Balancing universal design, reasonable adjustment and operational need

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The University of Law

LIBRARY & LEARNING SKILLS

Before we start

- We're not experts!

- Apologies if we use any labels or expressions that you feel are reductive of your experiences. All are a shorthand that we acknowledge don't represent each individual accurately or entirely.

Plan for today

- Speedy context-setting

- Our approach to this topic

- Some examples to consider

- Our tips for anyone submitting a request

- Over to you…

Aim for today

Subtitle for our presentation?:

"How to frame your reasonable adjustment requests to make them more likely to be supported"

Also keen to hear your ideas for senior leadership teams to convey this to our colleagues…

Who are we?

About us

- Megan
  - ADHD diagnosis summer 2023
  - Initial relief + thought it largely applied out of work
  - Have been very open within LLS & university
  - Struggled more this year with assumptions & stereotypes from both NT and ND colleagues + increasing awareness of own challenges

- Graeme
  - Managed by and line managing ND colleagues
  - Culture shift within service - collaborative working and the need to be mindful of different ways of working / different brains

The University of Law (ULaw)

7 UK campuses (city centres)

11 partnerships with UK universities

Law but also
Business, Computer Science, Criminology, Policing, Psychology

18,000+ students

Changing student demographics; increasing no. of UGs

Online delivery is significant

Library & Learning Skills

LIBRARY & LEARNING SKILLS

Centralised team of 38

- 16 part time / 22 full time

Mix of fully remote workers (inc. in Manila) and those with campus duties (based across our 7 main campuses)

- 22 remote / 16 on campus

Flexibility varies significantly by role / team

- Collections team: mainly remote

- Enquiries & Skills Development teams: some on campus / others fully remote

Unusual service offering?

Digital first provision

9am – 5pm Monday to Friday online support offering

Libraries open when buildings are

Can't guarantee staffed presence on campus

What do we take into account when we receive reasonable adjustment requests?

A balancing act

- **Reasonable adjustment** – changes to remove or reduce disadvantage related to someone's disability. Specific to an individual.

- **Universal design** – designed for the widest possible range of users.

- **Operational need**
  - How the service and roles have been designed and are expected to function
  - The expectations of users of the service

Reasonable Adjustment

What 'reasonable' means

What is reasonable depends on each situation.

The employer must consider carefully if the adjustment:

- will remove or reduce the disadvantage – the employer should talk with the person and not make assumptions
- is practical to make
- is affordable
- could harm the health and safety of others

The employer does not have to change the basic nature of the job.

> For example, someone in a call centre asks for a job that does not involve taking calls. This might not be reasonable if there is no other job to give them.

An employer does not have to make adjustments that are unreasonable. However, they should still find other ways to support the disabled person. This could include making other adjustments that are reasonable.

From ACAS website:
https://www.acas.org.uk/reasonable-adjustments

What we consider

- Context for the individual i.e. is the requested adjustment addressing the issue? Or simply what they feel comfortable asking for?

- Is there an impact on other people with different requirements?

- What could or should be offered as standard / universal? Can we change our approach more generally?

- What's business critical?

- Ongoing need to review for individual, team and service

Scenarios

Scenarios

- We'll ask your thoughts about three different scenarios.

- Responses are likely to be your gut reaction.

- Useful to consider what our / your instant response might be (when we may not have had time to think about the full picture) and then think about what a more considered one might be.

- Help us to think about the balance between personal and operational requirements

Scenario 1

- Protected quiet time:

  - I am comfortable that there are times I can't contact my line manager / colleagues.

  - I need to bring up topics and address issues as they occur to me, to avoid losing focus.

  - I need periods when I can't be interrupted.

  - I'd prefer colleagues raise issues whenever they arise so I can resolve them as soon as I'm able.

- Which of these apply to you?

Scenario 1 - considerations

- What's the nature of your role?
- What's the impact of being uncontactable for an hour, a morning, a day?
- Are there key people who could 'interrupt' you?
- What messaging does staff not being available send to others about "the service"?

Scenario 2

- Flexible hours:

  - My time is very bounded. When I'm not at work, I'm not at work.

  - Once I'm in flow, time goes out the window.

  - As long as I get the task done, it doesn't matter when I do it.

  - Other people's working hours preferences shouldn't impinge on mine.

- Which of these apply to you?

Scenario 2 - considerations

- What's the role you're employed to do?

- Do you work in an area with agreed core hours?

- What's the impact on colleagues?

- Is it just about flexible hours? Does your place of work and how quiet/busy it is have an impact?

Scenario 3

- Webcams on or off:

  - It's difficult to concentrate when I can see myself

  - I get distracted when I see lots of other people

  - I find it hard to stay engaged when nobody else is visible

  - I tend to do other work if I don't have my camera on

- Which of these apply to you?

Scenario 3 - considerations

- Is 'on or off' too simplistic?

- What kind of meeting or types of training do you attend online? What are they trying to achieve and how?

- How would it feel for those who work remotely and don't see people regularly? Or for those who are presenting?

- Are there any technological solutions? e.g. hiding the view of yourself; highlight the speaker; switching off the incoming camera

Regular challenges

- Perceptions of fairness amongst peers – line managers may be maintaining individual confidentiality whilst being asked:

    - X gets Y; why don't I?

    - X can do Y; why can't I?

- It's rarely possible to be entirely 'fair' due to:

    - Variations in duties and nature of each role

    - Specific individual requirements

- Equity vs Equality

Things to consider (i)

- Frame your suggestion as a 'solution' – most senior leaders appreciate this – but be prepared for other options to be explored.

- It can be hard to do this if you have experienced frustrations, but seeming positive & open goes a long way.

- Bear in mind:

  - needs of your roles (and others) as well as your individual needs

  - how different brains may view solutions: black-and-white answer vs. endless options

Things to consider (ii)

- **Pre-empt questions** about impact on others / service needs, to explore the balance between 'reasonable' for you & more widely

- Consider & acknowledge **how your adjustment might impact on someone else**'s adjustment or working practices

  - Does working more flexible hours put pressure on others to be responsive outside of their own hours?

  - Is a blanket 'no camera' really what you mean? Or just in particular situations?

- **Are there larger scale changes** that would go further and benefit others e.g. meeting management?

If you're successful

- Keep a record

  - Make sure it's documented & that you have a written copy, in case managers change

- Review it regularly / annually

  - Roles and responsibilities change and what you require now many not be the same in a year's time – senior managers need to understand this too

Over to you

Our question to you:

What could senior leadership / managers do to help individuals see the bigger operational picture?

Thank you!

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