



What is disability discrimination?

Disability discrimination occurs when someone is treated less favourably because of their disability or is treated unfavourably for a reason arising from their disability.

What are reasonable adjustments?

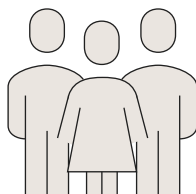
The duty to make reasonable adjustments is made up of three requirements which apply where a disabled person is placed at a substantial disadvantage in comparison to non-disabled people. The three requirements are as follows:

- Changing the way things are done (eg adjusting working hours)
- Making changes to the physical environment where it would be reasonable to do so (eg providing a ramp to access to a building)
- Providing aids and services (eg special computer software).



What are the top things HR should do to prevent disability discrimination?

- ✓ Focus on the impact on the employee at work, not on the disability or condition itself.
- ✓ Explore the effect on an individual to understand their ability to do the job.
- ✓ Address the duty to make reasonable adjustments.
- ✓ Remember, the employee does not have to suggest reasonable adjustments, but case law has suggested they should be consulted and listened to.



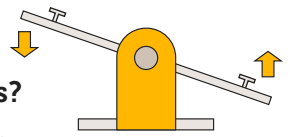
What is the definition of a disability under the Equality Act 2010?

'Disability' is defined 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. It covers physical and mental conditions.



'Long-term' means that the condition must last, or be likely to last, for more than 12 months, or is likely to last for the rest of the affected person's life.

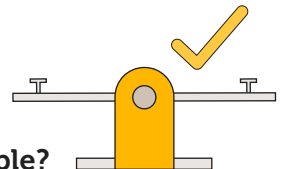
When do employers need to make reasonable adjustments?



Employers have a duty to make reasonable adjustments where there is a provision, criteria or practice in the workplace which places a disabled worker at a substantial disadvantage compared with people who are not disabled. This means employers must understand the individual's condition, its impact and offer solutions (adjustments) to remove or reduce the disadvantage or adverse impact.

If the employer fails to address that duty, they will be liable for discrimination.

How can an employer decide whether an adjustment for a disabled employee is reasonable?



The duty to decide what would be a reasonable adjustment is on the employer.

In determining whether an adjustment is reasonable, it helps to think about:

- would it prevent the effect in question?
- is it practical for the employer to take the step?
- What are the financial and other costs?
- would it disrupt any of the employer's activities?
- What resources are available?
- the size and type of business.

Remember, this list is not exhaustive.

For more information visit the [discrimination topic page on the CIPD website](#) for factsheets, guides and employment law.