

Neurodiversity guidance

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1. Introduction

- 1.1 The aim of this guidance is to outline West Suffolk Council’s commitment to promoting equality and fairness throughout its workforce, recognising and celebrating the diversity that exists among our local communities. This guidance applies to both employees and potential employees, who are neurodivergent, or who believe that they may be neurodivergent and provides guidance to our managers. It is also sets out the Council’s commitment, responsibilities of managers and responsibilities of employees.

2. What is neurodiversity?

- 2.1 The term neurodiversity is a recognition and grouping together of different conditions which impact how a person processes and experiences the world around them, alongside neurotypical minds. Conditions do not impact intelligence but do affect how people learn and communicate and cause variations in the brain that can affect mood, sociability, attention span and other mental activities.
- 2.2 Neurodiversity is often likened to an 'invisible disability', with many of its conditions being physically unnoticeable to the general population. This commonly means it receives less attention than physical disabilities and as a result, neurodiverse individuals often go undiagnosed in life and are overlooked at work and in recruitment processes, and may find

themselves marginalised by organisation cultures, processes and technology that do not consider their thinking styles.

2.3 The range of different neurological conditions, may include, however, not limited to:

- dyslexia,
- dyspraxia,
- dysgraphia
- dyscalculia,
- autism,
- attention deficit hyperactivity disorder (ADHD)
- obsessive compulsive disorder (OCD)
- Tourette's syndrome

2.4 Neurodiversity refers to the different ways the brain can work and interpret information. It highlights that people naturally think about things differently, and how everyone differs in their areas of strength and weakness. Most people are "neurotypical", meaning that the brain functions and processes information in such a way that the person thinks, perceives, and behaves in ways that are considered to be "normal" by the general population.

2.5 Many day to day tasks are designed in a 'neurotypical' way and therefore these may have an impact on someone who is 'neurodiverse'. ACAS estimate that around 1 in 7 people are neurodivergent, meaning that the brain functions, learns and processes information differently.

3. Why is neurodiversity important?

3.1 Whilst we continue to adapt to new technology and face more complex and challenging issues, the ability to tackle these will depend on the people we employ. Employing staff with a range of different skills and abilities is essential. Neurodivergent talent can enhance and complement those skills and abilities by offering a range of unique skills in terms of analytical thinking; thinking differently, innovatively and creatively, and the ability to process work which is routine with attention to detail and precision.

3.2 Creating a workforce and a workplace which embraces neurodiversity recognises and promotes the importance of equality in our organisation and celebrates positivity in finding ways to work with all our employees' strengths and abilities, enabling them to reach their potential.

4. The legal framework

4.1 The Equality Act 2010 lists nine 'protected characteristics' to prevent discrimination. Whilst, at present, neurodiverse conditions are not defined

in the Act, neurodivergent employees are, however, likely to meet the legal definition of disability.

- 4.2 The Act provides that a disability is where an individual has a physical or mental impairment and the impairment has a substantial and long term effect on their ability to carry out normal day to day activities, including those with progressive conditions. It also provides rights to reasonable adjustments, and protections against discrimination, harassment, and victimisation.
- 4.3 Not all neurodivergent employees will consider themselves to have a disability. Normally, in terms of a neurodiverse condition evidence is required from a diagnostic assessment to support this. However, there will be employees who have not had a formal diagnosis, a working condition, or others who may not be aware of their condition.
- 4.4 Employees are also protected against discrimination by association, which may arise when an employee is treated less favourable because they have a dependent with a neurodivergent condition (e.g., parent or carer).
- 4.5 A reasonable adjustment is a change that must be made to remove or reduce a disadvantage related to an employee's disability when doing their job or a job applicants' disability when applying for a job. A reasonable adjustment could involve making changes to the workplace; equipment or services provided; the way things are done; or providing information in an accessible format.

5. Principles of this guidance

- 5.1 Whilst there is no legal obligation for employees to disclose a neurodivergent condition, as a Disability Confident employer, the council encourages applicants and employees to disclose such information, only with this information can the employer consider appropriate support for the employee.
- 5.2 As neurodivergent conditions are lifelong, the council will accept previous assessments undertaken by appropriately qualified persons as sufficient evidence that an employee is neurodivergent. However, the council may wish to gain a more recent diagnosis to support the employee, and their specific needs relating to the council's workplace. The council will take reasonable steps to assist employees with applications for Access to Work support and to facilitate Workplace Needs Assessments which may be conducted by Access to Work or independent consultants. We may also recommend that the employee is referred to our occupational health provider to identify reasonable adjustments and support.

6. Recruitment

- 6.1 According to ACAS, many neurodiverse applicants and employees do not disclose their condition to their employer due to fear of discrimination and social stigma. This can be a difficulty if an organisation is unaware of the employee's diagnosis and assumes there is a capability or health issue.
- 6.2 Neurodivergent applicants who declare a neurodivergent condition during the application process will be treated fairly, will not be discriminated against and will be considered on their suitability for the role.
- 6.3 As a Disability Confident employer, applicants who declare a disability and who meet the essential requirements for a job will be offered an interview. Applicants will be asked, prior to interview, of any adjustments or support they may need to enable them to have an equal chance as all other applicants. Human Resources will be aware of this information and will work with recruiting managers to support the recruitment process.
- 6.4 Applicants who are invited to attend for interview may require extra support, time and/or adaptations during the interview process to ensure they are able to demonstrate their suitability for the role and to ensure they have a fair recruitment experience. This information will also support reasonable adjustments and support being made before commencement of employment. All information will be handled sensitively and respectfully.
- 6.5 Recruitment processes may need to be adapted to support neurodivergent applicants perform their best during the process, for example, ensuring that suitability requirements are relative and proportionate to the needs of the job – i.e., good communication skills rather than excellent communication skills for a role which focuses on data processing or less people interactive tasks. Interview questions to focus on skills and competency rather than hypothetical scenarios.

7. Supporting our workforce

- 7.1 Neurodiverse employees may require extra support in relation to their employment. Where reasonable adjustments are necessary, and can be accommodated, the council will support these. Reasonable adjustments will be made on a case by case basis and will be agreed with line managers in relation to the employee's job role. These may include specific work related equipment, differently presented documents, documents in a larger font size or other recommended adjustments.
- 7.2 We will work with relevant agencies, Access to Work and occupational health to ensure we support neurodiverse employees in their work and the development of their careers to support them to reach their potential.

8. Benefits of neurodiversity in the workplace

8.1 The council is committed to being an inclusive employer. Through our workforce strategy we have committed to taking positive action to attract and develop an inclusive workforce that understands and reflects the diversity of the communities we serve. We have committed to considering new ways of cultivating diversity and inclusion; creating a workforce where difference is respected and valued. We recognise that a diverse workforce, with a diverse set of experience, perspectives, understanding and background will support the development of new ideas and challenges we face as an organisation.

8.2 We recognise that neurodiverse employees bring:-

- innovation, creativity and new ways to solve problems
- technical and design strengths, a keen eye for accuracy and the ability to detect errors
- high levels of concentration and focus
- strong recall of information and detailed factual knowledge
- reliability and persistence
- an ability to excel at work which is routine or repetitive in nature.

9. Supporting neurodiversity

9.1 Working together we will all play a role in supporting neurodiversity and whilst our roles may be different our focus will be the same, to support an inclusive workplace, where all employees are treated with respect, fairness and equity.

9.2 **As the employer,** we recognise and support that:

- It is importance to build a workplace that is inclusive to all employees
- All employees deserve opportunities to realise their full potential and to support an inclusive workforce and workplace.
- All reasonable steps must be taken to ensure that policies, practices and culture do not discriminate against neurodivergent people.
- Employees must not be subject to unfavourable treatment if they choose to disclose a neurodivergent condition.
- Each employee is unique, and it is recognised that there can be a high degree of overlap between neurodivergent conditions. Consequently, any support needs must be identified and implemented based on personal evaluation and working with the individual.
- Employees are trained in understanding neurodiversity.

9.3 **As managers,** take responsibility by

- Having an understanding of and raising awareness of neurodiversity and how it can affect individuals in the workplace;
- Treating all staff with respect and fairness
- Encouraging early disclosure within a genuinely supportive and inclusive environment.
- Providing a safe place to allow individuals to speak openly and honestly, ensuring strict confidentiality and discretion are maintained.
- Working with neurodivergent team members to understand their condition and make a plan of how they best work and how the manager can support that.
- Working to eliminate barriers (including prejudice) that neurodivergent people can face in the workplace.

- Taking reasonable steps to ensure that internal communications and training programmes are accessible for neurodivergent employees / workers.
- Taking a prompt, proactive and supportive approach to discussing and reviewing working conditions, risk assessments and considering reasonable adjustments as necessary.
- Signposting employees to other appropriate sources of help and advice (including the Access to Work Scheme).
- Supporting employees in a genuinely supportive and inclusive environment.
- Raising awareness of neurodiversity in the workplace.
- Leading with neurodiversity in mind, from ensuring clarity of communication, to taking responsibility for understanding each employee's strengths and challenges
- Supporting the career development of neurodiverse employees

9.4 **As employees,** take responsibility by

- Supporting and championing the council's aims of being an inclusive employer.
- Ensuring that neurodiversity is treated and discussed with respect.
- Showing support and understanding to each other
- Taking personal responsibility to look after their own health and wellbeing, seeking support as necessary.
- Being open and honest in conversations with their line manager, in order to be fully supported
- Where appropriate, being open to adaptations to support their work.
- Keeping their line manager up to date with any relevant changes in health and wellbeing and/or diagnosis
- Accessing the health and wellbeing support available
- Being open to reasonable adjustments, including specialist software or equipment,
- Being willing to help and support colleagues as appropriate.

- Understanding, accepting and supporting any necessary adjustments their colleagues request or are receiving as a result of their condition(s).
- Reporting any incidents of harassment, victimisation or discrimination to their line manager or an alternative manager.

9.5 **Employees who are neurodivergent**, will be encouraged to:

- Make their manager or HR aware should they think they may be neurodiverse – at the earliest opportunity.
- Use the mechanisms and processes available to identify suitable practical adjustments such as background colour for their screen – some people are affected by different colours so changing the background colour of the computer can help ease tired eyes and headaches.
- Plan their work – to save time and reduce stress, plan and map tasks for their working day.
- Ask their manager to verbally relay any important information should they have a learning difficulty.
- Make their manager aware of potential triggers that may cause a difficulty so these can be understood and addressed.
- Be accountable and responsible for engaging with the process and support offered to them by their manager and the council.

9.6 **Recruiting managers**, should

- Ensure they have completed training in avoiding unconscious bias and neurodiversity awareness.
- Prior to interview, work with HR to ensure they are aware of what reasonable adjustments are needed to ensure a fair interview.
- Work with HR, who will provide relevant information and communication with the applicant prior to interview, such as timings of interview, what will happen during the interview, names of the interviewers.
- At the interview, find a space and venue appropriate, that is quiet and not distracting and ensure no interruptions.
- talk them through the interview – what will happen and when.

- Ask clear and relevant questions.
- Allow interviewees more time to answer.
- Give consideration to providing interview questions before the interview, where appropriate
- Avoid hypothetical and scenario type questions.
- Consider offering a work trial before a final interview.
- Consider alternative forms of interview – is question and answer the best option.
- With the support of HR develop a personal plan prior to the employee's start date.
- Recruiting managers often recruit people like themselves, we need to challenge and change that mindset if we are truly wanting to be an inclusive employer.

10. Reasonable adjustments in the workplace

10.1 There are a range of reasonable adjustments that an employer can consider in supporting employees to reach their potential. With the guidance of the employee, managers, HR and other support from occupational health, Access to Work disability adviser it is important to consider practical and reasonable adjustments to support neurodiverse employees reach their potential.

10.2 Reasonable adjustments, whilst not an exhaustive list, could include:-

- Flexible start and finish to the working day, where appropriate
- Variation to dress code
- Allowing the employee to use rooms or quiet areas for extended periods of concentration.
- Providing regular and brief comfort and movement breaks
- Giving more time to read notes.
- Adjusting roles and tasks
- Providing assistive technology
- Giving photos/maps/written processes

- Being cautious of icebreaker scenarios
- Ensuring awareness of needs
- Offering extra time for learning
- Providing information in advance

11. External support

11.1 The following organisations can also be contacted for further support on Neurodiversity and neurodiverse conditions:

- British Dyslexia Association (<https://www.bdadyslexia.org.uk>) - The British Dyslexia Association helps to raise awareness and provides support and services for dyslexic children and adults of all ages.
- Dyscalculia (<https://dyslexiaaction.org.uk>) – As well as dyslexia, Dyslexia Action UK also provides support and information to help remove the barriers facing individuals who have dyscalculia.
- Dyspraxia (<https://dyspraxiafoundation.org.uk>) - The Dyspraxia Foundation is a UK wide charity supporting and helping individuals with dyspraxia and providing them with a variety of tools to help themselves.
- Autism (<https://www.autism.org.uk>) - The National Autistic Society is a UK charity that provides information, guidance and support to people with Autism. Child Autism UK (<https://www.childautism.org.uk>) - provide support, advice and services for children with autism.
- Access to Work (<https://www.gov.uk/access-to-work>) - is a publicly funded employment support programme that aims to help more disabled people start or stay in work.
- Dysgraphia (<https://www.hft.org.uk/>) – HFT is a long-established charity supporting people with learning disabilities across England and Wales.
- OCD (Obsessive Compulsive Disorder) (<https://ocduk.org>) – OCD UK is a UK charity providing advice, information, and support services for those affected by OCD.
- ADHD (Attention Deficit Hyperactivity Disorder) (<https://adhduk.co.uk>) – ADHD UK is a UK charity with a mission to help those affected by ADHD – either those that have the condition, people close to them: family, friends, employers and co-workers.
- Tourette Syndrome (<https://www.tourettes-action.org.uk>) – Tourette’s Action is a support and research charity working to improve the lives of people living with Tourette Syndrome.
- Disability Rights (<https://www.disabilityrightsuk.org>) - Disability Rights UK is the UK’s leading organisation led by, run by and working for disabled people.

12. Glossary

ADHD (attention deficit hyperactivity disorder) – a disorder that is defined through analysis of behaviour. People with ADHD show a persistent pattern of inattention and/or hyperactivity and impulsivity that interferes with day to day functions and/or development.

Autism – is a spectrum condition and affects people in different ways. Like all people, autistic people have their own strengths and weaknesses. A list of the difficulties autistic people have shared are social communication and interaction challenges; repetitive and restrictive behaviour; over or under sensitive to light, sound, taste or touch; extreme anxiety; highly focused interests or hobbies.

Dyscalculia – is a specific and persistent difficult in understanding numbers which can lead a to a diverse range of difficulties with mathematics. It will be unexpected in relation to age, level of education and occurs across all ages and abilities.

Dysgraphia – makes it difficult for a person to form letters in writing. It is a neurological disorder that can affect adults or children. People with dysgraphia may also use the wrong word for something they are trying to communicate about.

Dyslexia – is a specific learning difficulty with primarily affects reading and writing skills. However, it does not only affect these skills. Dyslexia is about information processing. People with dyslexia may have difficulty processing and remembering information they see and hear, which can affect learning and the acquisition of literacy skills. Dyslexia can also impact on other areas such as organisation skills.

Dyspraxia – also known as development co-ordination disorder (DCD) is a common disorder that affects movement and co-ordination. It does not affect intelligence, but it can affect co-ordination skills such as tasks requiring balance, playing sports or learning to drive. It can affect fine motor skills such as writing or using small objects.

OCD (obsessive compulsive disorder) – is a mental health condition where a person has obsessive thoughts and/or compulsive behaviours and can affect anyone. People can start having symptoms from as early as 6 years old but often begins around puberty and early adulthood.

Tourette's syndrome – is a condition that causes a person to make involuntary sounds and movements, called tics. It usually starts during childhood, but the tics and other symptoms can improve after several years, although there is no cure. People with Tourette's syndrome may also have OCD, ADHD or learning difficulties.

13. Revisions

Date of review or revision	Reason	Author
March 2024	Guidance created	Wendy Canham