

 WARWICKSHIRE POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	YES	

POLICY TITLE	Consideration of Workplace Adjustments upon Recruitment
REFERENCE NUMBER	WP219
Version	1.0

POLICY OWNERSHIP	
DIRECTORATE	Enabling Services
BUSINESS AREA	Human Resources

INITIAL IMPLEMENTATION DATE	October 2024
NEXT REVIEW DATE:	October 2026
RISK RATING	Medium
EQUALITY ANALYSIS	MEDIUM
TIER	1

Warwickshire Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail policiesandprocedures@warwickshire.police.uk

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1.0 POLICY OUTLINE

To ensure that Warwickshire Police are able to protect people from harm through efficient and effective policing, it is critical that the police officers, police staff and special constables recruited that have to necessary knowledge skills and abilities to perform these roles.

Warwickshire Police also wishes to positively contribute to the advancement of equality, seeks to support those with disabilities to obtain and stay in employment, and commits to accommodating workplace adjustments wherever possible. Where an individual may have a disability defined under the Equality Act (2010), Warwickshire Police has a duty under the Act to make reasonable adjustments in order to ensure individuals are not subject to discrimination and to ensure recruitment processes are inclusive and equitable.

This policy specifically refers to the consideration of Workplace Adjustments for a recruitment applicant who has been conditionally offered a role as Staff or Officer, who requires those adjustments to be able to carry out the role effectively. The policy outlines the procedure and meeting framework for the consideration of proposed adjustments and whether they can be accommodated.

1.2 THIS POLICY COMPLIES WITH:

The Equality Act (2010)

The Data Protection Act (2018)

Guidance from the NPWS Clinical Governance team

2.0 PURPOSE OF POLICY

This policy aims to support Warwickshire Police to provide a robust process to consider workplace adjustments at the pre-appointment stage once a conditional offer has been made. Compliance with the policy and subsequent procedures will provide governance and consistent recruitment practices to prevent discrimination and support inclusion.

Warwickshire Police will consider the functional abilities of applicants in line with relevant legislation such as the Equality Act (2010) and appropriate College of Policing authorized practice. The policy will also support the Force's Disability Confident accreditation.

This policy aims to bring together a specialist Pre-appointment Panel to consider what workplace adjustments may be reasonably accommodated by Warwickshire Police to reduce the disadvantage experienced by an individual with a defined disability under the Equality Act (2010) and support Warwickshire Police to meet its statutory duty under the Act, as well as fulfilling our commitment to being an inclusive employer.

The policy covers applicants applying for Police Officer roles, Police staff roles including PCSOs and Special Constables at Warwickshire Police.

3.0 IMPLICATIONS of the POLICY

3.1 Legal

Warwickshire Police has a duty to consider reasonable adjustments for all applicants under the Equality Act (2010).

Under the Freedom of Information Act and UK Data Protection regulations applicants may legally request access to all data held about them including Occupational Health records.

3.2 RISKS

Adherence to, and effective operation of, this policy will reduce the risk of successful legal action for disability discrimination against Warwickshire Police under equality and employment legislation at employment tribunal.

It will also reduce the risk that individuals are placed in roles which are not appropriate to their abilities.

3.3 CONFIDENTIALITY AND RECORD KEEPING

Occupational Health records will remain confidential and do not need to be disclosed for this process.

Occupational Health will, with consent, discuss functional capacity and potentially suitable adjustments with relevant stakeholders.

Recruitment will take comprehensive minutes of the Pre-Appointment Panels that take place.

Occupational Health will take notes to store with the OH records.

Written records in relation to the case shall be kept in line with any relevant retention schedules and will be held securely.

4.0 PROCEDURE

A Flowchart detailing the procedure is within Appendix C below, and further details are below.

Occupational Health will assess all applicants' health following the initial offer of employment upon completion of the approved Medical questionnaire (Officers, Special Constables, PCSO's) / Medical Declaration form (Police Staff, Volunteers) by the applicant. Individuals will have the opportunity to detail any suggested workplace adjustments in relation to a declared disability (as defined by the Equality Act) when completing these forms.

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Where adjustments would be necessary to enable the individual to carry out the specific role (or any associated aspects of it such as classroom training, fitness tests etc), Occupational Health will confirm to the recruitment team that the individual is fit for the role *provided that* adjustments can be accommodated. Occupational Health will provide any detail of the proposed adjustments to the recruitment team. The OH team may also on occasion indicate that a person has not met the current assessment standards, however they may be fit to perform Police duties.

Upon receipt, the recruitment team will carry out an initial evaluation with Line Management as to the feasibility of accommodating the proposed adjustments. If they are straightforward (for example commonly-used software for those with Dyslexia) it should not be necessary for a meeting, and the Recruitment team should instigate the required adjustments via the Workplace Adjustments process and Line Management. If a Pre-Appointment Panel is required however, it is then the responsibility of the recruitment team to contact the applicant to advise them that their case will require a multi-disciplinary discussion.

A member of the recruitment team will then contact all stakeholders to arrange the Pre-Appointment Panel. Panel members will include the following:

- Occupational Health Practitioner
- Senior member of the recruitment team
- HR representative (Business Partner or Advisor)
- Relevant Skills Trainer to advise regarding requirements during training that may not enable adjustments
- Relevant Senior Police Operational lead to advise regarding the potential impact the suggested adjustments may have operationally.

Advice may also be taken from the Disability Network on an anonymous basis, if appropriate.

All Panel members should be familiar with this policy and the organisations duty under the Equality Act (2010).

Occupational Health will obtain informed consent from the individual for their case to be discussed. A consent form can be found at **Appendix A**.

Where consent is not given, a Pre-Appointment Panel does not take place, and instead Line Management and a representative from HR will review the case with the information available, to make a decision. Where it is looking like Adjustments cannot be accommodated, line management and HR should seek a discussion with the individual, to make sure they have the opportunity to either reconsider their consent for a Pre-Appointment Panel to take place, or to enable discussing their needs directly with Management and HR.

Where consent is given, the HR representative will chair the Pre-Appointment Panel, ensuring a consistent, impartial approach, and providing advice as needed to the Decision Maker (Line Management).

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As the focus will be on any potential functional difficulties the individual may experience when undertaking the role for which they have applied and how these can be supported, it will not be necessary for Occupational Health to provide clinical information.

In addition to the official meeting notes taken by the Recruitment team, Occupational Health will take any necessary notes to attach to the individuals OH records. Both templates for this can be found in **Appendix B**.

The record of the Pre-Appointment Panel should include, name of individual, date of meeting, list of attendees, areas of discussion/consideration and the outcome of the meeting. Please note that the decision to appoint or defer/not appoint is taken by the relevant Line Management.

It will be the responsibility of the recruitment team to notify the individual of the outcome of the Panel, unless otherwise agreed with the HR representative.

Where the decision of the panel is that adjustments cannot be accommodated this would likely result in an offer being rescinded. A HR representative could however choose to escalate a further review of the case to the next level of Line Management/Head of Department or equivalent.

In cases where the HR representative considers it appropriate, relevant legal advice would be obtained before a final decision is communicated..

Where Workplace Adjustments can be accommodated, these should be followed up via the Workplace Adjustment process by Recruitment and the relevant Line Manager, without delay. Once adjustments are in place, they should be recorded (for example in the Personal Supportive Passport) and reviewed as they would be for any other member of staff / Officer.

The above process should be completed as promptly as possible, to ensure that these considerations do not impact potential start dates, wherever possible. Any delays should be documented by the Recruitment team and form part of the communication with the individual.

4.1 Appeals

Appeals will be considered only where the individual believes the information used in their case was factually incorrect.

Request for appeals must be put in writing to Recruitment, outlining the specific factual inaccuracies to be reconsidered.

4.2

The head of HR has been consulted with regards to this policy

<i>Head of Dep't/ Chief Officer Consulted</i>	<i>Date Communication Sent</i>
<i>Alison Hall</i>	

5.0 DOCUMENT HISTORY

Date	Author / Reviewer	Amendment(s) & Rationale	Date of Approval / Adoption
21/11/2023	Rachel House	New Policy	October 2024

6.0 CONSULTATION

- 6.1 The policy has been discussed with relevant stakeholders including the Head of HR, HR Business Partners, Recruitment and Occupational Health. It has also been reviewed by the Disability Network.
- 6.2 ***Please note: Chief Officers' and Business leads must sign off this policy prior to JNCC submission. The JNCC will be the final staff consultation process prior to adoption and publication.***
- 6.3 *A summary of the extent of any consultation should be included here and should include details of bespoke interested groups, both internal and external, which have been involved in the development and/or consultation in respect of this policy e.g. with JNCC, Independent Advisory Group and relevant Business Areas.*

7.0 ASSESSMENT AND ANALYSIS

- 7.1 Every policy and procedure will be subject of an Equality Analysis (EA), Health and Safety Assessment (HAS) and Risk Assessment (RA) to be completed by the policy writer, and will be referred to if requested by the reader. There is a separate template for this purpose available in the Policy Writers' Pack in the force document search page.
- 7.2 **It is compulsory to consult with, and receive a response from Risk Management, Health & Safety and Equality & Diversity as part of the Assessment form to be completed and also your Business Lead on every policy**

Appendix A

Information sharing consent form

I hereby give my permission for Occupational Health (OH) to discuss my case with relevant members of the Police Force, to include Recruitment, HR, Operational and Training Staff.

I understand that the information to be disclosed and discussed will focus on any potential functional difficulties that I may have in carrying out the role I have applied for and how the role may be adjusted to support me. I am aware that the purpose of the discussion will be to enable the Force to determine whether they are able to accommodate any suggested adjustments. I am aware that if the Workplace Adjustments that I need are not able to be accommodated, that a decision could be taken that my conditional offer will be withdrawn.

I am also aware that details of any discussions including the outcome of the discussions will be stored on my OH file in line with the UK-GDPR and Data Protection Act 2018.

Name

Date of Birth

Signature

Date

Please Note that your consent to share personal information is entirely voluntary and you may withdraw your consent at any time.

In the event that consent is not given, or withdrawn, a decision will be made on the information available. Should you have any questions about this process, or wish to withdraw your consent please contact Rachel House, Occupational Health Manager.

We will also accept this form electronically, provided it is sent from your personal email address.

Name of individual	Date of meeting
Attendees	

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Pre-appointment Panel Notes - Recruitment Team

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Pre-appointment Panel Notes - Recruitment Team

Name of individual	Date of meeting
Attendees	

[illegible]

Onward actions:

	Individual informed of outcome
	Workplace Adjustments informed of any requirements
	Details of any delays in this process have been documented and saved against the individual's record

Appendix C

Consideration of Workplace Adjustments upon Recruitment