eHR Programme

D253 User Guide for

7.01Referrals&Interventions

Version 10.0

7.1 Referrals & Interventions

This user guide sets out what you must do if you become aware of the need to discuss a health related issue with Line Management or identify the need to request an adjustment in the workplace. It also sets out the role of Line Management and Departmental HR.

In summary:

As soon as you identify the need to discuss a health related issue or request an adjustment in the workplace, you should:

- Contact Line Management by email, telephone or meeting to discuss your health related issue or to request an adjustment in the workplace via employee self service (Step1ContactLineManagement)
- Where appropriate, receive confirmation that you have been referred to the Occupational Health Service or that your request for an adjustment in the workplace is being considered.
- Complete Reasonable Adjustment Request Form/Agreement. For more information refer to Guidance for identifying and implementing reasonable adjustments. where appropriate (Step2Receive confirmation of outcome of discussion with Line Management)
- Attend OHS appointment, if appropriate (Step3Attendappointment)
- Receive confirmation of the outcome of the referral process from HRConnect (Step4 Meetwith Departmental HR)
- Meet with Departmental HR (or in certain circumstances, line management) to discuss the outcome of your referral to the Occupational Health Service or other relevant occupational health service provider, if appropriate (Step5 Receivedetailsofreferraldecision)

Line Management will:

- Discuss health related issue or the need for an adjustment in the workplace with member of staff and initiate referral request if appropriate (Step1 Receive or initiate a referral request)
- Provide input to Departmental HR in reviewing referral requests and initiating appropriate action (Step2ProvideinputtoDepartmentalHRinreviewingreferral requests)
- Refer to Guidance for identifying and implementing reasonable adjustments. Complete the line manager section of the Reasonable Adjustment Request Form/Agreement and instigate action, where appropriate (Step 3Update HRConnect Manager Self-Service "Reasonable Adjustments" screen with details of the adjustment implemented, along with review dates, or assessment details)
- Receive appointment details sent to the member of staff from HR Connect (Step4 Receive copy of appointment details)
- If appropriate and an appointment has been held, receive a copy of correspondence sent to the member of staff following their attendance at a medical appointment (Step 5Receive copy of correspondence received by member of staff)
- Provide input to Departmental HR in deciding appropriate remedial action following

the outcome of the referral process, if required (Step6Inputintoappropriateremedial action, if required)

- Where necessary, agree a phased return to work pattern with the member of staff and review this pattern on an ongoing basis (Step7Agreephasedreturntowork)

Departmental HR will:

- Submit a referral request form or, where required, an early intervention (designed to ensure that where necessary and requested, staff receive timely support and advice in the management of work and/or non-work related issues) request to HRConnect (Step 1 Request referral)
- Review all requests for an adjustment in the workplace and initiate action, as appropriate (Step2Reviewreferralrequestsandinitiateaction)
- Notify Welfare Service, if required, to liaise with the member of staff throughout the referral process (Step3Welfareintervention)
- Receive an alert containing the appointment details sent to the member of staff (Step 4Receive copy of appointment details)
- Where appropriate, discuss the reason why the staff member did not turn up to their appointment (Step5Discussreasonfornonattendanceattheappointmentand process any further action required with member of staff)
- Receive a copy of the medical report from the Occupational Health Service or other relevant occupational health service provider for the member of staff who attended an appointment and agree its distribution, where appropriate (Step6 Receivereportfrom Occupational Health Service)
- Meet with the member of staff to discuss the outcome of the report and agree remedial action following outcome of referral decision (Step7Meetwithmemberof staff,whereappropriate, to discuss report outcome)
- Take appropriate remedial action (Step8Takeappropriateremedialaction)
- Instruct HRConnect regarding referral decision and action to be taken (Step9Instruct HRConnect)

In addition to this user guide, you may also wish to refer to the following HR policies, as appropriate:

- 1.01, Recruitment website
- 1.05, Career Opportunities and Promotion
- 1.06, Secondment
- 3.01, Sickness Absence
- 6.06, Inefficiency Sickness Absence
- 6.07 Inefficiency Performance
- 7.01, Health & Safety

7.04 NICS Display Screen Equipment (DSE) Eye care scheme

The following terms used within this guide are defined in the glossary:

Early intervention - designed to ensure that where necessary and requested, staff receive timely support and advice in the management of work and/or non-work related issues.

Occupational Health Service Request form [Ref: 7.01.1F]
Early Intervention Request form [Ref: 7.01.2F]
Authorisation for Referral Request form (REF 3.4)
Reasonable Adjustment Request Form/Agreement

Guidance for identifying and implementing reasonable adjustments
Report Distribution form (REF 1.32)

7.1 Referrals & Interventions

User guide for staff

Referral Process

Step 1 Contact Line Management

Where you identify a need to discuss a health related issue with Line Management , or you feel that a reasonable adjustment can be implemented, you should contact Line Management by email, telephone or meeting, or request a reasonable adjustment via employee self service.

Line Management may ask you to complete a Reasonable Adjustment Request Form / Agreement and may decide to refer your case for approval to DHR and then to the Occupational Health Service or other occupational health service provider or to initiate an assessment.

If you require further guidance refer to the Guidance for Identifying and Implementing Reasonable Adjustments and Welfare policy.

Step 2 Receive confirmation of outcome of discussion with Line Management

Request for Reasonable adjustments

Your Manager may inform you that your request for reasonable adjustment has been agreed and will be implemented. In certain circumstances, Line Management may require additional information, and a referral to Occupational Health (General fitness referral) may be appropriate, Line Management will inform you of their decision. If DHR approve, they will instruct HRConnect to initiate this assessment. Following this assessment, Line Management will instigate any appropriate actions arising from the assessment and update HRConnect with details of the assessment and action required.

Medical Appointment Requests
If your referral is approved by Departmental HR, your case will be forwarded to the Occupational Health Service or other occupational health service provider so that an appointment can be arranged. Once this has been confirmed you will receive an appointment letter by post.

This OHS appointment letter will include the following details:

- Date, time and venue of medical appointment
- Expense claim details

If, in exceptional circumstances, you are unable to attend the appointment, you must contact Departmental HR by telephone or post as soon as possible to request an alternative appointment.

Step 3 Attend appointment

You should attend your appointment on the date and time as confirmed.

During your appointment, you may be asked to sign a consent form to request access to your medical records. This is to allow the Occupational Health Specialist you have been referred to, to gather as much information as possible to help you with your particular case.

If you are unable to attend the appointment for any reason, or wish to cancel the appointment (for example, if you are returning to work), you must contact Departmental HR as soon as practicable, by telephone, or post, before the appointment, in order that they can consider your request and take appropriate action.

If DHR approve your request, they will notify OHS If appropriate, DHR will re-schedule the appointment. If your request is not approved, you must attend the appointment

If you do not attend the appointment, Departmental HR will contact you to discuss the reasons why you did not attend and will instruct HRConnect to take the appropriate action, which may include instigating the Disciplinary process.

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You will receive a letter from HRConnect informing you of the following, as appropriate:

- Details of your missed appointment
- Consequence/actions resulting from missing your appointment
- Confirmation that a further appointment will be made
- Notification of the potential cessation of Occupational Sick Pay

Step 4 Meet with Departmental HR

Following your appointment, you will receive a summary of your medical report, as appropriate. Departmental HR may contact you to arrange a meeting to discuss the outcome of the referral with you. In such cases, this discussion will include a case review and timetable of actions, where appropriate. In certain circumstances, this meeting may be with Line Management.

Step 5 Receive details of referral decision

Following your meeting with Departmental HR, you will receive written confirmation from HRConnect of the discussion and any decision made by Departmental HR. If you accept this decision, the appropriate remedial action will be taken.

Where the decision supports a phased return to work, Line Management will meet with you to agree a phased return to work pattern. Once this has been agreed you will receive written confirmation of this work pattern and the impact of this on your pay. This pattern will be reviewed on an ongoing basis by Line Management.

In the event that you are dissatisfied with the medical decision of your referral, you may appeal against this decision using the OHS appeals procedure

Stress/Anxiety/Depression/Other Psychiatric Illness

If you are suffering from Stress/Anxiety/Depression etc it is important that you contact either your Line Manager or DHR at the earliest opportunity. Early contact is considered to be one of the key factors to help manage your stress related illness.

Your Line Managers or DHR will consider all of the information available and refer you to OHS and Welfare immediately.

7.1 Referrals & Interventions

User guide for Line Management

Referral process

Step 1 Receive or initiate a referral request

As soon as you identify a need to request a referral for a member of staff, or, a member of staff contacts you directly to discuss a health related issue you should access an Authorisation for ReferralRequestform(REF3.4) by logging on to HRConnect via your PC. You must complete and forward this request to Departmental HR on behalf of the member of staff by email or post, as appropriate. You may be required, where appropriate to provide relevant background information with this form
Where you feel that an urgent referral is required, you should contact Departmental HR who will contact the Occupational Health Service directly, where appropriate, to arrange an immediate appointment.

An employee may contact you to request a reasonable adjustment and you may decide that such a request could be accommodated and implemented.

As soon as you identify a need to request an assessment for a member of staff, or a member of staff contacts you directly to discuss an assessment, or reasonable adjustment, you must update the system with the request, either approve, or put on hold the request, and notify the employee of your decision. Refer to Guidance on identifying and implementing reasonable adjustments. Also update the system with appropriate review dates for adjustments implemented. Complete the line manager section of the Reasonable Adjustment Request Form / Agreement.

For NI Civil Servants, DHR will contact OHS directly where an urgent referral is required. For Home Civil Service staff of the Northern Ireland Office, Departmental HR will contact the relevant occupational health service provider directly where an urgent referral is required.

Step 2 Provide input to Departmental HR in reviewing referral requests

Departmental HR will review the request and initiate the required action. Where appropriate, Departmental HR may require input from you and others in determining the action to be taken.

Step 3 Update HRConnect Manager with details of adjustment and review dates

Update HRConnect Manager with details of adjustment(s) agreed with member of staff and enter agreed review dates, or assessment details if appropriate.

Step 4 Receive copy of appointment details

Where the Occupational Health Service or other relevant occupational health service provider has arranged an appointment with a member of staff, you will receive a copy of the appointment details from HR Connect. This will include the following details:

- Date, time and venue of medical appointment
- Expense claim details

Step 5 Receive copy of correspondence received by member of staff

If appropriate and if the staff member attends an appointment, or has an assessment, following the staff member's attendance at the medical appointment, you will receive a summary of the medical report from DHR, as appropriate. This may include details of restrictions on what the member of staff may be able to do, following the referral, for example, lifting objects.
Departmental HR may, if appropriate, arrange to meet with the member of staff to review the outcome of the report and discuss possible action to be taken. Prior to this meeting, Departmental HR may contact you, as necessary, to gather your input as to the appropriate action to be taken. In certain circumstances, this meeting may be with line management rather than Departmental HR.

Input into this discussion must be provided by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.

Step 6 Input into appropriate remedial action, if required

Following the meeting with the member of staff, Departmental HR may also conduct a meeting with individuals involved with the case to decide on appropriate remedial actions, if appropriate. You may be required to provide input to this meeting, as appropriate.
Input to this meeting must be provided by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.

Step 7 Agree phased return to work

Where a phased return to work is agreed as the appropriate remedial action, you must contact the member of staff to agree a phased return to work pattern with them. Once this is agreed you will be required to instruct HRConnect accordingly, by updating the system with details of the proposed phased return pattern and by completing the relevant pro-forma, which can be downloaded from the portal.

A phased return to work pattern must be agreed by a line manager level 2 or above and the instructions sent to HRConnect by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.

You must then update the HRConnect Manager Self-Service screens with details of the

staff member's actual return to work pattern on a weekly basis, following system alerts for you to do so.

The system may be updated by a Line Manager Level 3 but must be authorised by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.

HRConnect will send you a copy of the phased return to work agreement which you must sign and return to HRConnect so they may issue it to the member of staff.

You should review the progress of the member of staff under the phased return to work arrangements on an ongoing basis and where appropriate, update these arrangements. ***The phased return to work pattern must be reviewed on an ongoing basis by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

For Industrial Departments that employ Administration Staff

You must ensure that you follow all Line Management steps fully; this section only relates to forwarding relevant documentation in Industrial Departments that employ Administration Staff to input. Administration Staff actions are limited to this section.

You should complete the Phased Return Instruction form[REF1.51R2]andthenthe Phased Return Weekly Returns form[REF1.93R2], and forward to Administration Staff, who will input the authorised form on the system, print the review screen, and attach to the authorised form (this is optional). Administration Staff will then submit the data on the system. All data entered by Administration Staff will be verified through a peer-to-peer check, where a different member of Administration Staff will validate the information recorded against the authorised form. This check can be conducted online or with a printout of the review screen offline.

Where the data has been inputted correctly, the Administration Staff must sign to verify that the check has been performed. Where the data has been inputted incorrectly, Administration Staff will update the system with the correct data and resubmit.

The Line Manager of the Administration Member of Staff must conduct a percentage check (please refer to your Department's management checking process). Where the data has been inputted incorrectly, Administration Staff will update the system with the correct data and resubmit.

All documentation should be retained locally by the Business Unit.

Stress/Anxiety/Depression/Other Psychiatric Illness

Where an a member of staff informs you that they are suffering from Stress/Anxiety/Depression//Other Psychiatric Illness you should record the absence on HRConnect immediately to ensure early intervention by DHR's, if required.

7.1 Referrals & Interventions User guide for Departmental HR

Step 1 Request referral

Where Departmental HR identifies, or is informed of a potential need to request a referral or an assessment for a member of staff they will consider the following:

- Where Departmental HR feels an urgent referral is required, they should contact the Occupational Health Service or other relevant occupational health service provider directly by telephone so that an immediate appointment can be made. Following any urgent referral, the normal referral process should be initiated to ensure that all appropriate system and documentary steps are followed

Where Departmental HR decides, after review, that an individual's case requires early intervention (designed to ensure that where necessary and requested, staff receive timely support and advice in the management of work and/or non-work related issues) they should:

- Access an Authorisation for EarlyInterventionform(REF3.5) by logging on to HRConnect via their PC. Departmental HR will complete and forward this to HRConnect on behalf of the member of staff by email or post, as appropriate
- Where neither of the above applies, Departmental HR should access an Authorisation for ReferralRequestform(REF3.4) by logging on to HRConnect via their PC, Departmental HR will complete, review and authorise the request to HRConnect on behalf of the member of staff by email or post, as appropriate.

Step 2 Review referral requests and initiate action

Departmental HR will receive any other copies of completed Occupational Health Service and Early Intervention request forms for review. Where appropriate, Departmental HR will authorise the requests, after seeking input from LM and others, where appropriate and return them to HRConnect by email or post. Where this referral is made as a consequence of an **EARLY INTERVENTION** (designed to ensure that where necessary and requested, staff receive timely support and advice in the management of work and/or non-work related issues) early intervention forms must be submitted with the referrals form. Departmental HR should also complete forms for a re-scheduled referral date, where they have agreed such a request made by the employee.

When a referral is initiated, the form should contain relevant background information on the individual concerned. You should complete the relevant sections of the form and together with any documentation, or further information requested, return this to HR Connect by email who will forward it to OHS.

Copies of OHS referral forms and guidance about using them has been provided by OHS to DHR.

Step 3 Welfare Intervention

Depending on the nature of the case, Departmental HR may recommend the services of Welfare and **Employee Assistance Programme** (EAP). Where the employee agrees,

Departmental HR will notify Welfare Service of the case and send full instructions and case documentation to this officer to assist in their report. The Welfare Officer appointed will then update the employee record with details of the Welfare contact. The nominated Welfare officer will contact the member of staff by telephone to arrange a meeting. Departmental HR can appoint a Welfare Contact**, where the Employee agrees,** or **recommend** an Employee Assistance Programme at any time in the process where appropriate.

Where a Welfare Officer has been contacted because it is felt **early intervention** (designed to ensure that where necessary and requested, staff receive timely support and advice in the management of work and/or non-work related issues) is required the Welfare Officer will contact employee as soon as possible when an absence has been recorded.

In both instances, the location of any meeting will depend on the circumstances of the staff member's absence. Following any meeting conducted by the Welfare contact, they should update system Welfare screens, as appropriate, email Departmental HR and discuss the outcome of the meeting and produce and provide a written report. (This report may only be a couple of lines to indicate outcome, where appropriate, or may be a fuller report, with recommendations) Based on this discussion, Departmental HR will decide on the appropriate action to take, for example, to refer the individual to the Occupational Health Service or other relevant occupational health service provider. Departmental HR must then update the system with the outcome of the meeting. Welfare will then send a sealed report direct to HRConnect, this should be accompanied by a pro-forma with instructions and any actions which are required. Where no further action is to be taken, following the Welfare contact, DHR should inform HR Connect by email, who will then update the system.

Where a member of staff is absent for some time, the nominated Welfare Officer will maintain ongoing contact with the member of staff and Departmental HR to discuss their continuing absence, the possibility of returning to work or referral to the Occupational Health Service or other relevant occupational health service provider.

Step 4 Receive copy of appointment details

Where the Occupational Health Service or other relevant occupational health service provider has arranged an appointment with a member of staff, Departmental HR will receive an alert, containing the appointment details from HRConnect. This will include the following details:

- Date, time and venue of medical appointment
- Expense claim details

If, in exceptional circumstances, the member of staff is unable to attend the appointment, or wishes to cancel the appointment (for example, if they are returning to work),they will contact Departmental HR by telephone or post as soon as possible to request an alternative appointment, or cancellation. Departmental HR will review this request and take appropriate action, This may include contacting HR Connect, as soon as practicable to instruct them to inform OHS of the cancellation. After reviewing a request which results in a re-scheduled referral appointment, Departmental HR must complete and authorise the appropriate pro-forma and send to OHS.

Step 5 Discuss reason for non attendance at the appointment with member of staff

If a member of staff fails to attend their appointment, Departmental HR will arrange to meet, or discuss by telephone with the individual concerned to discuss the reasons why they missed their appointment. Based on this discussion, Departmental HR will then instruct HRConnect of any further action to be taken in this case. This may be done by email or post and should include an authorising signature.

For further information please refer to 6.01,Disciplinaryuserguide.

The member of staff will receive a letter from HRConnect informing them, as appropriate, of the following:

- Details of the missed appointment
- Consequences/actions arising from missing the appointment
- Confirmation that a further appointment will be made
- Notification of the potential cessation of Occupational Sick Pay

Step 6 Receive report from Occupational Health Service or other relevant occupational health service provider

Following the staff member's attendance at their medical appointment, or even if a medical appointment was not required, Departmental HR will receive a copy of the report from the Occupational Health Service or other relevant occupational health service provider and will agree the distribution of the report or appropriate sections of it. Departmental HR should access, and complete a ReportDistributionform(REF1.32) by logging on to HRConnect via their PC, Departmental HR will forward the completed form and send to HRConnect regarding the distribution of the report by email or post.

Step 7 Meet with member of staff, where appropriate, to discuss report outcome

Once the member of staff has received a copy of the correspondence following their medical appointment, Departmental HR may, where appropriate meet with the officer, to discuss the report. In certain circumstances, this meeting may be with line management. Departmental HR may seek input from Line Management or the Occupational Health Service or other relevant occupational health service provider.

For applicants placed through Pre-Placement Verification and Offer, Departmental HR will discuss the suitability of the placement with the Competition Lead and the Occupational Health Service, or other relevant occupational health service provider, where appropriate.

Based on these discussions Departmental HR will issue recommendations to HRConnect by post following the meeting using the Referrals and Interventions - Recommendation Report Form. HRConnect will then inform the member of staff or applicant of the outcome of this decision. (The letter generated will first be sent to DHR for countersignature)

Where the decision results in the individual's employment being terminated, Departmental HR must review and sign the termination letter generated by HR Connect, they must then return the letter to Departmental HR for distribution.

Step 8 Take appropriate remedial actions

Once the member of staff has received written confirmation of the outcome of the referral decision and has accepted the outcome, Departmental HR will implement the appropriate remedial action. This may require input from Line Management and others as appropriate. Where the member of staff does not accept the OHS findings, they may
appeal against the medical opinion using the appeals procedure set out in the NICS Staff
Handbook.

Step 9 Instruct HRConnect

Where the appeal is not upheld, Departmental HR will instruct HRConnect by email or post of the appropriate remedial action agreed, using the form "Referrals and Interventions, Instructions on remedial action HR – REF 1.45", which can be downloaded from the Portal

For Northern Ireland Audit Office (NIAO) and Chief Electoral Office (CEO) and for Departments with Pay-only personnel

Departmental HR should complete a PhasedReturnInstructionForm(REF1.51) and send to HRConnect by email or white mail. HRConnect will update the system with the phased return details and will issue communication as appropriate (to the employee for Pay-only personnel within departments or directly to the NIAO and CEO) by email or white mail.

Stress/Anxiety/Depression/Other Psychiatric Illness

You will receive an alert when an officer has an absence being created as anxiety/stress/depression/other psychiatric illness. You should contact the line manager to establish if they can provide any information about the absence. If appropriate, you should complete form SAB 1.109 (Request to issue Stress Questionnaire/Temporary Injury Award Booklet) and submit it to HRConnect instructing them to issue a Stress Questionnaire to the employee. Early intervention is fundamental in the management of all stress related absences and should be referred to OHS and Welfare immediately.

If the employee indicates that they require a Temporary Injury Award Booklet, please instruct HRConnect to issue it.

7.1Referrals & Interventions

Guidance for Identifying and implementing Reasonable Adjustments

Introduction

The Disability Discrimination Act (the DDA) recognises that various barriers exist within society which may present practical difficulties for people with a disability who are seeking employment, who are currently in employment and for many when accessing goods, facilities, services and premises. A detailed definition of disability is provided at Annex 1 –Definition of Disability.

The DDA says that the duty to make reasonable adjustments applies where any physical feature or premises occupied by the employer, or any arrangements made by, or on behalf of the employer, cause a substantial disadvantage to a person with a disability compared to a person without a disability.

An employer has to take such steps as are reasonable, in all the circumstances, to prevent that disadvantage –in other words, the employer has to make a "reasonable adjustment".

Examples of adjustments are detailed at Annex 2 – Reasonable Adjustments in Employment.

There are a number of ways the need for an adjustment in the workplace may be identified. The most common approach is when a member of staff raises a particular issue with their line manager, e.g. a problem with the physical surroundings or layout of a building or office, a requirement for specialist equipment or the need for additional, or tailored, training.

Sometimes the line manager will become aware that a member of staff is experiencing a difficulty in the workplace, and this may be identified as part of the managing attendance process, during review meetings to discuss performance, through general observation or other meetings with staff.

In some cases the line manager will be made aware in advance that an individual (e.g. a new start /transfer) may require some adjustment, and it is important that the line manager is provided with as much information as possible to fully consider the adjustment required. See Step 2 Agree and Implement

What is meant by 'reasonable'?

This depends on the individual circumstances of each case, as no one solution fits all. It must be reasonable for the person with the disability, and the aim, as far as possible, should be to remove or reduce the disadvantage: and it must be reasonable for the NICS/Department as an employer and fall within the organisation's financial resources and business need.

The full financial resources of the Department must be taken into consideration, not simply those of a particular site where an individual is based.

An adjustment to the workplace or practices is reasonable if it is effective for the employee and does not adversely impact on service delivery, other staff members, cost or is impractical to provide. (More information on reasonable adjustments is detailed at Annex 2 – Reasonable Adjustments in Employment and Annex 3 – Mental Health Challenges).

Useful factors to consider when determining what is reasonable:

- How effective the change will be (if it doesn't remove or 'substantially alleviate' the disadvantage to the employee, it may not be necessary to make the adjustment);
- The extent to which it is practicable- the more straightforward the adjustment the more likely it is to be reasonable. However, just because an adjustment may be difficult to implement does not necessarily make it unreasonable;
- How the adjustment may impact on the service provision to customers, organisation or resources;

- Health and safety considerations e.g. the effect it will have on other staff e.g. evacuation procedures, which may involve colleagues;
- Allocating some of the individual's duties to another person or restructuring the team, so that the task is covered by other means;
- Financial and other costs – many reasonable adjustments cost little or nothing to implement. However, in some cases the adjustment (s) though considered reasonable, may have budgetary implications which may require approval from the budget holder/Head of Branch/Division. The costs should not prevent the adjustment being implemented without a thorough examination of the costs/benefits to the organisation.

Adjustments can be agreed on a temporary, occasional or permanent basis. However, in all cases they should be reviewed regularly to ensure that they are still relevant and effective.

Adjustments for physical disability are frequently relatively straightforward, as they are often changes to the physical environment (e.g. ramps, lifts, computer software).

Staff with mental health challenges, including bipolar disorder, anxiety and depression, can also be affected by their health condition to the extent that they require an adjustment in the workplace.

It can sometimes be difficult for line managers to identify what adjustments may be appropriate in these circumstances, and further information is available at **Annex 3 – Mental Health Challenges.**

The member of staff should access HRConnect through the self service facility, and input the request for a reasonable adjustment. The member of staff should also complete the Reasonable Adjustment Request Form / Agreement.

The HRConnect process is set out at Annex 4 – HR Connect Self Service Facility**.** A flowchart detailing the reasonable adjustment process is also included at **Annex 4**.

It is important to include the member of staff at all stages of the process. (He/she can also be supported during this process if required, e.g. Welfare Officer or trade union representation etc). Many factors will be involved in deciding what adjustments to make, including business needs and individual circumstances. Different people will need different things even if they appear to have the same disability. Line managers should therefore consider every request on a case by case basis, and avoid making assumptions.

This guidance provides advice and support for line managers when dealing with requests for adjustments: the factors to be considered, the importance of keeping records and where to look for additional support.

The guidance is also designed to help ensure that any requests for an adjustment in the workplace are handled, effectively, efficiently and sympathetically, to meet the needs of the individual and the NICS.

3 Step Process

This guidance details the 3 step process to be followed by line managers when dealing with requests from staff for an adjustment in the workplace. The 3 steps in the process are:



The guidance highlights useful factors to consider when determining what is reasonable, along with good practice when making adjustments. Sources of help and support are also signposted, including Departmental HR, Disability Liaison Officer (DLO), Departmental Equal Opportunities Officer (DEOO) Occupational Health Service (OHS), Health and Safety Officers, Trade Union Representatives and Disability Employment Service (DES).

This process also details the importance of recording new and /or current adjustments in place on HRConnect, including the requirement for a review date to be set when the adjustment is being recorded on the system.

In circumstances where the member of staff requesting an adjustment at work is absent due to illness, the line manager should ensure that a copy of the application form for an adjustment in the workplace is issued to the member of staff for completion. On receipt of the application form the manager can arrange to meet with the individual to discuss, and follow the steps outlined in the guidance. The HRConnect system can be updated when the individual returns to work.

Step 1 Meet to discuss

It is important that the line manager has a meeting with the member of staff to seek their views on:

- In what way does their impairment affect their day to day activities in the workplace?
- What, if any, adjustments in relation to the above might help them in performing their role?
- What, if any, adjustments may help to remove any substantial disadvantage?
- When the adjustment has been identified the line manager determines whether it is reasonable i.e. can it be accommodated by the business in terms of maintaining service delivery, cost (manager to obtain necessary approval), and the impact on other members of staff? and
- What action is required by whom and within what time-frame?

Annex 5 provides further guidance - Points to consider before and during the meeting.

Please note: The member of staff may also provide supporting evidence (e.g. letter from GP etc.) that he/she wishes the manager to be aware of when considering any request for an adjustment. While it is accepted that a member of staff is not required to disclose the nature of their disability, he/she should be made aware that managers can only make decisions based on the evidence that has been provided. Supporting evidence from the GP should outline the benefits of the adjustment to address the barrier, rather than any detail of the medical condition. Managers also need to ensure adherence to Departmental Data Protection Guidelines in relation to personal and sensitive information that may be provided as part of a request for an adjustment (Annex 8 – Data implications for Line Managers).

Line managers should determine what assistance may be available to the Department to help with the adjustment, such as advice from RNIB, Action on Hearing Loss, Employers for Disability NI ((EFDNI), Access to Work or Workable NI, Disability Employment Service, (DES) and Health and Safety. DES provides advice,

guidance and training for people with disabilities and health issues. They could also consider Display Screen Equipment (DSE) risk assessment if necessary. Links to **Sources of Help and Support** are detailed at Annex 7**.**

The costs of implementing the adjustment will normally be paid for by the Department. In cases where there is a reduction in working hours, this will be reflected in a reduction in salary for the individual. If equipment such as a wheelchair is supplied though 'Access to Work' an officer may be required to contribute a % of the cost, if there is a personal benefit from the provision of the wheelchair.

It is also important to advise the member of staff that as a line manager you may need to seek confidential advice from other relevant areas within the Department; more senior management, Departmental HR (DHR), Departmental Equal Opportunities Officer (DEOO), Disability Liaison Officers, Disablement Employment Service (DES), and Health and Safety (H&S).

Where the adjustments are relatively straightforward and support/advice can be provided from DHR/DEOO/DES and H&S, no input is likely to be required from OHS. However, if further advice or guidance is required, the following options for support are available from OHS:-

- **Informal** – phone call / email to Occupational Adviser using OHS client services mailbox. This contact can be made by line management/DHR.
- **Formal** – using General Fitness Referral process. Line management should refer to OHS Best Practice Guide:- http://www.nicsohs.gov.uk/ohs-best-practice.pdf
- **Case Conferences** – for the more difficult and complex cases, involving OHS, DHR, Line Management and other specialist support as appropriate (Disability Action, Autism NI etc).

Examples of when a referral to the OHS may be necessary:

-

- If, for health reasons, a member of staff has difficulty completing the phased return plan within the 3 month period – OHS may provide advice on whether this period should be considered by management for extension on an exceptional basis, providing any extension can be accommodated by the business area. Link to policy:- https://portal.hrconnect.nigov.net/portal/page/portal/NICS_PG/nics_hrhandbook/Policies/3.%20Leave%20and%20Attendance/3.01%20Sickness%20Absence/12.%20Phased%20Return%20on%20Medical%20Grounds.
- Where a specific adjustment has been identified and there is doubt about the employee's fitness/capability to undertake that adjustment; and
- For consideration of ill health retirement where all adjustments have been explored and either cannot be reasonably accommodated or have not been effective in enabling the employee to remain at work.

All formal OHS referrals are made through DHR.

Step 2 Agree and implement

Agreement:

It is essential that the line manager agrees with the member of staff what adjustment(s) will be implemented, to what extent, and who needs to be informed of the adjustment being accommodated, along with relevant review dates.

It is also important to agree, if appropriate, what information the member of staff wishes to share in relation to their disability. This may include other staff who will have a role in ensuring that the adjustment is carried out and maintained e.g. work colleagues, trade union representatives. It is essential that the staff member's wishes regarding confidentiality should be adhered to.

If the adjustment requested cannot be accommodated in the current office/location the case should be referred to DHR for action, and the member of staff advised accordingly. DHR will determine if the adjustment can be accommodated elsewhere in the Department, and if this is not possible consideration will be given to placing the individual in the DDA priority pool, to facilitate consideration by other Departments.

Sometimes it may be necessary to tell staff that their request is not reasonable and that it will not be possible to accommodate it. That conversation should be handled sensitively, patiently going through the issues discussed and clearly setting out why the department feels unable to meet the particular adjustments. In some cases it may not be possible to accommodate all the adjustments requested, but managers should endeavour to accommodate as many as possible, and document the reasons for not being able to accommodate others, if appropriate. It is not suggested that the staff member will necessarily agree with the decision but it is important that the line manager has explained the rationale behind it.

Implementation:

Adjustments are often relatively simple and straightforward to implement, without significant cost implications for the Department. Where a cost does apply, advice on funding adjustments should be sought from senior management team or DHR/DEOO as appropriate. It is also important that the HRConnect system is updated with details of any adjustment implemented, along with review dates. The line manager/DHR will then receive an alert from HRConnect when the review date is reached.

To help manage the expectations of staff, it is important to keep the individual updated on the progress of the implementation of the agreed adjustments.

If appropriate, the line manager should consider the need to put in place a personal emergency evacuation plan (PEEP). PEEPs are designed to ensure the safe evacuation of people with disabilities in the event of fire or other emergencies.

All discussions, offers and decisions with regard to adjustments should be fully documented by the line manager, including appropriate line management approvals where necessary. This will also include those where management are unable to accommodate the adjustment, and all records should indicate the rationale for the relevant decision. Just because a particular post or duties cannot be adjusted does not mean the request is not approved; business areas and Departments need to explore the feasibility of implementing the adjustment in other posts.

It is also good practice to monitor the adjustments currently in place for members of staff. **If current adjustments have not been recorded on HRConnect, line managers are advised to take necessary action to update the system, and input review dates as appropriate.**

If a member of staff turns down the offer of a post which will accommodate the adjustment requested, it is prudent for the manager to enquire why the post is being refused and to assess if it would be a reasonable step to make another/different offer.

If the decision is not to approve the requested adjustment, either from a business delivery or cost perspective, it should be clear to the staff member why this is so. If

staff consider the decision taken not to implement a request for an adjustment is unreasonable or unfair, then they can appeal using the Grievance Policy. The link to the relevant section of the HR Handbook is below:- https://portal.hrconnect.nigov.net/portal/page/portal/NICS_PG/nics_hrhandbook/Policies/6.%20Employee%20Relations/6.04%20Grievance.

Reasonable Adjustment Agreement

Once an adjustment has been agreed and implemented, and recorded on HRConnect, the record will be known as a 'Reasonable Adjustment Agreement,' (RAA). It is an arrangement between a line manager and a member of staff, for a specific post, but should be transferable to other line managers. If a new line manager is appointed, he/she should accept the adjustments already agreed and in place, until such time as both parties have worked together for some time and it is reasonable to review the arrangements together.

However, if the staff member intends to change jobs, either through transfer or promotion within their own department or to another department, the existing line manager is responsible for ensuring details of the reasonable adjustments recorded on the Reasonable Adjustment Agreement are shared with the new line manager once an individual is deemed suitable to fill the post, but before release dates are finalised. (A copy of the Reasonable Adjustment Agreement may be shared with a new manager, provided the member of staff has given consent for this form to be released.)

The line manager must consider whether the agreed adjustments can be accommodated and if not, must provide reasons in writing to Departmental HR who will liaise with HRConnect. Existing review dates should be adhered to, however, in some circumstances it may be necessary to allow some time for a member of staff to settle in a new post before reviewing the adjustments in place, to ensure they are in a position to identify exactly the adjustments required. If the duties of the post are significantly different to the previous post, the new line manager should ensure adequate review dates are agreed with the member of staff, and updated on HR Connect.

In some cases the new line manager may have genuine concerns which need to be addressed before the transfer can be finalised and, in exceptional situations, the transfer may need to be postponed or reviewed in light of these concerns. It must be remembered that the NICS has a duty of care to all staff and must recognise that – particularly in dealing with mental health issues – there can be stresses and strains associated with taking up a new position which need to be assessed for the benefit of all concerned.

Step 3 Review

It is important to review the impact of any adjustments at an agreed timescale to ensure they continue to be appropriate. Some health conditions are progressive and can deteriorate over a period of time. Similarly, a condition may improve and the adjustment may no longer be required. It is recommended that adjustments regarded as permanent are reviewed annually. Review dates of temporary adjustments should be more frequent and agreed with the member of staff when the adjustment is put in place.

When the HRConnect system is updated with details of the adjustment implemented, along with a review date, the system will automatically issue an alert to the line manager/DHR. This should prompt the line manager to meet with the member of staff to review the arrangements in place. However, the line manager may also have an opportunity to check arrangements during return to work discussions, interviews after sickness absence, or performance review meetings.

Line managers need to be mindful of the following:

- Give consideration on an ongoing basis to any potential impact that an employee's disability may have on their ability to undertake/get involved in new initiatives/ways of working; attend/participate in meetings, training etc:
- Before proposing to alter or remove an adjustment, e.g. due to changes in the employee's work etc, meet with the individual to explore the impact of any proposed change and discuss the options available:
- If necessary seek further help/support from DHR/DEOO/DLO/H&S/OHS: Annex 7 details links to additional sources of information.
- Any changes to the adjustment arrangement should be recorded and updated on HRConnect, with revised review dates.

Definition of Disability

The DDA defines disability as 'a physical or mental impairment which has a substantial and long term adverse effect on a person's ability to carry out normal day-to-day activities'.

Physical impairment: this includes, for instance, a weakening of part of the body (eyes, ears, limbs, internal organs, etc) caused through illness, by accident or from birth. Examples would be blindness, deafness, paralysis of a leg or heart disease.

Mental impairment: this includes mental ill health and what is commonly known as learning disability.

Substantial: put simply, this means the effect of the physical or mental impairment on ability to carry out normal day-to-day activities is more than minor or trivial. It does not have to be a severe effect.

Long-term adverse effect: the effect has to have lasted, or be expected to last, 12 months or more, and the effect must be a detrimental one.

A normal day-to-day activity: this is something which is carried out by most people on a fairly regular and frequent basis, such as washing, eating, catching a bus or turning on a television.

The person must be affected in at least one of the respects listed in the DDA:

- mobility;
- manual dexterity;
- physical coordination;
- continence;
- ability to lift, carry or otherwise move everyday objects;
- speech, hearing or eyesight;
- memory or ability to concentrate, learn or understand;
- perception of risk or physical danger; or

- ability to take part in normal social interaction or in forming social relationships e.g. autism spectrum conditions.

The Disability Discrimination (NI) Order 2006 made some changes to the definition of disability and ensured that people with HIV, cancer and multiple sclerosis are deemed to be covered by DDA as soon as they are diagnosed.

MainDocument1

Annex 2

Reasonable adjustments in employment

Adjustments can take many forms. They are always specific to the individual and should be considered whenever any features of the employer's premises, or any arrangements made by the employer, put an individual with a disability at a substantial disadvantage in comparison with their non-disabled colleagues. The purpose of an adjustment is to create a level playing field; it is not special treatment; it is a right. It may be necessary to make adjustments to premises, altering the person's hours of work, reallocating minor duties, modifying equipment or providing additional support.

Examples of Reasonable Adjustments

The following list sets out some possible examples of an adjustment which could be made to accommodate an individual's disability.

Adjustments can be agreed on a temporary, occasional or a permanent basis.

- Making structural or physical changes such as widening a doorway, providing a ramp or moving furniture for a wheelchair user;
- Acquiring or modifying equipment, e.g. altering the height of a computer workstation, providing a suitable chair, voice activated software etc;
- Modifying instructions or reference manuals, e.g. providing them in Braille or large print;
- Providing additional or tailored training, coaching or mentoring, for example for someone with dyslexia;
- Adjusting/changing working hours, e.g. allowing someone whose medication's side effect is fatigue a later or flexible start time, or more frequent rest breaks, or variation in working patterns;
- Allowing more time for written tests as part of a recruitment/promotion exercise;
- Considering the possibility of working from a different location;
- Providing a reader or interpreter, e.g. for someone who is deaf;
- Changing the method of doing the job, e.g. allowing an employee who cannot drive due to epilepsy to use public transport or where appropriate taxis for business travel;

- Adjusting targets or workloads;
- Extending an individual's probationary period if disability-related sickness has prevented the individual from being able to demonstrate an acceptable level of performance during the normal probationary time-scale for the role;
- Holding meetings in an accessible room; or arranging for short breaks during long meetings;
- Allocating some minor aspects of the role to another / other individuals without overburdening other individuals.
- Relocation where appropriate and practicable.

There will be situations where adjustments can be made which do not fall under any of the above headings. The important point is to consider the requirements of the individual in line with the needs of the service.

If it is not possible to accommodate an adjustment, the Department must prove that it has explored all avenues and must present justifiable reasoning why a measure could not be taken, for example, a valid business reason or a health and safety issue. (Please note that health and safety supersedes all else as the duty of care). Stereotypical assumptions about the health and safety implications of disability should be avoided. Less favourable treatment based on such assumptions may itself amount to direct discrimination.

MainDocument2

What are mental health challenges?

One in four people will experience mental health challenges in their lifetime. This means that everyone should be encouraged to be aware of their own changing health, and that a culture of openness and acceptance will allow health problems to be addressed early.

More severe mental health issues occur when a person experiences symptoms related to their mood, anxiety level or their perceptions of reality. One or more of these symptom areas can be experienced by a person during a period of illness (often called an episode). Mental health issues can develop in anyone, regardless of their job, gender, age or social background. It is not a sign of weakness if someone becomes unwell mentally, any more so than if they developed a physical illness.

People with a more significant mental health issues may experience 'episodes' of illness and long periods of being unwell. It should not be assumed that someone will not be able to stay in work if they become unwell, as this is often not the case.

Reasonable adjustments not only make it possible for a disabled person to fulfil the role, but can also prevent the build up of pressure which can trigger ill health. Therefore, reasonable adjustments should be seen as an effective way to protect the health of staff and potentially prevent deterioration of health.

Examples of reasonable adjustments for mental health problems

<u>Support with managing workload.</u>

Managing workload and priorities can be difficult for a range of reasons, including problems focusing or a tendency to take on too much. Some people benefit from having extra support with this, either on an ongoing basis or just when they need it. This may mean focusing on a specific piece of work for a while, or supporting someone to manage their time and prioritise work.

<u>Flexible hours</u>

Someone with mental health issues may find it extremely difficult to wake up early in the morning. This is often due to the side effects of medication. Other issues, such as anxiety, can make getting to work or using transport difficult. Agreeing start and finish times which are more manageable can be beneficial and prevent unnecessary pressure. If someone is not completely recovered, but able to work, it can be useful to alter the contracted number of hours worked per week on either a temporary or permanent basis.

Building Confidence

People with mental health problems often report a lack of confidence on returning from time away from work. Support to rebuild certain skills can help address this, if this is what someone wishes. If someone has been out of work for a long time due to a mental health condition, or has not worked before, they are likely to need some training/retraining to use certain IT or communication tools.

Change of workspace

A noisy or even a very quiet workplace can be difficult to cope with for some. It can be useful to explore options such as moving to a workspace away from passing 'traffic', or enabling someone to take work into a different room. You could consider hot-desking if this suits the person. Changing the workspace physically, by using screens/plants, could help. Some people also find using earphones helpful to block out workplace noise. It may be appropriate to discuss potential changes to the workspace with the Premises Officer, in advance of changes being implemented.

Methods of working

Some people with mental health issues may have difficulties using particular methods of work or communication. This can be due to a range of reasons, such as difficulty concentrating for long periods, anxiety using a telephone, or periodically finding it difficult to use a computer or electronic communication. Where possible, the individual should be able to use alternative methods which suit them better.

Travelling

Travelling can be very difficult for some staff, sometimes only from time to time. People should not be expected to travel to events or training if this is too stressful, and alternative arrangements should be made so that they don't miss out.

Attitudes of staff

If a lack of awareness of mental health issues among staff impacts on the employee negatively, this should be addressed. Attitudes of colleagues can undermine adjustments which would otherwise be effective.

Redeployment to another post or grade

If there are no reasonable adjustments which will enable the employee to continue in their original role, they could be unfit for that particular job. In such circumstances it is best to seek advice from DHR.

This is a guide to what adjustment might be helpful, adjustments that may be considered are not restricted to those listed.

MainDocument3

HRConnect self service facility

The member of staff should access HRConnect through the self service facility, and input the request for a reasonable adjustment. A link to User Guide – Referrals and Interventions is attached below.

https://portal.hrconnect.nigov.net/portal/page/portal/NICS_PG/nics_hrhandbook/nics_process/NICS_HB_PROCESS_Health%20and%20Safety/7.01%20Referrals%20and%20Interventions

Additional information is also available in the Health and Safety Quick Reference Guides available on HRConnect. Links to the relevant sections attached below.

Employees:

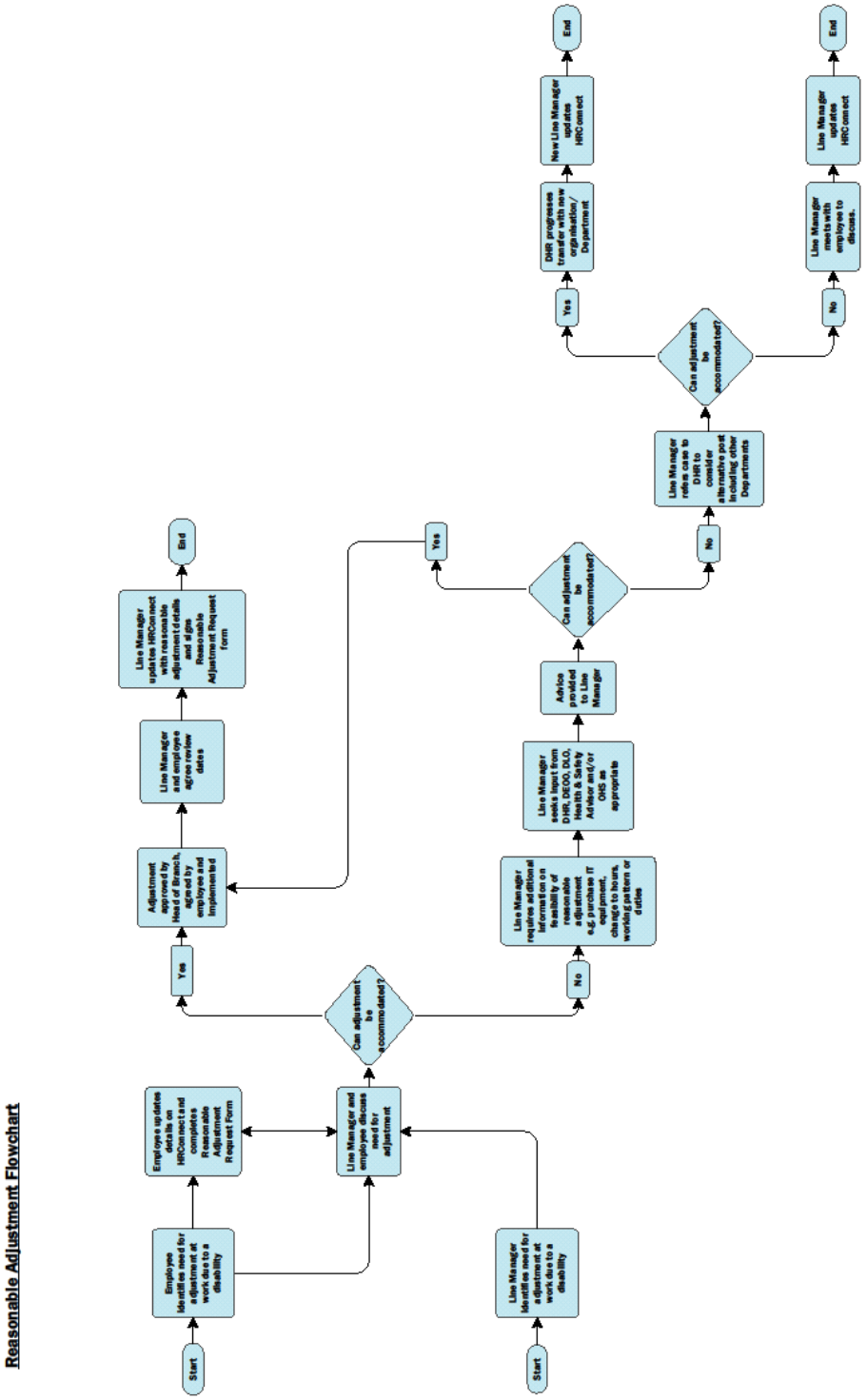
https://portal.hrconnect.nigov.net/portal/page/portal/NICS_PG/Training_Materials/QR%20Guide%20-%20Health%20and%20Safety%20-%20Employees.PDF

Managers:
https://portal.hrconnect.nigov.net/portal/page/portal/NICS_PG/Training_Materials/QR%20Guide%20-%20Health%20and%20Safety%20-%20Managers.PDF

The Reasonable Adjustment Request Form /Agreement is a downloadable form and can be accessed via the attached link:

MainDocument4

Reasonable Adjustment Flowchart



Annex 5

Points to consider before and during the meeting

It is important for the line manager to prepare for the meeting, and to encourage the individual to consider the following before any discussion:-

What is causing the member of staff a particular difficulty in the workplace, e.g.:

- Physical surroundings, office furniture;
- Ability to perform an element of their job;
- Instructions or reference manuals, training;
- Ability to participate in training/ meetings;
- Start/ finish/ break times ; and
- Equipment, software, telephones.

How this may be addressed, e.g.:

- Adjusting physical features of the workplace;
- Adjusting the way things are done;
- Providing additional support and training;
- Altering working hours or allowing additional breaks;
- Providing extra equipment; and
- Providing extra equipment.

See Managing Disability in the Workplace Checklist at Annex 6.

MainDocument5

Managing Disability in the Workplace Checklist **Annex 6**

Do	Don't
✓ Listen to the member of staff with the disability. ✓ Ask the member of staff with the disability if there are any job adaptations required to allow them to perform their duties. ✓ Treat any information provided to you in confidence. ✓ Appreciate the needs of staff with disabilities; value their contribution to the workplace. ✓ Offer assistance to a wheelchair user or person with a disability but wait for it to be accepted. ✓ Ask about their needs in the event of an evacuation from the building, and ensure PEEP put in place. ✓ Ask the member of staff with the disability if there is any training specific to their disability which would be useful for colleagues in providing them with assistance. ✓ Adjust an individual's PPA where appropriate.	× Make assumptions, not all disabilities are visible. × Pry or seek information you don't need. × Divulge any information provided to you in confidence without the staff member's consent. × Assume a member of staff with a disability wants or needs your help. × Assume that people with learning difficulties or mental health issues can only carry out less demanding tasks × Assume that all deaf people use sign language. × Dismiss a request for a reasonable adjustment out of hand. × Discriminate against staff with a disability.

Annex 7

Links to additional sources of information

Workable NI - http://www.delni.gov.uk/index/publications/pubs-das/das-workableni-case-studies.htm

Action Mental Health - www.amh.org.uk

Action on Hearing Loss - www.actiononhearingloss.org.uk

Access to Work - http://www.delni.gov.uk/access-to-work-_web_.pdf

Disablement Employment Service - http://www.delni.gov.uk/disability-employment-service-leaflet.pdf

Disability Action - www.disabilityaction.org

Employers for Disability NI (EFDNI) – www.efdni.org

Information and services for people with disabilities can also be accessed via NI Direct - http://www.nidirect.gov.uk/index/information-and-services/people-with-disabilities/employment-support.htm

RNIB - www.rnib.org.uk

Ulster Supported Employment Ltd - www.usel.co.uk

MainDocument7

Annex 8

Data Protection Implications for Line Managers

The new approach to identifying and implementing reasonable adjustments in the workplace for staff means that line managers will be more involved in handling medical information which is classed as sensitive personnel data under the Data Protection Act.

It is important to ensure that sensitive information is stored securely, and access is restricted only to those with a need to see it. Where it is no longer necessary to keep the information it must be disposed of immediately and securely. If there is a need to discuss personal data by phone you must verify the identity of the requester and ensure that you have privacy during any phone discussions. Similarly, if personal information is copied or printed you must ensure that it is collected immediately and the original is not left in a photocopier.

An assessment of the potential risk posed in sending personal information by internal mail or post should be carried out to decide whether this is appropriate. Consider the damage or distress that could be caused to individuals if the information was lost or stolen. When emailing information, care should be taken to ensure that it is sent to the correct recipient, and managers should adhere to departmental procedures re data protection.

In line with the Government Classification Scheme, almost all personal information / data will be handled within OFFICIAL without any caveat or descriptor. In very limited circumstances, specific sensitivity considerations may warrant additional (generally procedural) controls to reinforce the “need to know” for access to certain personal data at OFFICIAL.

Personal information / data should only be managed in the SECRET classification where the context warrants defending against a heightened threat profile, e.g. data identifies a person as being in an exceptionally sensitive position or situation (e.g. an employee of the Security and Intelligence Agencies).

However all information must be subject to appropriate protection. Departments/Agencies should use ICT access control measures, supported by procedural and personnel controls, to manage their information assets and enforce the “need to know” principle.

In the event of a data breach, it is important to act quickly and appropriately to minimise risk to individuals. You should, therefore, report any incidents immediately to your Head of Branch and the Information Asset Owner in your business area.

Further guidance on handling personal data can be found in the relevant Departmental Data Protection Staff Handbook, or you can contact your Business Area Information Manager or Information Management Unit for advice.

MainDocument8