellbeing Unit for further advice. |
### Employee Responsibilities

3. Will my manager need Occupational Health and Wellbeing advice in designing the rehabilitation plan to return to work plan?

We advise that non complex medical rehabilitation plans can be agreed between you and your manager as you will know what you are capable of achieving and your manager will know best what suits the business need.

In more complex medical cases the Occupational Health and Wellbeing Unit or your GP may recommend a rehabilitation plan to return to work. The recommendations provided are there purely for guidance and it is for you and your manager to determine if they can be implemented. With some medical conditions, e.g. Multiple Sclerosis, the Occupational Health and Wellbeing Unit may be more specific on the hours and days in a rehabilitation plan as certain conditions require a specific rehabilitation programme.

### Manager / Supervisor Responsibilities

3. Do I need Occupational Health and Wellbeing advice in designing the rehabilitation plan to return to work plan?

We advise that non complex medical rehabilitation plans can be agreed between you and the employee as the employee will know what they are capable of achieving and you will know best what suits the business need.

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<td><strong>4. What should be covered in a rehabilitation plan?</strong>&lt;br&gt;The rehabilitation plan should include the agreed arrangements such as:&lt;br&gt;• the start and end date of the rehabilitation plan&lt;br&gt;• agreed attendance pattern (hours of work should incrementally increase over the rehabilitation period decided on a case by case basis)&lt;br&gt;• the duties to be undertaken&lt;br&gt;• any additional support required&lt;br&gt;• setting weekly review dates to monitor progress&lt;br&gt;• the date for a formal review of the rehabilitation arrangements</td>
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<td><strong>5. What should be covered on day 1 of the rehabilitation plan return to work?</strong>&lt;br&gt;You should have a return to work discussion with your manager, as it gives an opportunity for you to update your manager on any changes to your condition, and allows your manager to advise you on any changes that have taken place within the workplace.&lt;br&gt;This will ensure that you are both clear on expectations as highlighted in the rehabilitation plan.&lt;br&gt;There is a separate guide on Returning to Work which you should refer to for more information. The return to work interview is also known as Stage 1 of the Absence Management Policy.</td>
<td><strong>5. What should be covered on day 1 of the rehabilitation plan return to work?</strong>&lt;br&gt;You should arrange to have a return to work discussion with the employee, as it gives an opportunity for you to update the employee on any changes within the workplace, whilst allowing the employee the opportunity to update you on any changes to their condition.&lt;br&gt;This will ensure that you are both clear on expectations as highlighted in the rehabilitation plan.&lt;br&gt;There is a separate guide on Returning to Work which you should refer to for more information. The return to work interview is also known as Stage 1 of the Absence Management Policy.</td>
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6. What happens when I am able to resume my full duties after a rehabilitation period?

Once you are able to resume your full duties, and have had this conversation with your manager to agree that full duties can be resumed, you will no longer be monitored under a rehabilitation plan. Your progress and performance will now be reviewed under the existing Managing People and Their Performance arrangements that exist within your department, e.g. 1-2-1s, performance reviews etc.

Full details of the Council’s approach to Managing People and Their Performance can be found on RCT Source.

7. What if a rehabilitation plan is not feasible due to the nature of the job?

In certain circumstances it may not be feasible for you to have a rehabilitation plan due to the nature of your condition or the potential impact of the working environment on your rehabilitation. In such circumstances discussions will be held with your manager, with support from Human Resources and Trades Union colleagues, to determine a pragmatic resolution to enable a return to the workplace or explore other suitable alternatives.
### Employee Responsibilities

8. What happens if I can not resume full duties at the end of a rehabilitation period?

If it is unlikely that you will be able to resume full duties after the rehabilitation period you should initially discuss this with your manager.

In the event that you are not fit to resume full duties at the end of the rehabilitation plan, your manager may consider temporary/ permanent adjustments to the role. Measures that will be considered include the following:

- Temporary or permanent contractual change of post within the same service area, if appropriate
- Redeployment within the Council either on the same, different or on reduced hours
- Reasonable training or rehabilitation
- Re-organisation of the duties

Where none of these measures under the rehabilitation are appropriate, consideration will be given to:

- Invoking the Ill Health Capability procedure
- Early retirement, if this is available under the terms of the employees’ pension scheme
- A mutual termination of the contract

### Manager / Supervisor Responsibilities

8. What happens if an employee can not resume full duties at the end of a rehabilitation period?

If it is unlikely that the employee will be able to resume full duties after the rehabilitation period they should initially discuss this with you, with further advice being sought from Occupational Health and Wellbeing where necessary.

In the event that the employee is not fit to resume full duties at the end of the rehabilitation plan, you may consider temporary/permanent adjustments to the role. Measures that will be considered include the following:

- Temporary or permanent contractual change of post within the same service area, if appropriate
- Redeployment within the Council either on the same, different or on reduced hours
- Reasonable training or rehabilitation
- Re-organisation of the duties

You should contact HR for further advice in such cases.

Where none of these measures under the rehabilitation are appropriate, consideration will be given to:

- Invoking the Ill Health Capability procedure
- Early retirement, if this is available under the terms of the employees’ pension scheme
- A mutual termination of the contract
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REASONABLE ADJUSTMENTS, WORKPLACE ADJUSTMENTS AND REHABILITATION

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