

Neurodiversity at work

1. Understanding neurodiversity

Neurodiversity describes the natural differences in how people's brains behave and process information.

Neurodiversity refers to the fact that we all:

- · think, learn and act differently
- have different strengths and things we find challenging

Terms used in this advice

The language around neurodiversity changes over time. Some people might not like terms that other people are comfortable with. There's no term that everyone will prefer.

In this advice, we use neurodivergent to describe someone whose brain works differently to what is considered more typical. We also use the terms neurodivergence and neuroinclusive.

We sometimes use condition to refer to different types of neurodivergence.

Where possible, we use identity-first language. For example, we say someone 'is autistic', not 'has autism'. This is because a lot of people see neurodivergence as part of who they are, not something they have.

Types of neurodivergence

Neurodivergence is still being researched and understood.

However, some well-known types of neurodivergence are:

- ADHD
- autism
- dyslexia
- dyspraxia

Other types of neurodivergence include:

- dyscalculia a specific and persistent difficulty in understanding numbers
- Tourette's syndrome

There's disagreement about whether mental health problems are types of neurodivergence. However, neurodivergent people can often experience mental ill health.

It's common for someone to have more than one type of neurodivergence. This is sometimes called 'co-occurring conditions'.

People can often experience their neurodivergence differently. The strengths and challenges that come with a condition will not be the same for everyone.

ADHD

ADHD stands for 'attention deficit hyperactivity disorder'. It sometimes affects someone's behaviour. Someone with ADHD might refer to themselves as an 'ADHDer'.

Someone with ADHD might:

- · find it difficult to concentrate on tasks
- · struggle with time management and organisation
- · have trouble following instructions
- have times of hyperfocus where they're entirely focused on a task
- · be good at thinking creatively
- · have lots of energy

For example, Lou is a bus driver and has ADHD. Lou finds printing out their daily itinerary improves their timekeeping and focus. Lou finds it difficult to concentrate in team briefings. But they take notes, and find it easier when people speak clearly. One of Lou's strengths is memorising different routes. This means they're very efficient when driving through rush hour traffic or diversions.

Find out more about ADHD from the Brain Charity

Autism

Autism affects how people communicate and interact with the world.

Autism is sometimes referred to as a 'spectrum condition'.

Someone who's autistic might:

- · take things literally
- · react differently to senses like sound and smell
- · get anxious about social situations
- have difficulty interpreting social cues for example, facial expressions and body language
- like a consistent routine
- · seem rude without meaning to
- have a keen interest and expertise in particular topics
- · have good attention to detail
- · be good at problem-solving and thinking creatively
- have a good memory

For example, Sasha is autistic and works in a bar. Sasha can get overwhelmed when it's very loud and busy in the bar. When this happens, Sash uses noise-reducing earplugs and focuses on tasks like glass washing and restocking fridges. Sasha is passionate about the preparation and stock control tasks that most staff find boring. This makes Sasha popular with other employees.

Find out more about autism from the National Autistic Society

Dyslexia

Dyslexia mostly affects reading and writing skills. It can also affect how someone processes information more generally.

Dyslexia is sometimes referred to as a learning difficulty.

Someone who's dyslexic might:

- · read or write slowly
- find it difficult to listen and concentrate
- · forget things easily
- · have difficulty with spelling
- be good at problem-solving and thinking creatively
- have strong verbal communication skills
- · be good at tasks involving 3D shapes and spaces

For example, Chris is dyslexic. Chris takes longer than other people to write emails and reports. However, Chris is good at explaining things when talking to others. Chris moves from their separate office to the open plan work area with their team. They find their written tasks easier because they can talk them through with the team.

Find out more about dyslexia from the British Dyslexia Association

Dyspraxia

Dyspraxia affects movement and co-ordination. It is sometimes called 'developmental co-ordination disorder'.

Someone who's dyspraxic might:

- have poor balance
- · have difficulty pronouncing some words
- take longer to do some tasks
- · have strong verbal communication skills
- be good at thinking creatively

For example, Jaz is dyspraxic. They work best by talking things through. But they find it overwhelming to have lots of meetings in one day. They agree with their manager to block out time each week where people cannot book meetings. This gives time for Jaz to focus on tasks they find more difficult.

Find out more about dyspraxia on the NHS website

Masking

Neurodivergent employees might mask their condition at work. Masking means hiding parts of a condition to fit in better. Someone might not be aware they're doing it.

Masking can cause mental health problems. It can make someone feel:

- exhausted
- isolated
- like they cannot be themselves

People might not need to mask as much if they feel comfortable at work. Employers can help by:

- · taking steps to make their organisation neuroinclusive
- · thinking about how they talk about neurodiversity

For example, Jem is autistic. In previous jobs they masked their autistic traits. Jem starts a new job where people speak openly about neurodiversity. Jem shares with their team that they're autistic. Jem is great at big presentations but finds them exhausting. The team appreciates Jem's presentation skills and supports Jem with other tasks to help with their tiredness.

Find out more about masking from the Brain Charity

Whether neurodivergence is a disability

Some neurodivergent people do not see themselves as disabled. However, being neurodivergent will often amount to a disability under the Equality Act 2010. This law gives rights and protections to disabled employees. For example:

- the right not to be discriminated against because of a disability
- · the right to reasonable adjustments

Disabled employees might also be able to get support from Access to Work. This is a government scheme to help people get or stay in work.

Find out more about:

- · reasonable adjustments
- · what disability means by law
- · Access to Work on GOV.UK

Disability discrimination

An employer must not discriminate against disabled employees. This includes neurodivergent employees if their condition meets the definition of a disability under the Equality Act 2010.

Example of disability discrimination

Sam is disciplined for quoting offensive terms during an equality training session. The employer has a zero-tolerance policy for this type of behaviour.

Sam is dyslexic and says they did not mean to offend anybody. Their dyslexia can cause them to lose their train of thought when focusing on complex questions. This leads them to say things impulsively.

Sam's employer is aware that Sam is dyslexic. But having a policy that stopped them from taking this into account is likely to be disability discrimination.

Find out more about disability discrimination

If an employee experiences unwanted behaviour

Unwanted behaviour related to neurodivergence is likely to be disability discrimination. For example, it could be harassment.

An employee could also:

- receive unwanted comments because someone incorrectly thinks they're neurodivergent this can be a type of disability discrimination called 'discrimination by perception'
- experience bullying that's not classed as discrimination this could still cause legal issues, for example constructive dismissal

For example, Mo is autistic and has shared this with people at work. Mo finds wearing headphones helps them focus and avoid sensory overload. Mo struggles to keep eye contact when talking to people. Other employees make comments that Mo is weird and rude. They exclude Mo from work social events. This is likely to be disability discrimination.

Employers should also take steps to prevent bullying and harassment related to neurodivergence. Making an organisation more inclusive can help with this. For example, by raising awareness of neurodiversity through training and events.

If an employee has experienced unwanted behaviour, they should raise it with their employer as soon as possible.

Employers should take complaints seriously and look into it as soon as possible.

Find out more about:

- · types of disability discrimination
- · making and handling complaints about disability discrimination
- · making your organisation neuroinclusive

2. Talking about neurodiversity

Talking about neurodiversity in a sensitive way can help:

- · prevent problems at work
- create an inclusive organisation where all employees feel comfortable and supported

Telling others

Nobody has to tell their employer they're neurodivergent. If they do decide to share it, it's up to them when and how they do this.

An employer should take an employee seriously and offer support, regardless of:

- when they share their condition this includes if they only decide to share when a formal procedure is started
- · whether or not they have a diagnosis

Someone might not want to tell people at work because they're worried about:

- · getting a negative reaction
- · being stereotyped

However, talking about it can help someone get any support they need at work.

It can also be important if there's a health and safety risk to them or others. For example, if an employee with ADHD is struggling to concentrate when using heavy machinery.

Employers should take steps to make their organisation neuroinclusive so that:

- employees feel comfortable talking about neurodiversity
- employees can still get support without sharing their neurodivergence

If an employer suspects someone is neurodivergent

An employer might notice that an employee is having difficulty with certain things at work. They might suspect an employee is neurodivergent.

The employer should approach this situation sensitively. They should not ask directly about what they suspect. They should:

- talk to the employee about what they've noticed
- frame the conversation positively by focusing on what support and reasonable adjustments might help
- keep anything they discuss confidential, unless the employee agrees otherwise

Using appropriate language around neurodiversity

Language can affect how people feel. Using appropriate language when talking about neurodiversity can:

- make people feel more comfortable during conversations
- · avoid causing someone distress

Everyone should be sensitive in the terms they use.

For example, when talking about neurodivergence, avoid terms like 'suffering from' or 'symptoms'. These can suggest a condition is an illness when it is not.

Language in this area is constantly changing and people will have different preferences. It can be tricky to know what's appropriate.

Some good ways to know what language to use include:

- · asking someone what terms they prefer
- listening to what neurodivergent employees say
- matching a neurodivergent employee's language when appropriate for example, in a one-to-one conversation

Employers and employees can show respect and sensitivity around language by:

- being open about not knowing things and making the effort to learn
- · acknowledging if they get it wrong and taking steps to resolve it
- remembering that every neurodivergent person is different

Find out about how to talk and write about autism from the National Autistic Society (PDF, 158KB)

Get more advice and support

Find out more about:

- · considering if someone's disabled
- · talking about disability

If you have any questions, you can also contact the Acas helpline.

3. Performance, conduct and capability

Employers must not discriminate against neurodivergent employees when dealing with issues related to performance.

Some neurodivergent people do not see themselves as disabled. However, being neurodivergent will often amount to a disability under the Equality Act 2010.

Performance can relate to either:

- conduct an employee's behaviour at work
- capability an employee's ability to do their job

Making sure employees have support

Before using a formal performance, conduct or capability procedure, an employer must make sure they've done all they reasonably can to support an employee.

Using a formal procedure without exploring support first could:

- · cause employers and employees to spend unnecessary time and effort
- · cost an employer money
- lead to an employee making a claim to an employment tribunal
- have a negative effect on an employee's wellbeing

Find out more about:

- · reasonable adjustments for neurodivergent employees
- supporting disabled people at work

Example of support avoiding performance procedures

Sam regularly gets distracted in the office and misses deadlines. Sam's manager talks to them about this. Sam agrees they're struggling and thinks they might have ADHD.

Sam and the manager discuss what might help. Sam asks for a quiet space to work and regular check-ins to support with time management. Sam's manager agrees for Sam to use a meeting room whenever it's available. They also get noise-cancelling headphones and start weekly catch-ups to check work is on track.

Sam's performance improves. If Sam's manager had started a performance procedure, this could have caused Sam stress and made work more challenging. And it might not have addressed the poor performance issue.

Carrying out a formal procedure

There might be situations when an employer needs to formally investigate a neurodivergent employee's performance. This could be:

- if there's a conduct or capability issue even after support is in place
- for reasons not related to their neurodivergence

Under discrimination law, employers must make reasonable adjustments for disabled employees.

During formal procedures involving neurodivergent employees, this could include:

- talking through written correspondence with a dyslexic employee or repeating important information
- setting out meeting records clearly for an autistic employee who finds disorganised information distracting
- giving a dyspraxic employee extra time to train on computer software, to help them improve their performance during a capability procedure
- allowing someone with knowledge of an employee's neurodivergence to attend formal meetings for example, a support worker

A neurodivergent employee might not see themselves as disabled. But it's still good practice for an employer to agree to these kinds of adjustments.

Employers should offer support even if an employee only shares their neurodivergence when a formal procedure is started.

Find out more about:

- conduct and capability procedures when managing performance
- · capability and performance related to disability

Example of when a formal procedure is appropriate

Sidney is autistic. Sidney has a designated room to go to when they need time out during the day.

Sidney is annoyed because their football team lost a match. During a team meeting, Sidney shouts abusive language at another employee. Even after some time out, this behaviour continues.

Sidney's manager starts a disciplinary investigation, as this behaviour is considered misconduct.

Sidney already had a reasonable adjustment in place that could have helped in the situation. It is appropriate for Sidney's manager to start an investigation.

If an employee thinks they're being treated unfairly

If an employee thinks they're being treated unfairly, they should raise it with their employer.

Raising the problem informally

It's usually best for an employee to raise a problem informally first by talking with their employer.

Doing this can:

- · resolve the problem more quickly
- · help maintain positive relationships at work
- · avoid formal procedures, which can be stressful

Find out more about how to raise a problem at work

Raising a formal grievance

An employee can raise a grievance if either:

- · raising the problem informally does not resolve it
- they feel the problem is too serious to deal with informally

A grievance is where someone makes a formal complaint to their employer.

As an employee, you might be nervous about raising a problem with your employer. However, your employer should take you seriously. And there are ways to get support.

For example, you can:

• speak to your trade union representative, if you're a member

- ask for reasonable adjustments during the grievance procedure
- · bring someone along to a grievance meeting

If you need support writing to your employer, you can use our templates for:

- · a grievance letter
- a disciplinary appeal letter
- a grievance appeal letter

Contact the Acas helpline

If you have any questions, you can contact the Acas helpline.

4. Making your organisation neuroinclusive

As an employer, making your organisation more inclusive for neurodivergent employees can have many benefits.

For example, it can:

- improve staff wellbeing
- · reduce absence levels and employee turnover
- · attract employees with a wider range of skills and experience
- reduce the risk of disputes and legal claims, for example about discrimination

It can also make employees feel comfortable talking about neurodivergence. This means they're more likely to get the support they need and perform their best at work.

Actively including neurodivergent employees at work is sometimes called 'neuroinclusion'.

Ways to make your organisation neuroinclusive include:

- · reviewing your recruitment process
- training and supporting managers
- · raising awareness of neurodiversity
- considering support for all employees, so neurodivergent employees can get support without having to share their neurodivergence
- having a neurodiversity policy

If you're a small organisation with limited resources, you might not be able to do all of these. But there's still a lot you can do. Making your organisation neuroinclusive does not have to be costly or complicated.

Reviewing your recruitment process

You should review your recruitment process to make sure it does not exclude neurodivergent applicants.

For example, when you're advertising a job you should:

- · clearly explain which skills and experience are essential for the role and which are only desirable
- offer different ways to complete the application

- mention neurodivergence when referring to disability for example, if you're explaining that you're part of the <u>Disability</u>
 Confident employer scheme
- make it clear applicants can ask for reasonable adjustments and they do not need a diagnosis
- · give examples of reasonable adjustments
- replace recruitment jargon with clear language that's specific to the role

To help make your interview process inclusive, you should:

- train interviewers in how to avoid making assumptions based upon an applicant's body language or social behaviour
- where possible, allow applicants to see the questions before the interview
- hold interviews or assessments in suitable, quiet spaces away from other distractions
- consider alternatives to interviews, such as short paid work trials or practical assessments

Most of these things:

- are easy to do
- · cost very little, or nothing at all
- · will help all applicants and people doing recruitment

Find out more about recruitment

Example of inclusive recruitment

A bakery is hiring a new shop assistant. An autistic applicant asks to see the interview questions in advance.

The employer considers this and agrees to provide most of the questions. One question is designed to test how someone deals with unexpected questions. The employer and applicant agree that question will not be shared before the interview.

Training and supporting managers

Managing a team with different needs and ways of learning can be challenging and rewarding.

To make sure managers have the skills to support and get the best out of a neurodiverse team, you should:

- provide training opportunities for example, on handling reasonable adjustments and discrimination
- make sure managers know how to use your neurodiversity policy, if you have one
- encourage collaboration between managers across the organisation to share experiences and approaches
- give them the time and authority to do things that promote neurodiversity inclusion
- give them access to any resources that can help them for example, support from HR or occupational health advice
- remind them to have regular one-to-one meetings where team members can discuss any support they need
- encourage them to regularly review their team's workload
- monitor things you put in place to make sure they're having a positive effect

A lot of these steps involve sharing information and talking about neurodiversity. Managers should not share anything they've agreed with an employee to keep confidential.

When someone's manager changes

Make sure managers understand what to do when they're handing over an employee to a new manager.

For example, they should:

- · agree with the employee what to keep confidential
- where possible, have a meeting with the old manager, new manager and employee
- pass on relevant information about an employee's neurodivergence, including any adjustments they have in place an employee might have a record of their reasonable adjustments
- · share any useful tips and resources

This will help the new manager continue to support the employee.

Raising awareness of neurodiversity

Raising awareness of neurodiversity can help make talking about it feel normalised and comfortable. This can reduce problems and lead to more employees getting the support they need.

To raise awareness of neurodiversity, you can:

- include it in your organisation's mandatory training
- run awareness days and campaigns
- encourage senior employees to act as role models
- · set up a staff network for neurodiversity
- let employees know what support is available through your recognised trade union
- make sure you're always considering accessibility needs
- · cover the topic in induction materials

Mandatory training

Where possible, you should include neurodiversity in your organisation's mandatory training.

This can help you:

- set out your commitment to being inclusive as soon as employees start at your organisation
- · provide a supportive environment for neurodivergent employees without them having to share their condition

Mandatory training on neurodiversity does not have to be long or complicated. For example, you could include it as part of other equality and inclusion training.

Awareness days and campaigns

Neurodiversity campaigns or awareness days can help educate employees.

You might be able to do these in line with national events. For example, running activities as part of <u>National Inclusion Week</u> or <u>Neurodiversity Celebration Week</u>.

There might be neurodivergent employees in your organisation happy to share their experiences. For example, talking about challenges they face at work and how they overcome them.

They could share this in the way they feel most comfortable. For example, writing a blog post or presenting in a meeting.

Senior employees acting as role models

If senior employees are open about being neurodivergent, this can:

· promote an organisation-wide culture of inclusion and understanding

· be reassuring for more junior employees, who might be unsure about sharing their neurodivergence

Senior employees could also act as neurodiversity champions.

The role could include things like:

- sponsoring a staff network for neurodiversity
- following developments in law and good practice
- writing a blog or newsletter to promote equality and diversity
- · challenging other senior leaders to consider issues around neurodiversity
- raising issues that need addressing at a high level
- · considering wider issues that can affect neurodivergent employees

Staff networks

A neurodiversity network is a group for neurodivergent employees to:

- share experiences
- · support each other
- · raise issues that need addressing

A neurodiversity network might be part of a staff disability network.

Support from trade unions

Employers should make employees aware of any support their recognised trade union can offer. This might include:

- negotiating on their behalf for example, when a new policy is being introduced
- · representing them in meetings

Always consider accessibility needs

You should always consider accessibility needs in your processes and ways of working.

For example, ask employees if they have any accessibility needs ahead of meetings or training sessions.

You should encourage employees to do this so being inclusive becomes common practice.

Find out more about accessibility at work

Considering support for all employees

There might be some things you can put in place for everyone at work. This can help neurodivergent employees get support without having to share their neurodivergence. For example:

- offering noise-cancelling headphones to all employees
- having a private, quiet space that anyone can use

Putting support in place for everyone should not replace reasonable adjustments required by law.

Find out more about reasonable adjustments for neurodiversity

Having a neurodiversity policy

Having a neurodiversity policy can help you introduce and manage consistent standards of inclusion. This can support employees to be more productive, motivated and creative.

A neurodiversity policy could be a separate policy. Or it could be part of another policy. For example, one that covers diversity and inclusion.

In a neurodiversity policy, an employer should:

- state the organisation's overall commitment to neurodiversity inclusion
- · acknowledge their legal responsibilities related to neurodiversity
- outline what support is available for example, any wellbeing support services or named contacts employees can go to
- · make it clear that employees do not need a diagnosis to get support
- explain how they aim to create an neuroinclusive organisation for example, through training and awareness activities
- describe how their organisation's processes are neuroinclusive for example, their recruitment process or flexible working policy
- explain where employees can find any other relevant policies or procedures for example, on discrimination
- · say how and when they'll review the policy

You should write policies in a clear way, so that all employees can understand them. For example:

- replace jargon with clear language
- · break information down using headings
- · use short sentences and paragraphs

You could ask neurodivergent employees to be part of the process to create a neurodiversity policy. For example, to suggest what it should cover or give feedback on language.

Get more advice and support

If you have any questions about neurodiversity in your organisation, you can contact the Acas helpline.

You can also find advice about:

- · supporting disabled people at work
- · equality, diversity and inclusion
- · neuroinclusion at work from CIPD
- · neurodiversity at work from Business in the Community

Acas also provides:

- training on equality, diversity and inclusion including on neurodiversity in the workplace
- tailored support for your organisation