

What do the courts and tribunals in GB and Northern Ireland deem a reasonable adjustment?

Name	Citation	Court	Medical Condition	Reasonable Adjustments Provided	Link (where available)
UK					
Archibald v Fife Council	[2004] UKHL 32	UKHL	Inability to walk	Changing roles Transfer to "fill an existing vacancy" and this can include being placed at a higher grade without any competitive interview if it is reasonable in the circumstances.	https://publications.parliament.uk/pa/ld/200304/ldjudgmt/jd040701/arch-1.htm
Chief Constable of South Yorkshire Police v Jelic	UKEAT/0491/09/CEA	UKEAT	Chronic Anxiety Syndrome	Changing roles A tribunal was not precluded from holding that it would be a reasonable adjustment to create a new job for a disabled employee if the particular facts of the case supported this	https://www.employmentcasesupdate.co.uk/site.aspx?i=ed4774
Nicklin v Vicky Martin Concessions Ltd	ET Case No.2406 032/08 N	ET	Dyslexia	Reallocation of responsibilities Employer failed to make reasonable adjustments by failing to provide assistance in relation to the tasks the employee found difficult, or by reallocating tasks	
Caen v RBS Insurance Services Ltd	ET Case No.1801 133/09	ET	Nervous breakdown; Agoraphobia	Altering hours Home working. Failed in duty by not permitting flexible hours	
Secretary of State for Work and Pensions and Ors v Wilson	EAT 0289/09	UKEAT	Agoraphobia	Altering hours Home working. The employee sought to work from home. The employer had to consider what was reasonable in the circumstances in order to alleviate the disadvantage imposed	https://www.bailii.org/uk/cases/UKEAT/2010/0289_09_1902.html

Bid v KPMG LLP	ET Case No.1300 313/09	ET	Dyslexia	Adjusting workplace procedures (Exam policy)	
Cumbria Probation Board v Collingwood	EAT 0079/08	UKEAT	Depression	Adjusting workplace procedures (Policy around confidential conversations)	https://www.bailii.org/uk/cases/UKEAT/2008/0079_08_2805.html
Makuchova v Guoman Hotel Management (UK) Ltd	[2016] EWCA Civ 633	EWCA	Condition caused stress, fatigue and tiredness	Adjusting workplace procedures (Exam policy) Accommodation, splitting the examinations, extension of the examination timetable and breaks of 15 minutes each hour	https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2012/37.html&query=reasonable+adjustments
Marchant v FC Brown (Steel Equipment) Ltd t/a Bisley Office Equipment	ET Case No.2300 633/09	ET	Dyslexia and Dyspraxia	Engagement of mental health and disability charities Failure to notify Employment Solutions of the problem was a failure to make a pre-arranged reasonable adjustment	
Newsome v Carl Williams t/a CW Accounting	ET Case No.2508 895/08	ET	Paranoid Schizophrenia	Engagement of mental health and disability charities Employer could have involved an independent third party throughout or at some stage of the disciplinary process	
Project Management Institute v Latif	2007 IRLR 579	ET	Blind	Adjusting workplace procedures (Exam policy)	
Halliwell v P W Greenhalgh	ET Case No. 240610 7/06	ET	Dyslexia	Extra training New computer system placed him at a substantial disadvantage in comparison with non-disabled workers	

O'Sullivan v National Maritime Museum	ET Case No.2323 567/08	ET	Post-natal Depression	Reallocation of responsibilities Employer had failed in its duty – Could have maintained parity of pay or could have reallocated the managerial responsibilities	
Romec Ltd v Rudham	EAT 0069/07	UKEA T	Chronic Fatigue Syndrome	Altering hours Extension of return to work programme - Tribunal should have considered whether extending a return-to-work programme would have enabled the claimant to resume his full duties as an engineer	https://www.bailii.org/uk/cases/UKEAT/2007/0069_07_1307.html
Daniel and ors v All Security Ltd	ET Case No.3301 509/12	ET	Cancer Patient	Altering hours Working a different shift pattern. Employer failed to make reasonable adjustments as it failed to offer the employee any available day shifts	
Brummitt v Lifeline Nursing Services Ltd and anor	ET Case No.2600 077/11	ET	Cancer Patient	Altering hours Phased return to work. Employer failed to allow the employee to return to work on a phased basis	
Ramwell v Derbyshire Constabulary	ET Case No.2600 116/12	ET	Cancer Patient	Adjusting workplace procedures Adjusting sickness triggers. Employer failed in its duty as the trigger point implemented was unreasonable, inadequate and disproportionate	
Wilebore v Cable and Wireless Worldwide Services Ltd	ET Case No.3304 124/10	ET	Cancer Patient	Waiving recruitment requirements Employer failed in its duty by forcing the disabled employee to go through a competitive assessment	
Waddingham v NHS Business Services Authority	ET Case No.1804 896/13	ET	Cancer Patient	Waiving recruitment requirements The employer should have assessed W for the role without a competitive interview	
Griffiths v Department for Work and Pensions	EAT 0372/13	UKEA T	Post-viral Fatigue Syndrome	Adjusting workplace procedures Adjusting sickness triggers. Employer had not failed in its duty as there was no	https://www.bailii.org/uk/cases/UKEAT/

			and Fibromyalgia	'substantial disadvantage' to trigger the duty and the adjustments sought were not 'reasonable adjustments'	2014/0372_13_1505.html
Lowe v Cabinet Office	ET Case No.2203 187/10	ET	Asperger Syndrome	Waiving recruitment requirements Recruitment assessments. An employer need only modify its recruitment process to the extent that such adjustments are 'reasonable'. Held request to downgrade the requisite competencies was unreasonable	
Morgan v Northamptonshire Teaching Primary Care Trust	ET Case No.1201 412/09	ET	Asperger Syndrome	Adjusting workplace procedures Receipt of satisfactory references policy Trust decided to withdraw job offer prior to receiving an OH report	
Burton v Rocomm Ltd	ET Case No.2705 130/09	ET	Asperger Syndrome	Minor adjustments Written instructions; a sympathetic mentor and supervisor; a different type of visual training; and a structured work environment would have addressed many difficulties associated with B's condition	
Forsyth v Harris t/a The Sportsman	ET Case No.1100 006/10	ET	Autism	Minor adjustments If employer had taken time to address F's disability and provide him with clear, concise and precise instructions about his work and any improvements required, F would have been able to work to that standard consistently	
Bowerman v B&Q plc and ors	ET Case No.1400 375/05	ET	Asperger Syndrome	Provision of a third party (mentor) To aid social interaction with colleagues and resolve any misunderstandings but B&Q failed to provide one, despite B's repeated requests	
Tooley v Crown Prosecution Services	ET Case 180052 9/14	ET	MS	Provision of a third party (PA) / Transport "the employer was going well beyond the call of duty"	

Bynon v Wilf Gilbert Ltd	ET Case No 130148 2/08	ET	Mental health disorder	Minor adjustments Less onerous cashier work	
Kittle v Future Cleaning Services	ET Case No 180909 7/09	ET	Skin cancer	Minor adjustments Reduced workload	
Bishun v Hertfordshire Probation Service	EAT 0123/11	EAT	Sleep apnoea	Technology Technical equipment/ Access to work service	
Home Office v Kuranchie	EAT 0202/16	EAT	Dyspraxia and dyslexia	Altering hours Compressed hours and reduced workload	https://www.bailii.org/uk/cases/UKLAT/2017/0202_16_1901.html
Todd v HM Prison Service	ET Case No 150005 2/07	ET	Clinical Depression	Changing roles Request for transfer	
Fuller v London Borough Of Redbridge	EAT 0084/13	EAT	Sarcoidosis	Changing roles Hot-desk/ Move to a different office on a temporary basis	https://www.bailii.org/uk/cases/UKLAT/2013/0084_13_1207.html
Renwick v Royal Mail Group	ET Case No 220217 8/15	ET	Suffered serious accident at work	Minor adjustments Placed on restricted duties and given auxiliary aids such as a footrest, adjusted monitor and desk	

RBS v Ashton	2011 ICR 632	EAT	Frequent migraines	Adjusting workplace procedures Disapplication of sickness policy	https://www.bailii.org/uk/cases/UK/EAT/2010/0542_09_1612.html
Burke v The College of Law and anor	2012 EWCA Civ 87	EWCA	Multiple Sclerosis	Adjusting workplace procedures (Exam policy) Adjustments to exam supervision process, location of the exam, and the amount of time permitted	https://www.employmentcasesupdate.co.uk/site.aspx?i=ed11491
Royal Bank of Scotland Group Plc v David Allen	[2009] EWCA Civ 1213	EWCA	Duchenne Muscular Dystrophy	Adjustments to premises Provision of lift to assist access to building	http://www.bailii.org/ew/cases/EWCA/Civ/2009/1213.html
SCA Packaging v Boyle	[2009] UKHL 37	HOL	Vocal nodes	Technology Voice management regime to avoid recurrence of symptoms	https://publications.parliament.uk/pa/ld/200809/ldjudgmt/jd090701/sca-1.htm
Burke v The College of Law & Anor	[2012] EWCA Civ 37	EWCA	Multiple Sclerosis	Adjusting workplace procedures (Exam policy) Additional time to sit exam and be able to complete it at home	http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2012/37.html&query=reasonable+adjustments
Hay v Surrey County Council	[2007] EWCA Civ 93	EWCA	Degenerative knee condition	Adjustments to premises	https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2007/93.html&query=reasonable+adjustments

O'Hanlon v Commissioners for HM Revenue & Customs	[2007] EWCA Civ 283	EWCA	Clinical depression	Adjusting workplace procedures (Sickness policy) Disabled employee sought increased sick pay. Although extending sick pay for a disabled employee was not outside the scope of the employer's duty, only in rare and exceptional cases would such a step amount to a reasonable adjustment	https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2007/283.html&query=reasonable+adjustments
Williams v J Walter Thompson Group Ltd	[2005] EWCA Civ 133	EWCA	Blind	Technology Employer failed to provide adequate training; failed to acquire or adapt adequate software to enable the employee to carry out duties; and failed to provide suitable work	https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2005/133.html&query=reasonable+adjustments
Crossland v OCS Group UK Ltd & Anor	[2014] EWCA Civ 576	EWCA	Type 1 diabetes	Reallocation of responsibilities Claimant sought the reallocation of duties to exclude him from carrying out lone external patrols	https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2014/576.html&query=reasonable+adjustments
Miss J Browne v The Commissioner of Police of the Metropolis	UKEAT/0278/17/LA	UKEAT	Asthma	Relocation Claimant sought to be moved to a different office where she could control the temperature. She alleged the open-plan office worsened her asthma.	https://assets.publishing.service.gov.uk/media/5b76e68040f0b64335ce15a3/Miss_J_Browne_v_The_Commissioner_of_Police_of_the_Metropolis_UKEAT_0278_17_LA.pdf

G4S Cash Solutions UK Ltd v Powell	[2016] IRLR 820	EAT	Back injury	<p>Pay protection As transferring the employee to a new role will generally involve a change to their terms and conditions of employment, it cannot be done without the employee's consent.</p> <p>The EAT rejected the notion that an employer seeking to fulfil its statutory duty to make reasonable adjustments can impose a particular adjustment without the employee's consent.</p>	https://www.legal-island.com/articles/uk/case-law/2016/sept/g4s-cash-solutions-uk-ltd-v-powell-2016/
Garrett v Lidl Ltd	[2009] UKEAT 0541_08_1612	EAT	Fibromyalgia	Relocation	https://www.bailii.org/uk/cases/UKEAT/2009/0541_08_1612.html
Noor v Foreign and Commonwealth Office	UKEAT/0470/10/SM	EAT	Dyslexia and dyspraxia	Adjusting workplace procedures (recruitment procedure) The judge ought to have considered whether any adjustment could have been made prior to, or at, the interview to prevent the disadvantage	https://www.employmentcasesupdate.co.uk/site.aspx?i=e8302
GLS v Brookes	[2017] IRLR 780	EAT	Asperger's	Adjusting workplace procedures (recruitment procedure) Online multiple choice test	https://assets.publishing.service.gov.uk/media/59f73e7be5274a3485f7ce7d/The_Government_Legal_Service_v_Ms_T_Brookes_UK_EAT_0302_16_RN.pdf

Home Office v Collins	(2005) EWCA Civ 598	EWCA	Diabetes	Altering hours CA held that part time work was not a reasonable adjustment where an employee was not ready or able to return to work	https://app.cronerico.uk/law-and-guidance/case-reports/home-office-v-collins-2005-ewca-civ-598-ca-unreported
Doran v Department for Work and Pensions	UK EAT/00 17/14	EAT	Stress-related illness	Adjusting workplace procedures EAT held that the Tribunal had been entitled to find that the duty to make reasonable adjustments had not been triggered because the employee had not become fit to work even if adjustments were made	https://www.employmentcasesupdate.co.uk/site.aspx?i=ed24767
Mr J Roads v Buckinghamshire & Milton Keynes Fire Authority	330350 1/2015	ET	Dyslexia	Adjusting workplace procedures (recruitment procedure) C sought alteration to the assessment method to include a role play or interview rather than written exam, or alternatively, that he could miss entirely the exam process. The tribunal held this was not reasonable and went beyond what was required to level the playing field.	https://www.legalisland.com/articles/uk/case-law/2017/nov/mr-j-roads-v-buckinghamshire--milton-keynes-fire-authority-2017/
Northern Ireland					
Hann v Royal Mail Group Ltd	[2009] NIIT 1043_0 8IT	NIIT	Heart condition	Relocation	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2009/1043_08IT.html&query=reasonable+adjustments

Fitzpatrick v Royal Mail Group Ltd	[2008] NIIT 1787_07IT	NIIT	Chronic obstructive pulmonary disease.; Medical symptoms exacerbated by warm and stuffy atmospheres and by stress	Minor adjustments Request for paper briefing as opposed to attendance at meeting	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2008/1787_07IT.html&query=reasonable+adjustments
Arthur v Northern Ireland Housing Executive & Anor	[2007] NICA 25	NICA	Dyslexia	Adjusting workplace procedures (Exam policy) 20% extra time to complete pre-interview aptitude tests	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NICA/2007/25.html&query=reasonable+adjustments
McElveen v Chief Constable of the Police	[2018] NIIT 04109/17IT	NIIT	Serious illness, major abdominal surgery, PTSD	Changing roles Transfer to an alternative role (out of Public Protection Branch)	https://employmenttribunalsni.co.uk/OITFET_IWS/DecisionSearch.aspx
Doherty v Department of Health and Social Services (Disability)	[2002] NIIT 3279_99	NIIT	Chronic tenosynovitis	Technology Software package	http://www.bailii.org/nie/cases/NIIT/2002/69.html

McCracken v Northern Health & Social Care Northern Health & Social Care	[2013] NIIT 00806_12IT	NIIT	Degenerative eye condition, retinitis pigmentosa	Altering Hours Work within specified wards and within certain timeframes	http://www.bailii.org/nie/cases/NIIT/2013/806_12IT.html
Loughran v Department for Communities (Other Discrimination - Disability) [2018] NIIT 01198_16IT	[2018] NIIT 01198_16IT	NIIT	Type 1 diabetes, cancer requiring a nephrectomy; arthritis and carpal tunnel syndrome in both hands; nerve problems in her right arm	Minor adjustments/ Technology Increased breaks; reduced workload; providing assistance in her duties; voice recognition; (foot mouse should have been offered)	http://www.bailii.org/nie/cases/NIIT/2018/01198_16IT.html
McLaughlin v Charles Hurst Limited	[2017] NIIT 00083_15IT	NIIT	Depression and stress-related illness	Altering hours Reduced hours	http://www.bailii.org/nie/cases/NIIT/2017/00083_15IT.html
Brannigan v Blinds Direct Ltd	[2009] NIIT 213_05IT	NIIT	Rotator cuff impingement syndrome	Minor adjustments Removal of the requirement to fit blinds	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2009/00213.html&query=reasonable+adjustments

O'Neill v Department for Social Development	[2012] NIIT 01922_11IT	NIIT	Rheumatoid arthritis	Relocation Transfer	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2012/1922_11IT.html&query=reasonable+adjustments
McCormick v Boxmore Plastics Ltd	[2002] NIIT 417_99	NIIT	Deafness	Provision of a third party (An interpreter)	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2002/18.html&query=reasonable+adjustments
Holdsworth v Right Price Carpets	[2008] NIIT 1928_07IT	NIIT	MS	Changing roles Failed to consider alternative position	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2008/01928.html&query=reasonable+adjustments
Palmer v The Social Security Agency	[2008] NIIT 131_07IT	NIIT	Depression	Adjusting workplace procedures (Attendance policy)	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2008/00131.html&query=reasonable+adjustments

Girvin v Carrickfergus Borough Council [2008] NIIT 1696_07IT	[2008] NIIT 1696_07IT	NIIT	Fibromyalgia	Minor adjustments Administrative or light duties	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2008/1696_07IT.html&query=reasonable+adjustments
Kennedy v Department for Social Development	[2014] NIIT 945_13IT	NIIT	Chronic back pain and sciatica	Relocation Transfer	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2014/945_13IT.html&query=reasonable+adjustments
Shaw v Queen's University Belfast	[2008] NIIT 1403_07IT	NIIT	Urinary incontinence	Relocation Move to alternative site	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2008/1403_07IT.html&query=reasonable+adjustments
McGrath v Gerard Presley t/a GMK Contractors	[2012] NIIT 02980_11IT	NIIT	Depression and impairment in the use and function of his left arm and hand	Relocation Transfer	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2012/2980_11IT.html&query=reasonable+adjustments
Smith v Wrightbus Limited	[2009] NIIT 21_08IT	NIIT	Diabetes	Minor adjustments Provision of a secure hygienic locker to store syringe and insulin	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2009/21_08IT.html&query=reasonable+adjustments

					09/21_08IT.html&query=reasonable+adjustments
Downie v Department for Social Development	[2015] NIIT 01050_14IT	NIIT	Active and severe form of Crohn's disease	Minor adjustments / Adjusting workplace procedures Close proximity to the toilets; time off for appointments; restricted from lifting excessively heavy loads; Modification of trigger for sickness absence policy	http://www.bailii.org/cgi-bin/format.cgi?doc=/nie/cases/NIIT/2015/01050_14IT02443_14IT.html&query=reasonable+adjustments
Gary Wilson v Robinson Services Limited	4837/17 IT	NIIT	Testicular cancer	Altering hours The respondent had not failed in its duty as it provided advice and support throughout, had allowed the claimant to control his hours as well as organising a phased return to work	https://www.legal-island.com/articles/uk/case-law/2018/sept/gary-wilson-v-robinson-services-limited-2018/
James Wilton v Bombardier Aerospace Shorts Plc	[2014] 2022/12 1294/13	NIIT	Back and ankle pain	Altering hours The respondent had made all reasonable adjustments for the claimant. They stressed that the duty on employers was 'not required to seek or to achieve absolute perfection...' the respondent had made 'extraordinary efforts to accommodate the claimant'	https://www.legal-island.com/articles/uk/case-law/20142/july/james-wilton-v-bombardier-aerospace-shorts-plc-2014/

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