



Brain injury: a guide for employers

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Contents

Introduction.....	1
‘Reasonable adjustments’	2
Questions to consider.....	2
Common problems and solutions.....	2
Physical limitations	3
Visual problems.....	3
Fatigue.....	3
Difficulty with concentrating.....	4
Difficulty with staying organised and meeting deadlines.....	4
Memory problems.....	5
Difficulty with handling stress and emotions.....	5
Attendance issues.....	5
Difficulty with adjusting to change.....	6
Support for employers	6
General considerations.....	8
Conclusion.....	8

Introduction

Under the Equality Act (2010), employers have a legal duty to accommodate for any needs that a disabled employee may have by making ‘reasonable adjustments’ within the workplace. The adjustments that an employee with a brain injury may require will vary depending on the nature of their injury and the effects that they experience. Furthermore, what is considered a ‘reasonable’ adjustment will depend upon the work role and workplace. This factsheet is intended to provide general guidance on the kind of adaptations that may be necessary in order to best accommodate employees with a brain injury.



'Reasonable adjustments'

According to the Equality Act, 'reasonable adjustments' may include:

- Allocating some of the employee's work to someone else
- Transferring the employee to another post or another place of work
- Making adjustments to the building in which the employee works
- Being flexible about the employee's working hours
- Providing training or retraining if the employee cannot do their current job any longer
- Providing modified equipment
- Making instructions and manuals more accessible
- Providing a reader or interpreter

It is important to realise that the effects of brain injury often vary from person to person, and as a result brain injury survivors often do not have the same needs. It can therefore be useful to start off by familiarising yourself with some of the common effects of brain injury and then speaking with your employee about which particular effects have an impact on their own work performance.

For more information on the common effects of brain injury, refer to the Headway factsheet *The effects of brain injury*.

Questions to consider

Prior to your employee returning, you may wish to arrange for a 'return to work interview' in which they can tell you about their needs and the adaptations they require. Listed below are some questions that you might consider discussing.

- What difficulties is the employee experiencing, and how do these difficulties affect their job performance?
- What specific job tasks are problematic as a result of these difficulties?
- What adjustments are available to reduce or eliminate the difficulties?
- Has the employee been consulted regarding possible adjustments?
- Do supervisory personnel and other employees need training regarding brain injury?

Common problems and solutions

The following information outlines some common problems that brain injury survivors may encounter in the workplace, and suggested solutions to support them accordingly. Remember that as the effects of brain injury vary from person to person, some of the



below information might be relevant to your employee, while some of it might not be.

Physical limitations

Sometimes people can have visible physical limitations, such as if they require the use of a wheelchair. However, not all physical limitations following brain injury are so apparent. Some people may develop a weakness of limbs or experience problems with their balance, which are also physical limitations, although ones that are not always visible. Some suggested solutions are as follows:

- Install ramps, handrails and provide disabled parking spaces
- Install lever style door handles
- Clear the workspace of any unnecessary equipment and furniture

The Jobcentre Plus Access to Work grant can help with covering the costs of adaptations or specialist equipment to support an individual with a disability within the workplace. For more information, visit www.gov.uk/access-to-work/overview.

Visual problems

Brain injury survivors may have weakened vision, or they may have increased sensitivity to bright lights. Some suggested solutions are as follows:

- Change fluorescent lights to high intensity, white lights
- Provide written information in large print
- Increase natural lighting
- Provide a glare-resistant screen for computer monitors
- Consult a vision specialist, particularly for an employee who has lost part or all of their vision
- Consider offering adaptive technology to help the employee with using computers. The Royal National Institute of the Blind (RNIB) has some useful information on its website about adaptive technology for visually impaired individuals, available at www.rnib.org.uk/information-everyday-living-using-technology/computers-and-tablets.

Fatigue

Fatigue is a chronic tiredness that may result in an employee finding it difficult to work long, or even normal working hours. It is a very common effect of brain injury. Some suggested solutions are as follows:

- Permit flexible scheduling and allow longer and more frequent work breaks
- Provide back-up cover for when the employee needs to take breaks
- Allow for use of supportive employment and job coaches
- Provide job sharing opportunities
- Allow part-time work schedules



- Avoid scheduling more challenging tasks at the end of the work shift, when fatigue is more likely to be a factor
- For more information and useful suggestions, refer to the Headway booklet *Managing Fatigue*

Difficulty with concentrating

Another common effect of brain injury is difficulty with maintaining concentration and attention. This can be a particular issue when there is a busy environment with lots of visual and noise stimuli, which can be quite typical of any workplace. Some suggested solutions are as follows:

- Provide a private office
- Reduce distractions in the work area, including clutter
- Provide additional time to learn new responsibilities
- Divide larger assignments into smaller tasks and steps
- Try to limit white noise and environmental sound
- Encourage the employee to focus on one task at a time

Difficulty with staying organised and meeting deadlines

There are a range of thinking skills collectively known as the executive function. This function enables us to do things such as concentrate on tasks, organise ourselves, multitask, solve problems, manage our emotions appropriately and make rational decisions. These skills can often be affected by brain injury, an effect known as 'executive dysfunction'. Some suggested solutions are as follows:

- Encourage the employee to use daily to-do lists and check items off as they are completed
- Provide a calendar to mark meetings and deadlines
- Remind the employee of important deadlines
- Provide a watch or pager with timer capability
- Provide electronic organisers
- Recognise that emotional changes and irritability can be common following brain injury
- Assign a mentor to provide daily guidance
- Schedule weekly meetings with a supervisor, manager or mentor to determine if goals are being met
- Provide picture diagrams of problem-solving techniques (such as flowcharts)
- Restructure the job to include only essential functions
- For more information and useful suggestions, refer to the Headway factsheet *Executive dysfunction after brain injury*.



Memory problems

It is very common for brain injury survivors to have problems with their memory. They may therefore need to rely on external memory aids to help them with remembering important tasks and appointments. Some suggested solutions are as follows:

- Allow the employee to tape-record meetings
- Provide notebooks, calendars or sticky notes to record information for easy retrieval
- Provide written as well as verbal instructions
- Limit verbal instructions to shorter, manageable chunks of information
- Allow additional training time
- Provide typewritten minutes of each meeting
- Provide written checklists and use colour-coding to help identify items
- Provide instructions close to frequently used equipment
- For more information and useful suggestions, refer to the Headway factsheet *Coping with memory problems - practical strategies*

Difficulty handling stress and emotions

Emotions such as stress or depression can be common after brain injury, either as a result of emotional areas of the brain being directly affected or as an emotional response to living with the effects of brain injury. Some suggested solutions are as follows:

- Provide regular praise and encouragement
- Refer to counselling and employee assistance programmes
- Provide sensitivity training to co-workers
- Allow the employee to take regular breaks as part of a stress management plan

Attendance issues

Some people may struggle with attending work as regularly as required due to health complications related to their brain injury. For instance, issues with fatigue can fluctuate on a daily basis and be more difficult to manage on some days than others. The person may also require leave for hospital or therapy appointments. Some suggested solutions are as follows:

- Provide flexible leave for health problems
- Provide a self-paced workload and flexible hours
- Provide a part-time work schedule or job sharing agreement
- Encourage your employee to keep you well informed of any health issues they may be having that affect their ability to attend work
- Encourage your employee to keep you informed of any medical appointments they may have
- Familiarise yourself with payroll matters such as Statutory Sick Pay



Difficulties with adjusting to change

For some people, routine and familiarity are very important factors in managing day-to-day activities, including attending work. It might therefore be more difficult for an employee with a brain injury to adapt to any changes within the workplace or the role. Some suggested solutions are as follows:

- When changing supervisors, maintain open channels of communication between the employee, the old supervisor and the new supervisor
- Provide weekly or monthly meetings with the employee to discuss workplace issues
- If planning to change the office environment, let the employee know in advance so that they are prepared for it

Support for employers

Listed below are some services and schemes that can offer information and support to employers of an employee with a disability.

- The Jobcentre Plus Access to Work scheme can offer assistance and advice for both employees with a disability that is likely to affect them for at least a year, and their employers. It is accessible in England, Scotland and Wales. It can also offer a grant to help with the financial cost of making adaptations to the workplace. To discuss the Access to Work scheme, contact your local Jobcentre Plus and ask to speak to a Disability Employment Advisor or an Access to Work advisor, or use the following contact details:
Telephone/ textphone: 0345 268 8489/ 0345 608 8753
Email: atwosu.london@dwp.gsi.gov.uk
- It may be necessary to perform an occupational health assessment to get recommendations from a health professional on suitable adaptations to the workplace. Small and medium sized companies who don't have an occupational health department may be able to get help with this from NHS Health at Work. For more information, visit www.nhshealthatwork.co.uk/find-providers.asp.
- If appropriate, ask your employee whether they have support from a therapist, such as an occupational therapist, and discuss whether the therapist could visit and offer support within the workplace. The therapist may also be able to offer you feedback or suggestions that can help.



factsheet

- Fit for Work is a governmental scheme that supports employees and employers with matters relating to health conditions and sickness absence. It offers free advice and can make referrals to its team of occupational health professionals. For more information on Fitness to Work in England and Wales, visit www.fitforwork.org. For more information on Fitness to Work in Scotland, visit www.fitforworkscotland.scot.
- It may be necessary to carry out a risk assessment to assess how safe the employee is in the workplace. For more information, contact the Health and Safety Executive on 0845 345 0055, or visit www.hse.gov.uk/risk.
- Headway provides training courses on a range of brain injury related topics, which can help to improve understanding of brain injury and its effects. For more information, including details of courses available and how to book, call Headway on 0115 924 0800 or visit www.headway.org.uk/about-brain-injury-professionals/training.
- The Advisory, Conciliation and Arbitration Service (ACAS) provides information, independent advice and training in order to improve working life and employment relations. Employers and employees can get free advice from the helpline service or website. For more information, call 0300 123 1100 or visit www.acas.org.uk.
- The Business Disability Forum is an employer's organisation focused on disability as it affects business. The organisation aims to help companies to recruit and retain disabled employees and to serve disabled customers. It runs an information and advice service for members and partners, which provides confidential advice on disability, including making reasonable adjustments within the workplace. For more information, call 020 7403 3020, email advice@businessdisabilityforum.org.uk, or visit www.businessdisabilityforum.org.uk/.
- The Equality and Human Rights Commission helpline can provide advice on aspects of disability discrimination in the workplace. For more information visit www.equalityhumanrights.com/ or call 0808 800 0082.
- More information on the Equality Act can be found in the Headway factsheet *A guide to the Equality Act 2010*. Other sources of information on Acts include the Government Equalities Office website at www.gov.uk/guidance/equality-act-2010-guidance, and the Equality and Human Rights Commission website at www.equalityhumanrights.com/legal-and-policy/legislation/equality-act-2010.



- The Disability Rights UK's *Disability Rights Handbook* also contains a section on the Disability Discrimination Act and can be ordered from the website at www.disabilityrightsuk.org.

Support for employers in Northern Ireland

- The Department of Employment and Learning (DELNI) provides advice and support for employers and employees. There is also a factsheet on disability discrimination in employment available from the website. For more information, call 028 9025 7777, or visit www.delni.gov.uk.
- The Labour Relations Agency (LRA) offers free, confidential and impartial advice on all employment rights issues. For more information, call 028 9032 1442 or visit www.lra.org.uk.

General considerations

- Remember that if an employee discloses details of their disability in confidence, you have a legal duty to ensure that the information is kept confidential unless there is a health and safety risk
- Discuss with the employee about whether they would like their colleagues to be aware of their brain injury, and if so, how much information they would be willing to share
- Remember that the effects of brain injury can improve or get worse over time, and can fluctuate on a regular basis. The employee may therefore require an occasional re-evaluation of adaptations that they need within the workplace. Try to hold regular meetings to establish whether the adaptations are helping or if further adaptations need to be made.
- Familiarise yourself with the Equality Act (2010) and matters relating to discrimination. More information is available in the freely accessible ACAS document 'Disability discrimination: key points for the workplace' available at www.acas.org.uk/media/pdf/o/t/Disability-discrimination-key-points-for-the-workplace.pdf.



Conclusion

It is hoped that the information in this factsheet has helped to clarify how the effects of brain injury can have an impact on work performance and what employers can do to support employees with these issues. Remember, as an employer you have a legal duty to consider these impacts and make reasonable adjustments to accommodate for them.

To discuss any issues raised in this factsheet, or to find details of our local groups and branches, please contact the Headway helpline free of charge on 0808 800 2244 (Monday - Friday, 9am-5pm) or by email at helpline@headway.org.uk.

You can also find more information and contact details of groups and branches on our website at www.headway.org.uk/supporting-you.

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