

FACTSHEET 5

Workplace adjustments for people with a learning disability

The Equality Act 2010 requires employers to make reasonable adjustments that will remove barriers to disabled people seeking to find and keep a job. Most adjustments for disabled people are inexpensive – on average an adjustment costs only £75.²

¹ Top tips for small employers: A guide to employing disabled people, Disability Rights Commission

People with a learning disability rarely need physical adjustments and the adjustments they do need often cost nothing at all. By making adjustments to your company's policies and procedures you will remove barriers for this group of job seekers, and you may well benefit others too.

It's the law!

It is possible that you are unintentionally excluding people with a learning disability from your workforce. Most standard recruitment procedures are a barrier to people with a learning disability, equivalent to asking a wheelchair user to use a staircase.

“An employer failing to make 'reasonable adjustments' for a disabled job applicant or employee is one of the most common types of disability discrimination. If adjustments are 'reasonable', an employer must make them to ensure its workplace or practices do not disadvantage a disabled job applicant or employee already with the organisation.

Employers should ensure they have rules in place to prevent disability discrimination in:

- recruitment and selection
- determining pay, terms and conditions
- sickness absence
- training and development
- promotion
- dismissal
- redundancy

“If a workplace feature or practice puts an employee with a disability at a disadvantage, an employer should look to see what 'reasonable adjustments' it can make and meet with them to discuss what can be done to help them. For example, this could be as simple as supplying a special chair or power-assisted piece of equipment. Reasonable adjustments might also include changing some of the employee's duties, but an employer does not have to change functions essential to the role.”

[ACAS website](#)

Fear not, Mencap can help you.

The term reasonable can be open to interpretation. What we expect from employers is for them to consider what changes they can make that don't have significant cost or time implications on their business to allow people with a learning disability to have the same opportunities to work as their non-disabled peers.

The greatest barrier for people with a learning disability is the recruitment process. On-line only applications, formal interviews and qualification requirements that don't fit the role all prevent access to jobs that people with a learning disability may be perfectly capable of doing. Very few people with a learning disability get through the initial recruitment stage. Here are some tips to make sure you don't exclude people with a learning disability from your workforce.

Interviews

Formal interviews are daunting to most people. Interviews can be particularly difficult for a candidate with a learning disability because they often play to their weaknesses and give the candidate little or no opportunity to demonstrate their strengths.

Interviews are a superficial environment in which candidates are often asked hypothetical questions. This puts a candidate with a learning disability at a substantial disadvantage.

Arguably, an interview is an unfair test of a person's ability to do a job, particularly if the job requires practical skills.

[As a reasonable adjustment under the Equality Act, you could waive the interview process altogether. Instead, you could:](#)

Have a short, practical assessment in the workplace in which the candidate is shown the skills that the job requires and is asked to demonstrate their capacity to do the task – you should encourage the candidate to bring a

supporter along, if they need one offer a 'work trial' (also known as an 'on the job' or 'working' interview) of between one and eight weeks depending on the person's ability and the complexity of the role.

A work trial is similar to a work experience placement except there is a guarantee of a paid job if the trial is successful. During the work trial the person learns the skills required for the job and proves their ability to their potential employer. Work trails usually involve Mencap staff providing in work support using an approach called systematic instruction to breakdown tasks into manageable chunk. This ensures the person can learn the role at the pace that suits them and that there is no additional staff resource required by the employer.

If you must hold an interview, you could make the following adjustments so that the procedure is less of a barrier. You could:

Encourage the candidate to bring a supporter to the interview and let the candidate know what to expect in advance.

For example, how many people they will be meeting, how many questions they will be asked, the types of questions and how long the interview is likely to last make the interview as informal as possible.

Consider whether you need a panel or whether the number of people interviewing could be reduced make sure the candidate and their supporter have time to prepare in advance, particularly if there is an aptitude test, and provide additional time to sit the test allow more time for the interview use plain English and make sure the person is following you.

It is fine to ask, "do you understand the question?" and to offer to rephrase it if necessary avoid hypothetical questions like, "what would you do if...?" and ask questions that relate to the person's direct experience instead like "can you tell me what you did at the library?" ask questions about the person's ability to do the job, for example, 'are you able to read and write?' for a job where literacy and numeracy are essential.

Selection

When selecting candidates for a job, don't rule out candidates who have little or no paid work experience. Many candidates with a learning disability have difficulty with the recruitment process so often have unpaid work experience but no paid experience.

Application forms

Some people with a learning disability can fill in an application form by themselves but others will need help from a supporter. Where a supporter has filled the form in on someone's behalf, this should be stated at the time of application. In some cases, you might allow candidates to submit their application in different formats such as by telephone, by audio tape or by email.

It is good practice to include a question on the application form to ask applicants if they would have any special requirements at interview.

Advertisements

If you are using advertisements to recruit, it is good practice to publicly welcome applications from people with disabilities. Make it clear that you can provide the vacancy information in an accessible format such as large print (which people with a learning disability will find easier to read) or with illustrations. If you place your advert with the disability employment adviser at Jobcentre Plus, you can guarantee that people with disabilities will see it. You can also mail your vacancy bulletins to your local Mencap service.

Recruitment days

Jobcentre Plus or your local supported employment agency could help you to organise a recruitment day where you can welcome people with a learning disability or any disability to come and find out about working for your organisation. Make sure that your staff receive disability awareness training before any event you organise.

Equal opportunities policy statements

Research shows that the employers most successful in attracting disabled people to work for them are those with a commitment to equal opportunities. It is crucial to state disability explicitly in any equal opportunities policy, to reassure any applicants with a learning disability or any other disability that their needs will be met. Regular checks should be made to ensure such policies are implemented.

Disability Confident

Demonstrate your commitment to supporting people with a disability by signing up to the government's Disability Confident scheme:
<https://www.gov.uk/guidance/disability-confident-how-to-sign-up-to-the-employer-scheme>