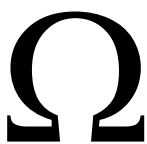


# Neurodiversity Policy

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## Version Control

Document title	<b>Neurodiversity Policy</b>		
Owner	Strategic Human Resources Mngt.	Status	Draft
Version	1.6	Approved on	TBC
Effective from	TBC	Last updated	29/01/2024
Purpose	This policy provides an awareness of neurodiversity and outlines our commitment to ensuring that neurodivergent employees / workers are treated fairly, with dignity and respect and are not disadvantaged in the workplace.		

This policy links to:

- Our Council Plan
- Walsall Proud
- Equality and Diversity Protocol
- Dignity at Work Policy
- Performance & Ill Health Capability
- Transgender & Non-Binary Equality Policy
- Right to Request Flexible Working Policy
- Recruitment and Selection Policy
- Ways of Working Policy
- Workforce Strategy
- Behaviour & Standards Framework
- Sickness Absence Policy
- Sickness Absence Guidance
- Health and Safety Policy
- Disciplinary Policy
- Grievance Policy
- Collective Grievance Policy
- Flexi-time Scheme
- Neurodiversity Guidance

This list is not exhaustive.

For further advice or guidance on this policy, or if you would like this information in another language or format please contact:

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## 1.0 Introduction

- 1.1 Walsall Council is PROUD. We are proud of our past, our present and for our future. The council is committed to reducing inequalities and ensuring all potential is maximised and its employment policies, procedures and guidelines are designed to support this vision and deliver the council's priorities.
- 1.2 The council is committed to creating an environment that provides opportunities for all individuals and communities to fulfil their potential. This policy provides a framework in which employees will be supported to deliver the council's priorities in line with the council's expected behaviours and values; professionalism; leadership; accountability; transparency and ethical working.
- 1.3 The council's values and behaviours are at the core of everything the council deliver and through a culture of continuous improvement, the council will increase performance, efficiency and champion the design of services to meet the needs of customers. As a digital by design council, employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment. The council is committed to technological investment to deliver transformation in order to improve the efficiency and effectiveness of its services, both internally and externally.
- 1.4 This policy framework promotes the council's strategic priority of internal focus ensuring all council services are customer focused effective, efficient and equitable, and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.
- 1.5 Council employees have a duty to demonstrate principles of equality, diversity and inclusion across all interactions ensuring compliance with council policies, procedures and relevant legislation. The council adopts a zero tolerance approach to discrimination and will not accept any form of unlawful or unfair discrimination on the grounds of age, disability, gender, gender identity, marital or civil partnership status, race, ethnic origin, colour, nationality, pregnancy or maternity, religion or belief (or no religion or belief), sexual orientation, class or social background, political belief or Trade Union affiliation. We are committed to equal opportunities and aspire to have a diverse workforce, and an inclusive workplace culture, all of which enable better outcomes for our staff and the local residents we serve. Employees should refer to the equality and diversity protocol for further information.

- 1.6 This policy aims to raise awareness of neurodiversity, ensure employees / workers and managers understand what neurodiversity is and to provide support to applicants, employees' / workers' who are neurodivergent, or who believe they may be neurodivergent. Providing person-specific support and guidance to those who are or may be neurodivergent is an important aspect of our overall commitment to equality, diversity and inclusion as well as looking after the physical and psychological health and general well-being of all our employees / workers.
- 1.7 This policy is intended to help foster a supportive environment, where employees / workers and managers are knowledgeable and encouraged to be comfortable enough to have open conversations about neurodiversity without embarrassment and fear of shame or stigma.
- 1.8 This policy is to be read in conjunction with the Neurodiversity Guidance document as that includes suggestions for self-management, signposts to relevant sources of advice, information and support, and provides guidance on reasonable adjustments that should be considered (where appropriate).

## 2.0 Scope

- 2.1 This policy applies to all council employees (including Directors, Executive Directors, the Chief Executive and fixed term and temporary employees);
- 2.2 This policy applies to all potential and existing employees who are neurodivergent, or believe they may be neurodivergent.
- 2.3 With the exception of;
  - 2.3.1 School-based employees / workers where the governing body has delegated authority and for whom separate arrangements apply.
- 2.4 This policy applies to casual workers and agency workers, although any reasonable adjustments required for agency workers will need to be discussed collaboratively with the agency.
- 2.5 This policy applies to contractors, consultants or any self-employed individuals working for the council.

## 3.0 Definitions

- 3.1 **Neurodiversity** - refers to variations in the human brain, such as our thinking patterns, learning styles and the way we process information, which is unique to each individual. It is a term used to describe the idea that people experience and interact with the world around them in many different ways. Conditions include for example, Attention Deficit Disorder, ADHD, autism, dyslexia, dyspraxia, dyscalculia, dysgraphia, OCD and other conditions (list not exhaustive).
- 3.2 **Neurodiverse** - is an adjective describing populations which contain individuals with different neurologies or simply, a group of people with natural variations of the brain. The word neurodiverse should not be used to describe an individual or a condition as it refers to populations / groups of people.
- 3.3 **Neurodivergence** - is an umbrella term for different types of neurodiversity.
- 3.4 **Neurotypical** - is a term that is used to describe individuals whose brain functions and processes information in such a way that the person thinks, perceives, and behaves in ways that are considered to be “standard” or “typical” by general population.
- 3.5 **Neurodivergent** - describes a brain that functions in ways that diverge significantly from the dominant standards of “typical”. Conditions are used to characterise diverse ways of thinking, learning, processing and behaving. Being neurodivergent means having a brain that works differently from the average or “neurotypical” person. When talking about an individual, you should use the term ‘neurodivergent’. For example, a dyslexic person is neurodivergent.

## 4.0 Principles

- 4.1 Walsall Council is committed to promoting equality, diversity, inclusion and belonging for neurodivergent applicants, employees and workers.
- 4.2 The council recognises that all employees / workers deserve opportunities, encouragement, and support to realise their full potential.
- 4.3 The council understands that having a diversity of cognitive approaches is a source of great strength and value within a genuinely inclusive workplace.
- 4.4 The council will ensure our employees / workers are not subject to unfavourable treatment if they choose to disclose a neurodivergent condition(s).

- 4.5 The council acknowledges that being neurodivergent may usually amount to a disability under the Equality Act 2010. This means the council has a legal obligation to make reasonable adjustments to the workplace and the individual's role that will remove or minimise any disadvantage to them. Therefore, the council encourages applicants, employees and workers to disclose their neurodivergent conditions at the earliest opportunity. It is also recognised that applicants, employees / workers are under no legal or professional obligation to disclose a neurodivergent condition. However, appropriate support can only be offered, if the council is made aware of the condition(s) by the applicant, employee or worker. The council aims to create a culture where disclosure is a positive act.
- 4.6 The council recognises that each employee / worker is unique and that there can be a high degree of overlap between neurodivergent conditions. Consequently, any support needs must be identified and implemented on the basis of personal evaluation and individual consultation – not assumptions or stereotypes.
- 4.7 A 'one size fits all' approach does not apply to neurodiversity. As every neurodivergent employee / worker is different, an understanding of the needs of each individual is important. This includes employees / workers with the same form of neurodivergence, for example, two people with dyslexia. Failure to provide the right type of support to a neurodivergent person can affect an individual's mental health and performance.
- 4.8 The council recognises the unique skills and talents neurodivergent employees / workers can bring to the workplace, such as creativity, innovation, attention to detail, seeing things outside the box and problem solving etc. However, it also understands that this is only possible if they feel comfortable, respected and valued.
- 4.9 The council understands that standardised employment practices can be a potential barrier to neurodivergent applicants, employees / workers and therefore the council will ensure that as far as is possible, to eliminate any form of discrimination through policies, practices, attitudes or procedures that can impact on neurodivergent applicants, employees / workers.
- 4.10 The council will proactively enhance its workforce by ensuring our recruitment and selection processes enables and encourages neurodivergent individuals to demonstrate their skills when applying for job vacancies, promotions and training programmes. These actions will not only adhere to

basic diversity and inclusion rights but will have tangible benefits for the council and its residents in terms of productivity in the long term.

- 4.11 The council will adopt an inclusive approach to support potential applicants, employees / workers during the recruitment, progress and promotion processes by as far as possible, removing barriers from the standardised recruitment processes that may discriminate against neurodivergent applicants. This includes but is not limited to, overly prescriptive written job descriptions, tests, and interviewing styles. Please refer to the Recruitment and Selection Policy for further details.
- 4.12 Neurodivergent applicants who apply for roles at the council will be treated fairly and will not be discriminated against. All applicants meeting the shortlisting criteria on the person specification will be invited to attend for interview and appropriate support will be offered to assist them through the process.
- 4.13 To welcome the benefits of neurodiversity, employees / workers must be empowered to work and achieve in their own way in conjunction with their manager. Typically, day to day tasks and the workplace is set up for 'neurotypical' ways of thinking and doing and therefore, can impact on someone who is 'neurodivergent' as they may have to spend a lot of time trying to adjust their work environment to suit their specific needs. By creating an inclusive culture and workplace, the council can ensure neurodivergent employees / workers are able to thrive.
- 4.14 The council recognises that any changes or adjustments made whether that be the physical work environment or workplace processes or practices, that these will not only support our neurodivergent employees / workers but will also benefit all staff and help the council get the best out of the whole workforce. Having a workplace that is set up to proactively think about what can be done to support the needs of each employee / worker can make it much easier to identify and implement adjustments for neurodivergent staff subsequently helping to create a more inclusive environment for all.
- 4.15 The council encourages all employees / workers (including managers) to have an awareness and understanding of neurodiversity by undertaking relevant training offered by the council such as training courses, e-learning resources, e-books and audio books accessible via HR intranet pages.



- 4.16 Where possible the council will use dyslexia-friendly layout in printed communication, please refer to guidance document for more information on dyslexia-friendly print styles and workplace adjustments.
- 4.17 The council has Equality Champions who discuss and share different ways the council and individuals can support each other, by sharing experiences, best practice and looking at ways to improve the workplace for everyone.
- 4.18 This policy is underpinned by and should be read in conjunction with the Neurodiversity Guidance document which offers further advice and support to employees / workers and managers in the implementation of this policy.

## 5.0 Accountabilities

5.1 Managers are accountable for the following;

- Applying this policy consistently, fairly and objectively in accordance with the council's aim and priorities, and clearly demonstrating the council's management behaviours and values, seeking further advice and guidance from HR where necessary;
- Having an understanding of and raising awareness of neurodiversity and how it can affect individuals in the workplace;
- 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 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;
- Providing person-specific support to neurodivergent individuals as outlined in this policy including taking a prompt, proactive and supportive approach to discussing and reviewing working conditions, risk assessments and considering reasonable adjustments as necessary;
- Completing the wellbeing support plan (where relevant) with the employee / worker;
- Signposting employees / workers to other appropriate sources of help and advice (including the Access to Work Scheme).

5.2 Employees are accountable for the following;

- All employees / workers should support the delivery of the council's aim and priorities, and clearly demonstrating the council's behaviours and values; seeking further advice and guidance from HR where necessary;
- Actively engage in employment practices and processes in which they are involved and ensure they understand this policy, seeking further advice and guidance from managers where necessary;
- Taking personal responsibility to look after their own health and wellbeing, seeking support as necessary;
- Contributing to and helping foster an inclusive, respectful, and supportive working environment, ensuring that the subject of neurodiversity is treated and discussed with respect and individual confidentiality is maintained as appropriate;
- Being open and honest in conversations with their line manager or appropriate representative at the earliest opportunity to make them aware should they think they may be neurodivergent in order to seek appropriate guidance and support;
- Keeping their line manager up to date with any relevant changes in health and wellbeing;
- Ensuring awareness of and accessing the support mechanisms available and identified within this policy (as relevant), including EAP (Employee Assistance Programme), Occupational Health (OH), Mental Health First Aiders (MHFAs), Equality Champions, HR, Trade Union colleagues, external resources and self-management strategies to support their condition(s). This also includes the utilisation of any reasonable adjustments, specialist software or equipment, coaching, training or counselling provided;
- Completing the wellbeing support plan (where relevant) with management;
- 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);
- Report any incidents of harassment, victimisation or discrimination to their line manager or an alternative manager;
- Complying with the requirements of this policy.

## 6.0 Procedure

- 6.1. The council recognises that every employee / worker who is or thinks they might be neurodivergent has the right and is encouraged to discuss their neurodivergent condition(s) and issues with their line manager in the first instance as they are best placed to provide support, review risk assessments

and consider any adjustments required. However, where an employee / worker feels uncomfortable to have this conversation with their manager, they can contact a representative such as an alternative manager, liaise with their trade union or contact HR who can facilitate a discussion with their manager. In addition, employees / workers can contact one of the council's Mental Health First Aiders and/or Equality Champions who have undertaken neurodiversity training.

- 6.2 Where reasonable adjustments are required, the employee / worker (with the support of the representative) will need to liaise with the respective line manager to agree to such workplace adjustments taking into account the needs of the business.
- 6.3 Employees / workers and managers are required to familiarise themselves with this policy and have access to training and other learning interventions on neurodiversity.
- 6.4 There is evidence that there is a correlation between mental health and neurodiversity. Mental health problems such as anxiety and stress are common in neurodivergent people and can also lead to implications under the Equality Act. Managers', employees and workers should seek advice from HR as necessary.
- 6.5 Managers should act promptly in addressing any neurodiverse issues to prevent undue additional stress to the employee / worker and reduce the potential for related sickness absence. This includes having conversations, providing information or facilitating OH referrals, considering requests for time off in accordance with the councils leave policies, conducting risk assessments and providing any reasonable adjustments agreed.
- 6.6 Managers should discuss and agree any reasonable adjustments identified with the employee / worker, which would normally be considered on a temporary and reviewable basis. These could include for example, flexible working hours, reduced hours, additional breaks (where necessary), providing ear defenders or an alternative quiet place to work from. Refer to section 7.0 of this policy and the Neurodiversity Guidance for further examples of reasonable adjustments and workplace changes that could be relevant to support neurodivergent employees / workers condition(s) and business needs.
- 6.7 Managers should keep a record using the wellbeing support plan for conversations, supportive actions implemented and reasonable adjustments agreed and should review this support on an ongoing basis and as and when any changes occur. Any adjustments should be proportionate and reasonable based on the individual and business needs.

6.8 Where an individual raises concerns with their manager, there are several practical measures that managers are advised to take / consider to support neurodivergent employees / workers in the workplace while also taking onboard the needs of the business. These are outlined below (this is not an exhaustive list):

- Managers should complete the wellbeing support plan with individuals at the earliest opportunity to ensure any reasonable adjustments can be made if required. The plan should be reviewed on a regular basis with the individual (such as during one-to-one meetings, supervision sessions, APCs or as and when otherwise required) to ensure that any adjustments made are still relevant and any new adjustments can be identified.
- Managers should be ready to have open discussions with employees / workers, treating any discussions sensitively and confidentially while appreciating the personal nature of these discussions.
- Making a simple change to your management style can make a world of difference, build relationships based on trust, empathy and respect to make it easier for an employee / worker to feel comfortable raising challenges they are facing due to their condition(s).
- When communicating with neurodivergent employees / workers use positive, inclusive language. Being mindful of considering different ways of communicating as neurodiverse individuals can often interpret communication differently.
- Remembering that many neurodivergent employees / workers can find lots of bright lighting, noise and people overstimulating - so consider the environment for meetings e.g. a quiet area / room.
- If managers are told about someone's condition(s), this should be treated as confidential. If people want information about their condition(s) to be shared for example with team colleagues, consent must be explicit. Managers should discuss with the employee / worker who will be told and by whom, as well as what information they do or do not want to be shared.
- Signpost the employee / worker to internal and/or external sources of information and self-management strategies, refer to the Neurodiversity Guidance document.

## 7.0 Reasonable Adjustments

- 7.1 The council endeavours to make adjustments where reasonable and practical within a timely manner. Reasonable adjustments should be made on a case-by-case basis considering the adjustments that provide the right type of person-specific support for the individual.
- 7.2 Where a neurodivergent employee / worker has more than one condition, sometimes known as comorbidity, it is important to consider the needs of both

conditions when discussing what reasonable adjustments are required to ensure that the individuals needs are met.

- 7.3 Managers should complete the wellbeing support plan during discussions with their employee / worker and should review the adjustments periodically to be sure they are either working, no longer required or need changing. Managers should take reasonable steps to assist individuals with their applications for Access to Work if additional support is needed, and to facilitate workplace needs assessments where relevant.
- 7.4 It may also be recommended that the employee / worker has a consultation with the council's Occupational Health provider to identify adjustments and additional support.
- 7.5 For further information on reasonable adjustments, refer to the adjustments section in the Sickness Absence Guidance or contact your HR Advisor.

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