

Workplace adjustment duties under the Equality Act 2010

About the Equality Act 2010 and guidance on removing obstacles for people with disabilities.

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5 mins read

Equality Act 2010

Section 20 of the Equality Act 2010 ('the Act') sets out the duty to provide adjustments to remove obstacles for people with disabilities.

This is to ensure that, whenever possible, people with a disability have the same opportunities and equal access as people without a disability.

This applies to:

- education
- employment (including pre-employment processes)
- housing
- goods and services (such as shops, banks and hospitals)
- associations (for example, private clubs)

If a person with a disability is put at a substantial disadvantage when compared to someone who doesn't have a disability, organisations must introduce reasonable adjustments to remove that disadvantage.

Under the Act, the duty to make an adjustment only applies if the disadvantage that is experienced is substantial when compared to people who don't have a disability. This means that the disadvantage must be more than minor or trivial.

The organisation bears the cost of any adjustment – it is not the responsibility of the affected individual. The law only commits organisations to making reasonable adjustments. This is a way for organisations to determine what can or can't be provided. This includes considering factors such as:

- cost
- resourcing
- practicality

Failure to provide a reasonable adjustment is unlawful discrimination.

Three areas affected by the duty

The duty extends to three areas.

1. A provision, criteria or practice.
2. Physical features.
3. Auxiliary services or aids.

Provision, criteria or practice (PCP)

An example of a PCP could be a workplace policy or a course entry requirement.

This also applies to one-off decisions and actions. Organisations must ensure that what they do does not create barriers for people with a disability.

Physical features

An example of a physical feature could be a building's stairs or passageways. If a physical feature is an obstacle to a person with a disability, the organisation must change it, remove it, or provide a way to avoid it whenever possible.

Auxiliary services or aids

A person with a disability may need an aid or assistance – for example, to help them access a service – such as a hearing loop or a British Sign Language (BSL) interpreter. Organisations should provide aids or services when possible.

Workplace adjustments

Forces have a duty of care to officers and staff with disabilities. They must provide adjustments, when possible, to remove barriers for officers and staff with disabilities in the three areas (a PCP, physical feature, auxiliary services or aids).

All employers must take a positive and pragmatic approach to complying with this duty. If an adjustment is reasonable, it must be made. This is set out in [Schedule 8 of the Act](#). If a force fails to act and an officer or staff member can show that barriers were identified and a reasonable adjustment could have been made, this could be challenged in an employment tribunal.

The duty on employers only applies if they know, or could be reasonably expected to know, that a person has a disability.

Inclusive workplace cultures

Strengthening inclusive workplace cultures can empower people to share their disability status. Vocal role models, staff networks and tools – such as having a [workplace adjustments passport](#) – can champion disability inclusion and strengthen policing as a safe space for officers and staff with disabilities.

Further information about how to encourage people to share information about their disability and other personal characteristics can be found in the [Protected characteristics and personal information guidance](#).

Line managers should foster a positive team environment where people can confidently share information about disability, neurodiversity or health condition. It is effective practice for the line manager to have a conversation with the individual concerned. This can include discussion of:

- the person's strengths and what they excel in
- the nature of the condition
- the barriers that may make certain aspects of their job challenging
- what adjustments could be made to reduce or eliminate those barriers

Making decisions about how to support colleagues

It is good practice to ask what adjustments a person may need, but there should be no expectation for the person to suggest what adjustments should be provided.

Line managers should be pragmatic about consulting advice and resources on how they can best support their colleague. They can read guidance or seek advice from staff networks, disability champions or force diversity, equality and inclusion practitioners. Advice is also available from:

- occupational health services
- medical practitioners and consultants
- the [Access to Work](#) scheme
- national support networks

Any proposed adjustments should be agreed with the person before an adjustment is put in place.

Reviewing and changing adjustments

The officer or staff member should be given an opportunity to provide regular feedback to their line manager on whether an adjustment is effective. If they are not given this opportunity, remedial measures should be taken.

If the officer or staff member moves to a new role, the adjustment should move with them if it continues to remove barriers to their work. The officer or staff member may require different adjustments to remove barriers in their new role. Introducing a workplace adjustments passport is an efficient mechanism for this and reduces bureaucracy for the force and individual.

Further advice and examples of reasonable adjustments in practice can be found in the [Equality Act 2010 code of practice](#).

Inclusion by design

Public authorities, including the police, also have a duty to make reasonable adjustments if:

- a person is disadvantaged because of their disability
- it would be reasonable to make adjustments to remove the disadvantage

This is laid out in [Schedule 2 of the Act](#). This duty is anticipatory, meaning that we should consider what might be needed in advance and on an ongoing basis. How we determine what is reasonable will depend on various factors (for example, significant cost, resources and practicality). However, many adjustments are easy and inexpensive to make.

The most effective way to integrate the needs of colleagues and members of the public with disabilities is to complete an equality impact assessment. This is a process that asks us to think about the needs of diverse groups in our work.

As part of this process, we're encouraged to invite advice from people whose perspectives and life experiences vary from our own. This input can help to bring huge benefits to our work, reduce risk, save money, and create robust policies and processes that help everyone.

Cyfieithiad Cymraeg – Welsh translation

- [Dyletswyddau addasiadau i'r gweithle o dan Ddeddf Cydraddoldeb 2010 \(pdf\) 185.2 KB](#)

Related resources

- [Workplace adjustments toolkit](#)

Tags

Diversity and inclusion Equality