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| **Disability in Employment**  |
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# Overview

## What is this about?

### As a disability confident employer we aim to recruit and retain people for their skills and talent. This information tells you what to do if you have a disability or become disabled during your employment. It also explains what line managers can do to support people with disabilities and make sure they are not disadvantaged while at work.

## Who is this for?

### This is for all officers, authority/police staff and volunteers.

## Key information

* Under the Equality Act 2010, a person is disabled “if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities”.
* There is no legal obligation for anyone to tell us about any condition that would class them as disabled or how that condition may impair them.
* We will only share appropriate and limited information with those that “need to know” so that we can provide support. Disability information will be treated in confidence and only shared with the permission of the disabled person except where our duty to ensure Health and Safety are compromised. Information about how we use personal information and our lawful basis for doing so can be found by accessing the People and Development (P&D) Privacy Notice.
* When we know, or could reasonably expect to know someone has a disability, physical or mental impairment, we have a legal duty to make Reasonable Adjustments to their work environment or role.
* We monitor disability as a protected characteristic to:
	+ enable us to better understand our workforce; and
	+ adapt our policies and procedures to make sure disabled people are not disadvantaged.
* We will not accept the harassment, victimisation or unfair treatment of anyone who is disabled and we will use appropriate procedures, (e.g. remedial action, counselling, training, performance and conduct regulations, disciplinary procedures) if this happens.
* If a disabled person, as a result of their disability, is unable to sustain consistent performance levels, and there are no further Reasonable Adjustments that we can make, a range of procedures exist to resolve these situations such as Attendance Management, Ill-Health Retirement or Capability.
* We will work with disabled people to identify alternative roles that may be suitable for redeployment.

# Officer/Staff

## What you need to do?

* There is no obligation for you to disclose a disability to us. What is important is making sure that if you are facing any type of disability impairment while at work you let us know so that we can put Reasonable Adjustments in place to help you do your job.
* It may be appropriate for you to contact Access to Work after discussions with your line manager to apply for funding that could support the cost of certain Reasonable Adjustments.
* Consider updating the disability section of the Equality and Diversity (E&D) Tab on SCoPE.
* Keep your line manager up to date with any change in your condition that impacts on your ability to do your job.

## How to tell us you have a disability

### If you want to tell us you are disabled or have a physical or mental impairment that makes it hard for you to do your job or access opportunities at work, you can tell us about this by:

* speaking to your line manager;
* giving your line manager, Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form (060-001) to initiate a discussion;
* contacting People Direct;
* updating your E&D Tab on SCoPE; and
* speaking to an Occupational Health (OH) Advisor through management referral.

### We know that not all disabilities are visible and many people manage their impairments with little or no adjustments. However, we also know there are times when people do things that they do not normally do, which without help, may result in them being put at a disadvantage. For example:

* taking part in selection for a new post;
* undertaking training;
* taking on new responsibilities;
* being asked to travel;
* applying for promotion.

### If you face a situation that you feel might disadvantage you, either in your day-to-day role or outside your normal work environment, you can tell us about this, and we will work with you to assess your needs and what adjustments need to be put in place. Any recommendations made by Occupational Health (OH) will be discussed with you and considered by line management before a decision is made about implementation.

## Assessing needs

### You are the best person to tell us what support you need to help you to perform your role or access opportunities, benefits and entitlements. We offer support based on your needs and your line manager will ask:

* how your condition affects you at work;
* what you already do to manage the challenges you face;
* what help you have already explored or have in place; and
* what else could help you.

### OH can also help us by providing an assessment of your needs and we may ask you to attend a meeting with them to ensure we are doing everything that we can to reasonably support you at work.

### We would encourage you to provide as much information as possible to OH. You will have the opportunity to review any information that they intend to share with us and ask for any information you do not want shared to be removed. By sharing information you will help us remove or mitigate any disadvantage you face.

### In some situations where specialist equipment, adaptations or support worker services are required, it may be appropriate for you to apply for a grant from Access to Work. Access to Work is a specialist disability service from Jobcentre Plus which is a division of The Department for Work and Pensions. It provides assistance to disabled people who need support or adaptations beyond the Reasonable Adjustments which we are legally obliged to provide under the Equality Act 2010. More information about this is given in the supporting appendix: National Process for the Provision of Reasonable Adjustments and the Access to Work Process chart.

## Implementing Reasonable Adjustments

### In the majority of cases, implementing Reasonable Adjustments can be done quickly and involves little or no cost. These will be managed at a local level based on individual need and may typically include:

* making changes to working patterns;
* providing training or mentoring for you and/or team members;
* making alterations to premises;
* ensuring that information is provided in accessible formats;
* modifying or acquiring equipment;
* allowing extra time to complete tasks;
* making alterations to procedures.

## Monitoring and review

### Disabilities can change over time. Where you feel that there is a change in your condition which impacts on your role, you should contact your line manager who will carry out a review with you.

# Manager

## What you need to do:

* Promote equality and non-discriminatory practice.
* Support a culture where anyone with a disability feels comfortable enough to discuss this with you or their colleagues.
* Talk to team members privately if you believe they may have a disability and ensure you have permission before taking any notes.
* Encourage team members to update the disability section of the Personal Details Self-classification box in the Equality and Diversity (E&D) Tab in SCoPE.
* Support disabled colleagues in the workplace.
* Ensure that your team member is involved and informed throughout the assessment and implementation of Reasonable Adjustments.
* Ensure any necessary risk assessments are carried out.
* Following agreement with your team member ensure that the SCoPE Reasonable Adjustments Tab is updated with decision(s) made on the Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form (060-001).
* Review Reasonable Adjustments regularly or in response to any changes in circumstances.
* Consider the impact of business change on team members with disabilities and mitigate any impact identified.
* Only share information with those who strictly need to know. Sharing information with colleagues as part of the management structure is not always necessary and should not be done as a matter of course.

## When someone tells you they have a disability

**Line Manager**

### If a team member tells you, or you become aware that they have a disability, you should talk to them about the impact it has on them and their role. You should ask:

* if and how the condition affects them at work;
* what they already do to manage any difficulties they face;
* what help they may have already explored or have in place; and
* what else could help them.

### Notes may be useful in circumstances where you cannot safely rely on your memory but if an individual would rather you did not take notes, establish the reasons why, mitigate or remove the barriers if possible or alternatively ask them to provide a summary of discussions on your behalf.

### There is a legal duty to consider any Reasonable Adjustments that an individual needs to perform their role and further details around assessing needs and identifying adjustments is given in the `assessing needs` section.

### Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form (060-001) should be used to capture an individual’s needs and record any decisions made about Reasonable Adjustments.

### Where appropriate, you should carry out a Personal Emergency Evacuation Plan Form (076-033) to ensure assistance is in place during the evacuation of buildings.

### SCoPE should be updated to record the disability, the needs of the individual and any adjustment implemented. Medical information such as diagnosis, medication or treatments are not relevant and should not be recorded here.

### You should encourage your team member to update their personal details within the E&D Tab in SCoPE. You cannot do this for them. Updating a Reasonable Adjustment does not cross populate our Equality Monitoring data held on SCoPE.

**Someone other than a Line Manager**

### We sometimes find that our people tell us they have a disability while going through some other process or accessing a benefit. This often means that the first person to know about a team member’s disability is someone other than their line manager.

### Reasonable Adjustments must be considered for each situation which has resulted in a disability being disclosed, e.g. promotion process, training environments. It is the responsibility of the business area concerned to consider this process.

### It may be necessary to discuss with a team member how the disclosure of a disability or impairment impacts their day-to-day duties so that any necessary wider support can be given.

### There is a legal duty for us as an employer to make adjustments when we know they are required and team members should be encouraged to consider any wider impact and discuss their needs with their line management.

### If a team member is not willing to disclose or discuss what support they need with their line management, and you feel there are implications for their health, safety or wellbeing, you may need to share this information without their permission. You should always tell the team member if you are going to do this and encourage them to engage with the process by explaining the reasons why you think this is necessary.

## Assessing needs

### The legal duty to make Reasonable Adjustments comes from the Equality Act 2010.

### A Reasonable Adjustment is dependent on all the circumstances of each individual case, so what might be reasonable for one person may not be reasonable for another. You should take the following into account when assessing the reasonableness of an adjustment:

* Health and Safety risks to any person: refer to Health and Safety Risk Assessment Form (076-001).
* How effective the adjustment will be in overcoming the disadvantage.
* How practical the adjustment is to implement.
* Organisational impact (if any).
* The availability of financial and other help, e.g. Access to Work.
* The nature of the activities the individual performs.
* The ability to accommodate the needs.
* Financial and other costs (if any) of making the adjustment.

### The effectiveness and practicality of a particular adjustment should be considered first. If it is practical and effective, the financial aspects can be looked at as a whole, e.g. the costs of the adjustment and resources available to fund it, including external funding from Access to Work.

### Effective and practical adjustments for disabled people often involve little or no cost or disruption and are therefore very likely to be reasonable. Even if an adjustment has a significant cost associated with it, it may still be cost-effective in overall terms, e.g. compared with the costs of recruiting and training someone new and so may still be a Reasonable Adjustment to make.

### The Equality Act does not permit an employer to justify a failure to comply with a duty to make a Reasonable Adjustment. We breach the duty if an adjustment is one which it is reasonable for us to make and we do not make it. It is the question of ‘reasonableness’ alone which determines whether the adjustment has to be made. A Reasonable Adjustment that is declined can only be declined on the grounds that it is unreasonable.

## Occupational Health (OH)

### If required OH can provide an assessment of a team member’s needs and assist in identifying any Reasonable Adjustments that may support them in the workplace. An OH referral can be made via the Optima Online Portal and can also provide you with advice to help manage the condition or impairment at work and ask specific questions about it.

### You must discuss the contents of any referral and obtain consent from your team member prior to its submission. They can choose how much information they want to share with us. They do not have to release any medical information and may withdraw all or part of their consent at any point.

## Access to Work

### Access to Work is a specialist disability service from Jobcentre Plus which is a division of The Department for Work and Pensions. It provides assistance to disabled people who need support or adaptations beyond the Reasonable Adjustments which we are legally obliged to provide under the Equality Act 2010.

### In some situations where specialist equipment, adaptations or support worker services are needed, it may be appropriate to apply for a grant from Access to Work. More information about this is given in the supporting appendix: National Process for the Provision of Reasonable Adjustments and the Access to Work Process Chart.

### Consideration must be given to the potential need for role related Reasonable Adjustments with the outcome of these considerations being recorded on the Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form (060-001).

### Where a change to someone’s working pattern is being considered as a Reasonable Adjustment the Flexible Working procedure must be followed.

### You have responsibility for implementing any Reasonable Adjustments that can be facilitated at a local level through modifications to day-to-day operational management. Some examples are:

* changes to break times;
* reallocation of some duties;
* modifying local instructions or procedures.

### Where Reasonable Adjustments need further approval, such as:

* adaptations to buildings;
* purchase of specialist furniture or IT equipment.

### You should provide details of the recommended adjustments and any relevant additional information to senior management for approval.

### Guidance should be sought from People Direct when all options have been explored and suitable Reasonable Adjustments cannot be made.

## Monitoring and review

### Once Reasonable Adjustments are put in place, you should maintain regular discussion with your team member to ensure that the Reasonable Adjustment(s) are effective and no other adjustments are required.

### You should conduct regular reviews and where necessary respond to any change in circumstances, to ensure that the arrangements that have been put in place continue to be effective.

### New information identified during a review should be agreed with the team member, accurately recorded on SCoPE and acted upon.

### If you identify that a team member with a disability is experiencing difficulty in performing aspects of their role you should discuss this with them and consider suitable or alternative Reasonable Adjustments.

### Regrettably there are instances where, despite the best efforts of the organisation and the team member, continuing in a post becomes unsustainable. This can happen for a number of reasons, for example absence increasing to very high levels due to worsening health.

### It can also be the case that the member of staff, through no fault of their own, is unable to sustain consistent performance levels and there are no further Reasonable Adjustments that the organisation can make.

### A range of procedures exist to resolve these situations, e.g Attendance Management, Ill-Health Retirement or Capability. Where possible, the organisation will help identify alternative posts which may be suitable for a team member with a disability to be redeployed into.

## Absence related to disability

### We know that some disabilities can lead to higher than average or sporadic increases in absence levels and it is not always appropriate to treat disability related absence in the same way as sickness absence.

### It may be appropriate to discount certain disability related absences as a Reasonable Adjustment or to set alternative trigger points for attendance monitoring. You must take these into consideration when making decisions about how to progress these cases. Further information can be found in the Attendance Management procedure or by contacting People Direct.

# Resources

**Forms**

* Display Screen Equipment Workstation Checklist Form (076-037)
* Personal Emergency Evacuation Plan Form (076-033)
* Risk Assessment Form (076-001)
* Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form (006-001)

**How to Guides**

* How to [Record Disabilities and Reasonable Adjustments on SCoPE](https://spi.spnet.local/commonservices/people-and-development/policy-hub/ToolsResources/Disability%20-%20How%20to%20Record%20Disabilities%20and%20Reasonable%20Adjustments%20on%20SCoPE.pdf)

**Reference Documents**

* National Process for the Provision of Reasonable Adjustments
* Disability Process
* Access to Work - Process
* National Process for the Provision of Reasonable Adjustments – Manager’s Checklist
* Manager Guidance – Neurodiversity
* National Process for the Provision of Reasonable Adjustments – Neurodivese Conditions
* Disability in Employment Questions and Answers
* National Process for the Provision of Coloured Paper and Large Font Police Issue Notebooks

**Related Documents**

* Attendance Management
* Capability (Attendance and Performance) (Police Officer)
* Capability (Attendance and Performance) (Staff)
* Diploma in Police Service Leadership and Management
* Disruption
* Flexible Working
* Ill-health Retirement (Staff)
* Management and Development of Probationary Constables
* Management and Development of Probationary Sergeants
* Mentoring
* MyCareer
* Organisational Change
* Overtime and TOIL (Staff)
* Police Leadership Development Programme
* Postings and Transfers
* Promotion
* Smoking at Work
* Special Leave
* Stress Management
* Temporary Promotions (Officer)
* Transitioning at Work
* Uniform and Appearance Standards (Officer)

**Useful Links**

* Access to Work Scheme
* disabilityconfident.campaign.gov.uk/
* Disability Equality Scotland
* Disability Information Scotland
* Dyslexia Scotland
* Equality Act 2010
* Equality and Human Rights Commission - Scotland
* Online IT Connect Portal
* Optima Portal
* People & Development Privacy Notice
* Scottish Police [Disability and Carers Association](https://spi.spnet.local/commonservices/people-and-development/carers/Pages/DACA.aspx)
* The British Dyslexia Association
* www.gov.uk/access-to-work
* www.nhsinform.scot/

**Appendix A**

National Process for the Provision of Reasonable Adjustments

**What is a Reasonable Adjustment?**

A Reasonable Adjustment is the legal term for any adaptation made in the workplace to ensure equal access and opportunity for a disabled person.

This may be more than furniture and/or equipment. The following are examples of the types of adjustments that may be ‘reasonable’ to make. Please note that this is not an exhaustive list:

* Adjustments to premises.
* Allocating some of the disabled person’s duties to another person.
* Changing the person’s hours of working or training.
* Providing an alternative place of work or training.
* Facilitating the person to be absent during work or training for rehabilitation, assessment or treatment (see Special Leave Procedure for further information).
* Sourcing/allocating or modifying equipment.
* Facilitating training or mentoring (whether for the disabled person or any other person).
* Modifying instructions or reference manuals.
* Modifying procedures for testing or assessment.
* Providing a reader or interpreter.
* Providing supervision or other support.
* Transferring the person to fill an existing vacancy.

**Disability and the Equality Act 2010**

It is not necessary to have a confirmed medical diagnosis in order to be considered disabled in terms of the Equality Act 2010.

The Equality Act 2010 defines a disability as:

“A physical or mental impairment that has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities.”

* Substantial is defined as neither minor nor trivial.
* Long-term is defined as lasting longer than 12 months, is likely to last longer than 12 months, or is likely to last for the rest of an individual’s life.

Some conditions are progressive. These get worse over time and anyone with a progressive condition such as Arthritis can be deemed to have a disability.

Individuals are deemed to have a disability at the onset of symptoms which affect their ability to carry out day to day activities and they automatically meet the disability definition from the day they are diagnosed with HIV infection, Cancer or Multiple Sclerosis.

Conditions such as Chronic Migraine, Fibromyalgia, Asthma and Neurodiversity Conditions may be considered a Disability. It depends on how the condition affects the individual in their ability to carry out day to day activities.

**The Provision of Reasonable Adjustments**

Line managers have a key role in the provision of Reasonable Adjustments. They must ensure that anyone who works for them is provided with the adjustments they need if they are considered reasonable.

Reasonable Adjustments can be recommended by the individual themselves, Access to Work, Optima, a qualified psychologist or People and Development (P&D). However the decision to implement a Reasonable Adjustment sits with the line manager.

All Reasonable Adjustments being put in place must be recorded on SCoPE. SCoPE permission levels allow anyone within the line management ‘chain’ to add or amend adjustments on the system. To delete a record you must contact People Direct. Records should be updated in discussion with the individual and a review date set to ensure they are working and remain appropriate please refer to `How to – Record Disabilities and Reasonable Adjustments on SCoPE`.

**Access to Work**

Access to Work is a free government scheme aimed at assisting employees and employers obtaining assessments and recommendations to help more disabled people start or stay in work. It is independent from Police Scotland/Scottish Police Authority and is part of the Department of Working Pensions supported by Jobcentre-Plus. It provides practical and financial support to anyone with a disability and who needs Reasonable Adjustments to do a job.

The support available can include a grant to help cover the costs of practical support (aids, equipment, people), or getting to and from work (financial support). All costs up to the first £1000 must be met by the employer but Access to Work may refund:

* up to 80% of approved costs between £1,000 and £10,000; or
* any costs above £10,000.

Anyone with a disability, can apply to Access to Work for help. New employees should make an application within the first six weeks of employment as 100% of the costs associated with Reasonable Adjustments will be met by Access to Work. Costs associated with ‘coaching sessions’ are also paid for in full.

A discussion about Reasonable Adjustments should take place with line managers (or a suitable alternative person) before making an application for support. Individuals need to self-refer to Access to Work and will be asked to provide the following information:

* National Insurance number.
* Workplace address, including postcode.
* Name, email address and work phone number of their line manager.
* Details of how their condition affects them at work or getting to work (not a medical diagnosis).
* What help they are already getting.

During the application process the representative from Access to Work may ask the applicant what Reasonable Adjustments they require. It is important at this stage to tell Access to Work the following:

“Police Scotland/Scottish Police Authority does not employ qualified Occupational Therapists or Ergonomists and I have been asked to contact you to ensure that I receive the appropriate Reasonable Adjustments for my needs.”

If the individual says they need a chair, Access to Work will stop the application and tell them it’s their employer`s responsibility to provide a chair for them at work.

Access to Work can be contacted Monday to Friday, 8am to 6pm using the numbers below and applications can be made at www.gov.uk/access-to-work.

Telephone: 0800 121 7479
Text-phone: 0800 121 7579

On receipt of the application Access to Work will:

* Contact the line manager to confirm details of the application.
	+ It is important to note that Access to Work provide a very short timeframe for line managers to respond.
	+ Not responding within the timeframe will result in the case being closed.
	+ Line managers should always agree to ‘cost sharing’ unless it is a new employee making an application within the first six weeks of employment.
	+ It is imperative line managers inform the Access to Work Advisor of Police Scotland’s contracted supplier Flexiform and request that Flexiform are listed as suppliers on the assessment report to ensure costs are quoted appropriately.
* Send out an assessor to carry out a workplace assessment.
	+ There is no charge for this assessment and a report will usually be available within two weeks, detailing any adjustments or assistive technologies likely to be of benefit.
	+ It would be beneficial to arrange a private space for the consultation to take place.The assessor may discuss full medical history and/or personal circumstances.
	+ The assessment may take up to an hour and line manager`s may be asked to speak with the assessor as well.
* Prepare two reports, one for the applicant and one for the manager.
	+ Both will include a ‘recommendation report’ but only the individuals’ report will include a synopsis of discussions which took place during the assessment.
	+ No personal information is contained within the line managers’ report.

On receipt of the ‘recommendation report’ line managers should forward it to Flexiform (Police Scotland's contracted supplier) who will then provide details of items which meet the necessary functionality.

Flexiform contact details:

Flexiform

2B Young Square

Brucefield Industry Park

Livingston Village

EH54 9BX

Email – [REDACTED]

Tel No. [REDACTED], Invoice/Order issues – [REDACTED]

Flexiform will provide line managers with a quote listing items that meet the same specifications and functionality as those detailed on the recommendation report. This must be forwarded to the ‘HR Equality and Diversity’ mailbox along with the ‘Summary of Recommendations’ report.

HR Equality and Diversity will raise the necessary purchase orders and/or non-stock requisition forms.

If an electric sit/stand desk is recommended, it must be situated near to a 13amp socket and if this is not possible, i.e. the desk is within a ‘bank’ of six in an open plan office area then a site visit will be necessary. Line managers must contact the Estates department directly in relation to any site visits required depending on items recommended.

It will be necessary to confirm desktop colour and size requirements, i.e. 1400mm, 1600mm or 1800mm. Where an individual is relocated, a ‘sit/stand’ may not be accommodated and alternatives such as desktop risers may have to be considered.

To arrange the provision of assistive technologies suggested by Access to Work such as an ergonomic mouse and/or keyboard. A request must be made with ICT using the Online IT Connect Portal. A copy of the ‘recommendation report’ should be attached to ensure ICT provide the correct equipment. Access to Work may recommend items which our security systems will not allow, such as wireless headsets. Where this happens, we will provide a suitable alternative.

When raising an ICT Service Request the ‘cost centre’ and ‘account code’ sections must be populated with ‘0’ and ‘Strategy Specialist Services’ must be chosen from the ‘Divisional Authorisation Team’ dropdown menu. Access to Work `recommendation report` must be attached to the ICT Service Request. In some cases it has been necessary to ask the individual to provide an extract of their report as it is more detailed and assists ICT in ensuring they procure the correct equipment. It may be beneficial to make the applicant aware of this.

Flexiform will contact line managers directly to arrange delivery of furniture and/or equipment provided by them. The ICT team will liaise with ICT Service Request raiser in relation to delivery.

Manager must raise an ICT Service Request to ensure all ICT equipment is removed prior to installation and subsequently re-installed after delivery and installation of equipment where applicable, i.e. new desk being installed.

If there are items recommended by Access to Work which Flexiform or ICT department cannot provide P&D Equality and Diversity will try to procure the item.

On delivery and installation of items from Flexiform or other sources it is imperative that line managers email the ‘HR Equality and Diversity’ mailbox to ensure timely payment of invoices.

When notified of delivery, HR Equality and Diversity will contact line managers with a ‘RA Identifier number(s)’. These numbers should be attached to each item of furniture and/or other miscellaneous items provided as a Reasonable Adjustment.

If a Reasonable Adjustment needs to be moved due to relocation or new posting the correct service provider must be contacted. There are different service providers depending on geographical location. Details relating to ‘Removals, Relocation, Disposal and Storage Solutions’ can be found on the Estates intranet page. Costs are paid by the relevant Divisional/Departmental budget.

The ‘HR EqualityandDiversity’ mailbox must be sent details relating to the relocation of all items, Form (i.e. who they are being provided to, the address of the office, which floor, area and/or room number.

Where items are moved into storage due to for example a someone leaving the organisation, the ‘HR EqualityandDiversity’ mailbox must be sent relevant details.

**Appendix B**

Disability – Process

Individual tells someone they have a disability or health condition that makes it difficult for them to do something while at work.

Individual raises concerns of pain and/or other possible condition whilst at work.

An OH referral says an individual needs adjustments to perform effectively.

**Assess Needs**

Form (060-001) is used to record adjustments being asked for and what decisions are reached.

**Implement reasonable adjustments**

Operational management implement all reasonable adjustments that don’t require capital expenditure or budgetary authority.

**Monitor and review**

Operational management monitor and review the effectiveness of adjustments making alterations as necessary in liaison with individual.

Display Screen Equipment (DSE) assessment is carried out and the assessment Form (076-037) completed in full. Any issues raised should be communicated to Line Manager

There should be no recommendations for specialist ergonomic furniture

Requests for equipment recommended via DSE assessment are forwarded to relevant budget signatory for individual’s area of business.

Implementation of reasonable adjustments that need budgetary authority should be passed to divisional/departmental budget holder after assessing the availability of alternative funding

**Appendix C**

Access to Work Process

Individual is considered to have a disability, physical or mental health condition and may need specialist equipment, adaptations or support worker services to help them do their job.

Flexiform and ICT will contact Line Management about delivery and Installation

For all furniture and non-ICT equipment the Line Manager should scan a copy of the ATW recommended items list and email it to Flexiform, Police Scotland contracted suppliers at:- [REDACTED]

Flexiform will provide a quote for items which are the same or provide the same functionality as those recommended by Access to Work. Line Managers should forward this to the ‘HR Equality and Diversity’ mailbox.

Individual applies to the Access to Work Scheme

For all I.C.T equipment an I.C.T Service Request must be raised

Where items such as sit/stand desks have been recommended Line Managers must confirm desktop colour preference, perhaps room layout, i.e. does the desk sit within a ‘bank’ of desks, is it near a power supply? If infrastructure changes are required, a site visit by Estates may be required, if unsure Line Manager should ask ‘Estates’ department.

Line Managers need to raise an ICT request to have all ICT equipment removed from desks prior to and reinstalled after installation.

A representative will contact the manager to ask if they agree to ‘cost sharing’ and assessment, say yes. An assessor will attend. It will be necessary for the manager to be available as well as the applicant. Two reports will be issued, an abridged report - manager with a summary of recommendations and; a full transcript report - individual.

Managers must forward a delivery confirmation to the HR Equality and Diversity mailbox.

Line Managers must update the Reasonable Adjustments tab on SCoPE, recording all adjustments provided.

There may be some instances where Flexiform cannot provide certain items such as air purifiers, humidifiers, powered chairs etc. Line Manager should contact HR E&D to discuss.

**Appendix D**

Manager’s Guidance - Neurodiversity

**What is Neurodiversity?**

Neurodiversity is a relatively new term for differences in the way the brain works. It is the term used to describe individuals that display different ways of seeing the world and handling information. It typically includes conditions such as:

* dyslexia;
* dyspraxia; also known as developmental coordination disorder (DCD)
* attention deficit hyperactivity disorder (ADHD);
* dyscalculia; and
* autistic spectrum disorder, amongst others.

Around one in seven people are neurodivergent and may face difficulties when their way of thinking conflicts with the working environment. Neurodiverse conditions are likely to be classified as disabilities and covered under the Equality Act 2010.

**Identifying and Implementing Reasonable Adjustments**

Neurodiverse conditions are generally considered “hidden disabilities”. It is important that everyone feels able to, and comfortable with, disclosing information about any disability and that they are given the necessary support at each stage of their employment journey. The table below details who is responsible for the provision of Reasonable Adjustments as part of specific internal processes:

|  |  |
| --- | --- |
| **Process** | **Details** |
| Recruitment | Police Recruitment | * The recruitment team will contact candidates to discuss Reasonable Adjustments.
 |
| Internal Police Vacancy | * The recruiting manager is responsible for engaging with candidates to discuss Reasonable Adjustments.
 |
| Staff Recruitment | * The recruiting manager is responsible for engaging with candidates to discuss Reasonable Adjustments.
 |
| Probationer Training | Known Conditions | * Probationers who have disclosed a condition during the recruitment process will be asked by the recruitment team for consent to pass their details to an appropriate third party who will arrange for assessment and support to be provided in the training environment.
 |
| Unknown Conditions | * Where a previously undisclosed case is identified during probationer training, training personnel will refer to the main procedure and refer the Probationer to Occupational Health - these referrals will be prioritised due to the time constraints in the training environment.
 |
| Divisional Placement | * During the training period and prior to transfer to Division, Probationer Training will tell the receiving Division about any disability issues and what Reasonable Adjustments or assessment may be needed. The Division will be responsible for arranging a meeting to discuss individuals’ needs and to ensure that Reasonable Adjustments are in place.
 |
| Promotion  | Promotions Team  | * The promotions team will meet with candidate to discuss Reasonable Adjustments.
* Line managers may need to provide assistance to candidates undertaking study or assessment prior to an application for promotion.
 |

**Referral for Screening Assessment**

The processes for assessing needs when faced with a neurodiverse condition are the same as any other disability and are set out within the main procedure. A tick box on the Occupational Health referral form will tell Occupational Health to triage the referral and arrange an appointment for specialist assessment so that support can be put in as quickly as possible.

Where a team member tells you they believe they have a neurodiverse condition or you suspect they have one, talk to them about this and if they consent, submit an Optima referral.

You should select the ‘Neurodiversity Condition’ dropdown and provide as much information as you can. Do not state ‘Dyslexia’, this tells Optima nothing. Use the following questions to find out more information from your team member and use the answers they give, to frame other questions for Optima that will give you the advice and support you need.

* Has there been a previous assessment carried out, perhaps at school or university?
* If no assessment carried out were they ever given extra time at exams etc.?
* Has there been a change in an individual’s performance standards?
* Has the individual queried Neurodiversity Conditions themselves?
* Perhaps their coping mechanisms are no longer effective due to a change of duties or the pace of work.

Optima will not provide a medical diagnosis so do not ask if a team member is dyslexic for example. An individual’s change in performance is not in itself an immediate indicator for a neurodiversity condition and you must quantify and provide further information to Optima so that they can provide appropriate advice and guidance.

Once the referral has been sent to Optima it will be forwarded to the preferred provider, who will contact the line manager about a pre-assessment questionnaire for the individual. Once this has been completed a telephone assessment will be carried out with the individual. A report will then be available on the Optima Portal.

Line management must discuss any Reasonable Adjustments recommended on the report with the individual, if unsure about any of the Reasonable Adjustments the line manager should contact P&D in the first instance.

A member of staff from the preferred provider will discuss an Access to Work application with the individual and assist with completing the relevant paperwork. (Access to Work)(S4). Please note Concept Northern cannot provide a diagnosis of a particular neurodiversity condition, they may say the individual ‘shows traits’ of a particular neurodiverse condition.

**Arranging a Diagnostic Assessment**

If an individual has received input from the preferred provider but Divisional/Departmental management are still concerned the issues still remain unresolved a Diagnostic Assessment can be arranged. A Diagnostic Assessment can be arranged at any time, the individual doesn’t have to be seen by the preferred provider before a Diagnostic Assessment is arranged. This is entirely at the agreement of the individual and their Division/Department.

If there is any consideration of a formal hearing for a Probationary Constable in terms of Police Scotland Regulations please ensure consideration has been given to a full Diagnostic Assessment. Should there be consideration of Performance and/or Capability procedures for any Staff or Officer please consider a Diagnostic Assessment where appropriate, if you are unsure please contact the Force Disability Coordinator to discuss.

A Diagnostic Assessment allows the organisation to assess whether all appropriate Reasonable Adjustments have been made available for the individual. A full Diagnostic Assessment can be carried out by:-

[REDACTED]

Company Number 390604

Health & Care Professions Council Registration No PYL25479

British Psychological Society Registration No 156089

Mobile No: [REDACTED]

Email: [REDACTED]

To arrange a full diagnostic assessment by [REDACTED] you should follow the instructions below:

* It will be necessary raise a Purchase Order or Non-Stock Requisition Form from your local Business Support Unit or Authorised Budget signatory.
* A purchase order reference number will be provided and this must be supplied to the Assessment provider prior to the Assessment. Note that when the Purchase Order number is being requested, a Goods Received Note will be generated by Corporate Procurement. This must be retained by the line manager until the assessment report has been received from the Assessment provider, at which point it should be signed and dated, then forwarded to the Corporate Procurement Department (Logistics Purchasing) at the address specified on the Goods Received Note.

Contact [REDACTED] (as above) and request that any pre-assessment paperwork be provided. [REDACTED] will let you know the location of the assessment.

Following the Assessment, a report will be forwarded by email to the individual and to their line manager. The report will normally be forwarded within two weeks of the Assessment taking place.

The report is confidential and should only be shared with consent of the individual concerned. The individual may request that a copy of the assessment is held within their personnel file and will be asked to authorise this in writing.

If the individual is concerned as to whom the report is being shared with they may contact People Direct for information.

On receipt of the Assessment Report certain Reasonable Adjustments may be recommended such as:

* access to assistive IT – ‘Text Help’, ‘Read/Write/Gold’ and ‘Mind Genius’ software;
* I.T familiarisation training;
* police issue notebooks available in a variety of colours where Meares-Irlen has been detected, refer to `National Process for the Provision of Coloured Paper and Large Font Police Issue Notebooks`;
* workplace strategy training;

This is not an exhaustive list.

Assistive recommended technologies such as Read/Write, Gold text-to-speech software can be asked for using the IT Connect Portal and line managers must ensure that users are given time to attend any recommended training/coaching sessions.

**Visual Stress**

In some cases, assessment may indicate the presence of Meares-Irlen syndrome. This condition is a form of visual stress which can impact on the ability to undertake fine vision tasks including reading. The condition affects around 50% of those with dyslexia, although individuals with other conditions may also have Meares-Irlen.

If it is identified that a team member has this condition, they may be told to go to an Eye Stress Clinic.At present, the only dedicated Visual Stress Clinic in Scotland is based at Glasgow Caledonian University. An appointment can be arranged by the team member and/or their manager. The cost of this should be met by the division/business area and a purchase order number will be required.

There is some provision for Meares-Irlen in the East, available from: Birrell Rainford Opticians, 15 William Street, West End, Edinburgh, EH3 7NG. Tel: 0131 226 7833 Email: info@birrellrainford.co.uk

The contact details for the Glasgow Eye Clinic are:

The Eye Clinic

Department of Vision Sciences

Glasgow Caledonian University

70 Cowcaddens Road

Glasgow

G4 0BA

Tel: 0141 331 3377

Email: eyeclinic@gcu.ac.uk

Team members who are unable to travel to Glasgow can be referred to local Orthoptic clinics via their GP for assessment. There may be a waiting list.

Following a visual stress assessment, team members may need specialist glasses as a Reasonable Adjustment. The division/department will need a purchase order number to meet the costs of basic frames and prescription lenses.

All Reasonable Adjustments should be implemented as quickly and efficiently as possible. The Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form (060-001) must be completed with any Reasonable Adjustments recorded on SCoPE. Further details on how to do this are contained within the How to – Record Disabilities and Reasonable Adjustments on SCoPE.

Appendix E

National Process for the Provision of Reasonable Adjustments - Line Manager Checklist

Have you……

1. Discussed the circumstances with the individual?
2. Discussed the possibility of an Access to Work application with the individual?
3. Discussed the options in relation to recording a disability on SCoPE?
4. On receipt of the Access to Work paperwork have you responded to the Access to Work case worker accepting ‘cost sharing’? Remember timescales are very strict.
5. On receipt of the recommendation report have you forwarded the list to Flexiform, Police Scotland contracted supplier, asking for a quote for similar products?
6. If a ‘sit/stand’ desk is required for the workplace have you checked there is sufficient power point located to the desk position? If unsure contact Estates Department. This is more prevalent in open plan office spaces.
7. Remembered to provide desktop colour and sizes?
8. Confirmed delivery locations for furniture and/or equipment as these may differ to information recorded at time of Access to Work assessment or held on SCoPE in relation to the individual.
9. Remembered to forward delivery notes and/or confirmation of delivery paperwork to the ‘HR EqualityandDiversity’ mailbox
10. Completed Part 2 of Form 060-001, Your Disability Passport, Reasonable Adjustment Request and Line Managers’ Modified Duties Decision Making Form and updated SCoPE with the Reasonable Adjustments agreed and implemented?

**Appendix F**

****National Process for the Provision of Reasonable Adjustments - Neurodiversity Condition

**Appendix G**

How to – Record Disabilities and Reasonable Adjustments on SCoPE

Line Managers should ensure the ‘Reasonable Adjustment’ Tab within an individual’s ‘Personal Record’ on SCoPE is updated to record all Reasonable Adjustments provided.

Where an individual does not want details of their disability to be added to SCoPE the system can be updated without detailing the nature of the disability. However, recording the date the organisation became aware of a Disability is important to both to the organisation and the individual and this should always be recorded. The option of ‘Chooses not to disclose’ can be selected within the ‘Disability Impairment Type’.

**SCoPE – Reasonable Adjustments Tab**

When recording the ‘Adjustments’ it is important to ensure that all Reasonable Adjustments being provided to the individual are detailed. This may be more than the furniture and/or equipment recommended by Access to Work, e.g. flexible working, time off for medical appointments etc.

Please remember not everyone who has a disability will require Reasonable Adjustments and regular reviews with the individual are vitally important as their circumstances could change.

The Reasonable Adjustments Tab in SCoPE can only be updated by Business Support Units, People and Development (P&D) or someone in the line management chain of a disabled person. This should be done following discussion with the individual and with their consent, by:

* Clicking on the Reasonable Adjustments Tab in the team member’s SCoPE record.
* Selecting the ‘Disability Awareness’ section by clicking on the magnifying glass symbol.
* Clicking on the green + symbol to open the editable box. Enter the date you became aware of the disability and your own details in the ‘acknowledged by’ section.
* Click the Reasonable Adjustments Tab again and select the ‘Disability Impairment Type’ section by clicking on the magnifying glass symbol.
* Click on the green + symbol to open an editable box. Enter the date, select the disability type from the dropdown using ‘other’ where a suitable option is not listed. (There is a section for notes should you wish to provide more information). Enter your own details in the ‘acknowledged by’ section.
* Click the Reasonable Adjustments Tab again and select the ‘Adjustments’ section by clicking on the magnifying glass symbol; and
* Click on the green + symbol to open an editable box. Enter the details requested using the dropdowns. If no adjustments are in place select the ‘No adjustments required option’. (There is a section for notes should you wish to provide more information.) Enter your own details in the ‘acknowledged by’ section.

**SCoPE – Equality and Diversity Tab**

If the individual wants to update their equality and diversity monitoring data they can do this using the Equality and Diversity (E&D) Tab in their SCoPE personal record. As this is sensitive data, updates can only be completed by individuals themselves by following these steps:

* Click on the Equality and Diversity tab in SCoPE;
* Select the 'Personal Details Self-Classification' section by clicking on the magnifying glass symbol;
* Click on the 'Edit Personal Details Self-Classification' button (this looks like a hand symbol);
* Click on the drop down menus and select your chosen option, then click save; and

If disability is changed from 'No' to 'Yes', additional text displays to advise that your line manager will receive a notification email.

**Appendix H**

National Process for the Provision of Coloured Paper and Large Font Police Issue Notebooks

Individual becomes aware that they need coloured paper or large font police issue notebook and speaks to their manager.

Individual knows their particular colour or pantone reference

Line Manager approves the request for Reasonable Adjustment and forwards the form to authorised signatory.

Complete Form (111-002), stating it is necessary as a Reasonable Adjustment and attach a sample of the colour paper required.

Complete Form (111-002), stating it is necessary as a Reasonable Adjustment providing the Pantone Reference.

Authorised signatory, completes form as per its instructions.

Notebook dispatched/issued to the delivery location stated on the form.

Complete Form (111-002), stating the notebook is necessary as a Reasonable Adjustment. Clear reasoning must be provided on the form.

**Paper**

**Notebook**

Note:

Mobile devices can have the settings changed to suit individuals’ needs.

**Appendix I**

Disability in Employment – Frequently Asked Questions

**How is a disability defined?**

Under the Equality Act 2010 (referred to hereafter as the Equality Act) a person is disabled “if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities”.

* A “substantial” effect is one that is more than “minor” or “trivial”. This is assessed on an individual basis. The focus should be on any disabling effects on the individual not just on the impairment itself.
* “Long-term” means the condition must have lasted, or be likely to last for 12 months or more or is likely to last for the rest of an individual’s.

There is no need for a disabled person to establish a medically diagnosed cause for their impairment. What is important to consider is the effect of the impairment, not the cause.

In most circumstances, a person will be protected if they have had a disability in the past, even if they no longer have the disability. For example, if they had a mental health condition in the past which lasted for over 12 months, but has now recovered, they are still protected.

Further information on the Equality Act is available in the Equality and Human Rights Commission (EHRC) – Guidance for employers about their responsibilities under the Equality Act.

**What is considered a ‘Normal Day to Day Activities’?**

In general, day-to-day activities are things people do on a regular or daily basis and include reading and writing, having a conversation or using the telephone, getting washed and dressed, preparing and eating food, walking and travelling by various forms of transport and taking part in social activities.

Normal day-to-day activities includes general work-related activities and study and education-related activities such as, interacting with colleagues, following instructions, using a computer, driving, carrying out interviews, preparing written documents and keeping to a timetable, or a shift pattern.

The test of whether impairment affects normal day-to-day activities is whether it affects one of the following broad categories of capacity:

* Mobility
* Manual dexterity
* Physical co-ordination
* Continence
* Ability to lift, carry or otherwise move everyday objects
* Speech, hearing, eyesight
* Memory or ability to concentrate, learn or understand
* Feeling anxious, withdrawn, lack of self-esteem/confidence
* Perception of the risk of physical danger

An impairment is to be treated as having a substantial adverse effect on an individual’s ability to carry out normal day-to-day activities if measures are being taken to treat or correct the impairment and without that treatment, the impairment would have a substantial adverse effect. The only exceptions are where sight impairment is corrected by spectacles or contact lenses.

**What is a Reasonable Adjustment?**

Reasonable Adjustments are modifications that are specifically aimed at removing substantial disadvantage in the working environment of a disabled person. We have a legal obligation to implement Reasonable Adjustments and a failure to comply with the duty of a Reasonable Adjustment may be an act of discrimination.

Reasonable Adjustments may range from minor changes to duties, equipment or working practices to alterations to physical features of premises. Adjustments required will depend on individual circumstances and should be assessed on an individual basis. The resources of the organisation will be taken into account when considering whether it is reasonable for an adjustment to be implemented.

Reasonable Adjustments should be implemented as soon as practicably possible and it may be necessary to make more than one adjustment. Where adjustments cannot be implemented immediately or there is a delay in sourcing an adjustment, consideration should be given to any temporary adjustments that may be required.

**Do I have to use the exact equipment or suppliers identified by Access to Work?**

No, Access to Work make recommendations regarding equipment and suppliers however Police Scotland may identify a preferred supplier who will be able to provide the required functionality as detailed in the recommendation report.

In some cases there may be a requirement for 'coaching' and/or other associated training in relation to recommended equipment, again we may have an alternative supplier.

**What is Disability Confident?**

Disability Confident is a UK Government scheme which supports organisations to make the most of the talents that disabled people can bring to the workplace.

Disability Confident organisations play a leading role in changing attitudes for the better. They are changing behaviour and cultures in their own businesses, networks and communities.

The scheme helps employers:

* draw from the widest possible pool of talent;
* secure high quality people who are skilled, loyal and hardworking;
* improve morale and commitment by demonstrating that they treat all employees fairly. It also helps customers and other businesses identify those employers who are committed to equality in the workplace.

**How will my absence be managed if it is related to a disability?**

It is not always appropriate to treat disability related absence in the same way as sickness absence. In some cases team members with a disability may require additional support and Reasonable Adjustments in order to maintain attendance at work.

It may be appropriate to discount certain disability related absences as a Reasonable Adjustment or to grant Special Leave as a Reasonable Adjustment. Special Leave for a disability related reason is distinct from disability related sickness absence and can be used, for example, for short periods of treatment, rehabilitation or assessment related to an individual’s disability.

In instances where, despite the best efforts of both the employer and the disabled person, continuing in a post becomes unsustainable and there are no further Reasonable Adjustments that the organisation can make, a range of procedures exist to resolve these situations, such as Attendance Management, Ill Health Retirement or Capability.

**What support can Occupational Health (OH) provide?**

OH can provide clinical support to staff and facilitate discussions around Reasonable Adjustments.

Further information is available in the document Occupational Health FAQs for SPA/Police Scotland Managers, and the risk assessment guidance document available on the Intranet.

**Where can I get some additional support and advice?**

Additional advice and support for team members with a disability and their line managers can be obtained from the following People and Development (P&D) teams:

* Health and Safety
* Wellbeing
* Equality and Diversity
* People Direct.

The following sources of assistance are also available:

* The Scottish Police Federation
* Association of Scottish Police Superintendents
* Trade Unions
* The Scottish Police Disability and Carers Association (DACA)

Compliance Record

|  |  |
| --- | --- |
| Equality Impact Assessment: Date ~~Completed~~/Reviewed: | 15/04/2021 |
| Information Management Compliant: | Yes |
| Health and Safety Compliant: | Yes |
| Publication Scheme Compliant: | Yes |

Version Control Table

|  |  |  |
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| Version | History of Amendments | Date |
| 1.00 | Initial Approved Version | 29/11/2013 |
| 1.01 | Minor Amendments | 08/08/2014 |
| 1.02 | Reflect Change in Process | 08/10/2014 |
| 2.00 | Reflect Change in Process | 19/06/2015 |
| 3.00 | Updated to reflect changes in data protection legislation | 24/05/2018 |
| 4.00 | Policy Simplification | 19/12/2018 |
| 5.00 | Inclusion of reference to Personal Emergency Evacuation Plan within Line Manager section. Related procedures updated. | 01/04/2019 |
| 6.00 | Inclusion of line managers guidance on neurodiverse conditions including; dyslexia, dyspraxia, ADHD, dyscalculia and autism. Amendment to workplace assessment guidance to include preferred contract supplier details. | 06/01/2020 |
| 7.00 | Inclusion of National Process for the Provision of Reasonable Adjustments | 01/07/2021 |