

# Workplace Adjustments Policy

---

## About this policy

This policy aims to make it easier and more comfortable for any colleague to ask and get the support they need to be their best and do their best work, helping us create a sustainable, inclusive culture.

All Ofcom colleagues are required to be familiar with this policy.

## Policy document

**Version number:** 1.1

**Publication date:** 25 September 2019

**Next revision date:** Keep under review

**Owner's name:** [REDACTED]

**Owner's job title:** People & Transformation  
Director

**Approved by:** People & Transformation  
Director

# 1. Purpose and Background

## Why have a workplace adjustments policy?

- 1.1 Ofcom recognises that colleagues work at their best when they can be their full selves in the workplace and are supported to do so. We benefit from being inclusive.
- 1.2 Furthermore, the variety and difference of experience which all colleagues bring to the organisation, whatever their role, has a positive impact on Ofcom's work as a regulator to drive better outcomes for the people of the UK.
- 1.3 The philosophy behind our workplace adjustment policy and process at Ofcom is to make it easier and more comfortable for any colleague to ask and get the support they need to be their best and do their best work, helping us create a sustainable, inclusive culture.

## 2. What is a workplace adjustment?

- 2.1 A workplace adjustment is simply an agreed change we can make to a colleague's working environment or the way they do their job that removes barriers and enables them to work at their best.
- 2.2 This might include making changes to working hours or working patterns, or to physical equipment such as furniture, ICT or other equipment or perhaps giving access to a private space for colleagues to self-administer medicine, express breast milk or to pray.
- 2.3 We are committed to understanding the needs of colleagues and responding to those needs by removing barriers or avoiding creating barriers in the first place. We will consider the effect of the condition or circumstance rather than the condition or circumstance itself.

## 3. Who do we make workplace adjustments for?

- 3.1 We make adjustments for any colleague that is facing barriers in doing their job. The causes of the barriers can include:
  - Having a disability, long-standing impairment or physical or mental condition that has a substantial impact on day-to-day activities.
  - Having a temporary or intermittent debilitating condition, such as recovering from an illness or accident, post-natal depression, or post-traumatic stress disorder (PTSD).
  - Life events or situation, such as parental or caring responsibilities, divorce, or bereavement, among others.

- Belonging to a faith or culture group that requires specific observances.
- 3.2 Case study examples of the range of adjustments that can be made and examples of adjustments that have been by Ofcom are in the Examples of adjustments and external reference guides section on [Hive](#)
- 3.3 This policy and associated process applies to:
- a) Permanent members of staff
  - b) People on work experience, internships or equivalent
  - c) Temporary agency staff
- 3.4 It does not apply to:
- a) 3rd party contractors
  - b) Recruitment candidates
  - c) External visitors
- 3.5 For assistance on adjustments for people outside the scope of this policy please refer to the relevant page on the Hive.

## 4. Our principles and approach

### What are the principles of our workplace adjustments policy?

- 4.1 Our workplace adjustments policy is based on the following principles:
- **Trust:** we do not require colleagues to ‘prove’ their adjustment needs (particularly when the needs are associated with a disability or health condition where we will focus on the impact of the disability, impairment, or condition not what the condition is).
  - **Empowerment:** we recognise that colleagues are experts in their own situation, but we can provide support if they are not. We empower them to take responsibility for requesting adjustments from their manager and for their manager to support them (see next bullet)
  - **Support:** we expect managers to be open and to seek to understand their colleagues’ adjustment needs, champion and support their implementation and to be proactive in initiating conversations about adjustment needs during one-to-one meetings.
  - **Mutual fairness:** we will do our very best to address disadvantage and to remove barriers for colleagues, and we expect colleagues to be understanding in their requests and expectations.
  - **Mutual respect:** we expect colleagues requesting adjustments and the colleagues implementing the adjustments to work in a mutually respectful manner.

- **Assessments:** workplace needs assessments will only be organised when we need to confirm the adjustments that are needed by an individual colleague (see [Annex 2](#) for more information). In most cases we expect to be able to make adjustments using the colleague's own experience and that of our Fast Track team (more on the role of the Fast Track team is in section 5, [What support can colleagues expect with workplace adjustments?](#))
- **Occupational Health:** referral to Occupational Health will only be used in cases where the colleague has a mental or physical condition that requires occupational health support. Likewise, we will only seek diagnostic information from external experts when it is needed to inform the support we provide.
- **Costs:** we do not expect managers to pay for adjustments out of their team budget or cost centre. All costs will be met from a central budget within Finance with reclaim of money from Access to Work when eligible (the workplace adjustments co-ordinator can advise on Access to Work).
- **Timely:** we aim to implement adjustments in an efficient and timely way.

## What is our approach in making adjustments?

- 4.2 Our approach in making adjustments is founded on the removal of barriers or responding to a colleague's circumstances to enable them to work at their best. It is underpinned by open and honest conversations taking place between a colleague and their line manager that:
- Enable the colleague to explain the barrier/s or circumstance/s they are facing.
  - Help the manager to understand the impact of the barriers on their colleague's work.
  - Help both colleague and manager explore potential adjustments that will help with the removal of those barriers or help in the circumstance. There will often be little or simple things that colleague and manager can agree between them, such as changes to work patterns like start and end times (temporarily, permanently or intermittently) or setting up a mouse for a left handed person to avoid repetitive strain injury.
  - Enable adjustments to be reviewed and re-visited as needs change or if new or different barriers are faced.
- 4.3 The [Workplace Adjustments Passport](#) can be a good framework to support these conversations particularly if one or both of you are new to workplace adjustment discussions. It's an objective way to guide the conversation and which focuses on the colleague and the effect of the barriers on them. Once an adjustment plan has been agreed the passport can be completed.

## 5. What support can colleagues expect with adjustments?

- 5.1 We expect colleagues to feel able to approach their manager to discuss adjustments, and we expect managers to be approachable, to listen and to be proactive in identifying potential adjustment needs and initiating a conversation with a colleague, e.g., as part of wellbeing discussions or performance reviews.
- 5.2 We expect both colleagues and managers to make use of our existing policies and guidance (such as our flexible working policy and agile working) and seek advice from the Management Advice Team (MAT).
- 5.3 If it is not possible to identify potential adjustments or further specialist support is required, the manager can refer the case to the MAT. The MAT will do one of four things:
  - a) Provide advice directly if they are able to do so,
  - b) Refer the case through the Display Screen Assessment process,
  - c) Request an occupational health assessment, or
  - d) Refer the case to the workplace adjustment Fast Track team (see below).
- 5.4 The Fast Track team, comprised of experts in ICT, Facilities, Health and Safety and People, will be engaged on more complex cases. The Fast Track team will review the barriers being faced, talk about potential adjustment options, including those suggested by colleagues, and recommend an adjustments plan. External needs assessments will be conducted when additional information is required to inform the adjustments that are recommended by the Fast Track team, for example a specific piece of ergonomic furniture, or to otherwise help us manage the colleague's situation. We will not, as a matter of course, seek diagnostic assessments in the case of disability or health conditions.
- 5.5 In all cases the agreed adjustments are documented in the colleague's Workplace Adjustments Passport, where they would like a formal record of their adjustment (see Annex 2).

## 6. Who is responsible for making workplace adjustments?

The following people or groups have a role in making workplace adjustments:

Role	Responsibility
<b>Colleague</b>	<ul style="list-style-type: none"><li>Proactively discuss the barriers they are facing with their manager and to work with external assessors where needed.</li></ul>
<b>Manager</b>	<ul style="list-style-type: none"><li>Discuss the colleague's barriers, initiating the conversation as necessary.</li><li>Fully support the colleague and the implementation of the workplace adjustments and ensure their regular review.</li><li>Creates a positive experience for the colleague and enable them to be their best at work.</li></ul>
<b>Management Advice Team</b>	<ul style="list-style-type: none"><li>Provide advice and guidance on the workplace adjustments process to colleagues and managers as necessary.</li><li>Accept referrals for adjustments that cannot be implemented by the manager and colleague alone.</li><li>Refer to and manage the Occupational Health process as necessary</li><li>Engage the Fast Track Team as necessary.</li></ul>
<b>Fast Track Team Coordinator</b>	<ul style="list-style-type: none"><li>Engage external workplace needs assessors as necessary (such as neurodiversity or hearing loss experts).</li><li>Coordinate requests for physical adjustments (chairs, equipment etc.).</li><li>Coordinate and track the implementation of adjustments and ensure they are timely.</li><li>Update the line manager and colleague of progress (and the MAT) as needed.</li><li>Log adjustments and produce reports to track their efficiency and effectiveness.</li></ul>
<b>Fast Track Team</b>	<ul style="list-style-type: none"><li>Provide advice, guidance and approve recommendations on more complex cases.</li><li>Implement adjustments related to buildings, furniture, and technology.</li></ul>

ICT,  
Facilities,  
H&S, P&T

- Fulfil requests for adjustments as per agreed service levels.

## 7. Who agrees workplace adjustments?

- 7.1 Many workplace adjustments, those that involve changes to working practices, patterns, duties or referral to self-service items (such as document holder or footrest) in each Home Zone, can be agreed directly between the colleague and the manager.
- 7.2 Those that require purchase of non-self-service items need to be approved by the Fast Track Team following discussion with the, manager and colleague. This includes equipment that you might need in the office or in-field.
- 7.3 If agreement cannot be reached on the adjustments to be implemented, this will be escalated to a senior member of the P&T.

## 8. How long does it take to get workplace adjustments?

- 8.1 While every case is different, we will provide workplace agreements as quickly as possible and within a target of 20 days.
- 8.2 It might take longer if specialist or non-standard items need to be ordered, or if a specialist assessment is needed to confirm the adjustments and support required.
- 8.3 The colleague and their manager will be kept informed of progress while the adjustments are being arranged.

## 9. Who pays for workplace adjustments?

- 9.1 Ofcom holds a centralised budget for Workplace Adjustments to purchase auxiliary aids (e.g. ICT and other items), other physical costs (such as building changes), and things like the provision of coaching or support.
- 9.2 Costs related to changes in employment contracts are borne by the colleague's Group.
- 9.3 For adjustments relating to a disability, impairment, or condition we will attempt to reclaim costs via the Government's Access to Work scheme for disabled employees.
- 9.4 Note that cost is rarely a reason not to make adjustments, but as a public body we have a statutory duty to consider Value for Money when agreeing what adjustments to make,

likewise other impacts on our organisation such as ICT security considerations or service delivery.

- 9.5 We will work closely with individuals to ensure their adjustment plan balances all the requirements we face but there might be times that the adjustments we provide might not necessarily be the ones a colleague has specifically asked for if there are alternatives that are equally effective but have less impact in terms of cost, resource, or disruption.

## 10. Data Protection

- 10.1 Any information obtained as part of assisting or implementing a workplace adjustment, including the creation of a Workplace Adjustment Passport, will be treated in accordance with the People and Transformation team's data privacy and retention policies.
- 10.2 Only those who have a business need to have access to data will do so, and personal information will only be shared with the individual's permission.
- 10.3 Disciplinary action may be taken against colleagues who breach Ofcom's handling personal data provisions. [Further details on Ofcom's handling of personal data.](#)
- 10.4 Anonymised data relating to workplace adjustments will be collated for statistical, monitoring and reporting purposes (internally and potentially externally) to measure the effectiveness of the workplace adjustments process and adjustments made across the organisation.

## 11. Policy governance

- 11.1 The People and Transformation Director owns this policy. They will act as the ultimate escalation point for this policy's application and will maintain an overview of this policy to ensure that it is being applied in a fair and proportionate manner.
- 11.2 They will be responsible for reviewing the policy from time to time in the light of operational experience and the changing needs of Ofcom.

This policy does not form part of your contract of employment and Ofcom has the right to amend it from time to time.



# Annex 1

## Legal background

### Equality Act (2010)

Disability is one of the nine protected characteristics covered by the Equality Act 2010 and offers protection from discrimination, harassment and victimisation under this Act.

The Equality Act 2010 makes it unlawful for employers to discriminate against colleagues with disabilities. Employers also have a duty to make reasonable adjustments to address substantial disadvantage arising from a disability (disability is the only protected characteristic for which there is a legal duty to make adjustments),

The Act comprises the three requirements when making adjustments:

- changing the way things are done such as changing a policy on working hours
- making changes to the physical environment, such as changing access to a building
- providing aids and services such as assistive IT software

### What constitutes a disability under the Equality Act?

Under the Equality Act 2010, a person is considered to have a disability if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.


'Physical' includes mobility, dexterity and sensory impairments. Also included are physical health conditions, such as MS, cancer and HIV, and severe disfigurements.

'Mental' includes learning difficulties (such as dyslexia), autism, and learning disabilities. It might also include mental health conditions (such as depression and bi-polar disorder).

Not included are non-prescription drug or alcohol dependency, hay fever and some behavioural conditions. NB. There are nuances to this, please read the Government's Office of Disability Issues guidance on the definition of disability for further insight.

### Ofcom's position

The definition of disability and deciding whether someone is disabled or not is complex and dependent on their individual circumstances. Furthermore, Ofcom is a values-led organisation that operates on the basis of trust and inclusivity. Our approach is therefore not to focus on establishing whether a colleague's



condition is or isn't a disability or long-term condition but to focus on establishing what colleagues need to perform effectively in their roles.

### **What is 'substantial' and 'long term'?**

'Substantial' is more than minor or trivial - e.g. it takes much longer than it usually would to complete a daily task like getting dressed.

Note that someone who is able to do normal daily activities because they are taking measures to minimise what would otherwise be the substantial impact of their condition is still considered disabled, likewise someone who is in the early stages of a progressive condition. Just because someone appears "fine" does not necessarily mean they are not disabled.

'Long lasting' means it has lasted longer or is likely to last longer than 12 months or is reoccurring or likely to recur.

### **What is 'reasonable'?**

The workplace adjustments we make must be "reasonable". There is no absolute definition in the Equality Act 2010 of what is "reasonable" because it is dependent on individual circumstances. For this reason, our policy is to consider each case on an individual basis using the following factors as guidance.

#### **Effective**

The adjustment must be effective in fully addressing the disadvantage it is meant to overcome.

In other words, we do not make an adjustment for appearance's sake, as a token gesture or to 'tick a box'. In agreeing adjustments, an important consideration will be the effectiveness of these in helping you overcome the disadvantage(s) you are facing in the workplace because of your disability or condition.

#### **Practical**

The adjustment must be compatible with the essential aspects of your role and that of your team, department, or business function.

#### **No undue burden or disruption**

The adjustment must not create substantial disadvantage for your colleagues, the business or our organisation as a whole.

#### **Does not cause financial hardship**

Making an adjustment that causes financial hardship for the organisation would not be reasonable. Furthermore, the cost of making an adjustment will be weighed with other relevant factors when determining whether it is reasonable.

## Does not contravene Health & Safety or other regulations and laws

The adjustment must not put you or others at risk, nor must it infringe any other regulations or laws.

# Annex 2

## What is a Workplace Adjustments Passport?

A Workplace Adjustments Passport serves two purposes:

- It provides a framework for the conversations between the colleague and their manager on adjustments, encouraging a focus on barriers and their impact.
- It is a live record of adjustments agreed between a colleague and their manager.

The document is owned by the colleague who takes it with them if they change team, job or line manager, to minimise revisiting adjustments.

The passport can be reviewed and amended as necessary with the agreement of both the employee and line manager in regular one-to-ones, before a change of job or duties or introduction of new technology, or at appraisal or performance review meetings. It should be reviewed at least once a year. It will be held confidentially and securely, with permission, on the colleague's electronic people record.


Please see Guidelines for Managers, Guidelines for Colleague and the passport [template](#) which is available on the Hive

## What is Workplace Needs Assessments?

Workplace Needs Assessments are assessments conducted by external experts to help them recommend adjustments. They are used when the colleague's situation or needs are complex and beyond our internal expertise. For example:

- Colleagues with significant sight or hearing loss may require auxiliary aids and other support that are very specific to the nature of their sight or hearing loss and which a non-expert would not be able to identify or recommend.
- Colleagues with conditions such as autism, ADHD or dyspraxia may benefit from an assessment by an occupational psychologist to identify appropriate coping strategies, coaching and other means of support.

The assessments are normally conducted at the colleague's normal place of work, and assessors will normally also want to meet the colleague's manager to ensure they have a comprehensive understanding of the colleague's role and the manager's perspective of the situation. This can be arranged remotely on our work premises or home environment depending on the assessment/provider.



Assessments will result in a report with recommendations. The assessor will share this with the colleague in the first instance and, when the colleague has confirmed they are happy, it will be shared with their manager and the workplace adjustments coordinator and the adjustments agreed.

Once the adjustments are agreed the coordinator will support their implementation as per the regular process.

