

Work After Stroke

Updated: April 2015
Review date: April 2016

Employers' Guide

The Work After Stroke research project team would like to thank all Different Strokes members who took part in the 3-year project, funded by the Community Fund. Your views and experiences have helped to inform this document and we gratefully acknowledge your contribution.

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Employers' briefing paper

A practical guide to employment adjustments for stroke survivors

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Introduction

After any major illness, getting back to work is very important for most people. Many stroke survivors return to work or gain new employment and become valued employees.

The employer has a duty to make reasonable adjustments if a disabled person or employee is at a substantial disadvantage in comparison to a non-disabled person. The duty of adjustments applies to physical features of an employer's premises (e.g. buildings, fittings and equipment), and employment factors, including recruitment and selection, promotion, training, transfer, career development and retention.

The **Equality Act 2010** defines a disabled person as someone who has, or had, "a physical or mental impairment, which has a substantial and long-term adverse effect" on their ability to carry out normal day-to-day activities. "Long term" means that it must have lasted, or be expected to last, at least 12 months. Many stroke survivors will be covered under the Act.

Under the Equality Act 2010 it is unlawful for an employer to treat a disabled employee or applicant less favourably because of their disability, without justification.

Taking a "good employer" approach is likely to benefit everyone.

This briefing paper draws on Different Strokes' three-year *Work After Stroke* research project, which involved extensive consultation with stroke survivors, their supporters, medical and rehabilitation professionals and employers. The research was financed by the Community Fund.

About Stroke

Stroke can happen at any age. Each year around 157,000 people in the UK have a stroke¹, and 25% of these are people under 65² – that is every single day around 108 people of working age or younger have a stroke. Certain conditions such as high blood pressure and diabetes increase the risk of stroke

Stroke is caused by a disturbance of blood supply to the brain, with symptoms, which last for at least 24 hours. People who have had a stroke generally require a lengthy period for recovery, measured in months rather than weeks. Stroke may lead to long-term disability.

The effects of a stroke depend on the part of the brain that has been damaged, how extensive the brain injury is, general health at the time of the stroke, age and social factors. These effects can include difficulties with balance, walking, vision, and mood, understanding, speaking, reading and writing. Some people have weakness or paralysis of one side of the body. The effects of stroke are not always obvious. Someone may have a visual problem, which means that they misjudge distances. Cognitive problems may cause difficulties with processing information, planning, concentration and memory. Someone else may have difficulty with spelling or finding a specific word in conversation. The natural history of stroke is variable, making predictions of outcome difficult. However, recovery can continue for years. Everyone is different.

Fatigue is very common after stroke and may persist for some time.

¹ State of the Nation Stroke Statistics January 2015. Stroke Association: www.stroke.org

² Progress in Improving Stroke Care. Department of Health, 2010

Facilitating return to work

- Whilst the stroke survivor is on sick leave, keep in touch without pressurising them either to return to work or to make major decisions regarding employment
- If possible make arrangements to cover the stroke survivor's job in such a way that it is possible for them to return to it. Ensure that anyone taking on additional responsibilities understands that these are temporary
- Inform the stroke survivor about any changes happening in the workplace that will affect their job
- Avoid making assumptions as to the stroke survivor's (dis)abilities. Listen to the stroke survivor's own assessment of what they can and cannot do
- Arrange a pre-return to work interview to establish what (if any) adjustments are needed. Invite the stroke survivor to have someone of their choice accompany them. NICE guidelines recommend that employers identify someone who is suitably trained and impartial to undertake initial enquiries with an employee who is experiencing long-term sickness absence³.
- Discuss with the stroke survivor requesting a workplace assessment from an Occupational Therapist or other professional who has recently worked with them
- NICE guidelines recommend that employers coordinate and support any health, occupational or rehabilitation interventions or services and any return-to-work plan agreed with the employee⁴
- Allow a phased return, perhaps starting with a few hours on alternate days and gradually building up as the stroke survivor's stamina increases. Be flexible about length and number of days and about increasing hours. Be guided by the stroke survivor
- In some areas, local schemes provide help to disabled people wishing to return to work. Such schemes can prove helpful to employers of stroke survivors, especially where the brain injury has led to several impairments

³ NICE (National Institute for Health & Care Excellence) guidance for primary care and employers on the management of long-term sickness and incapacity for work: <http://www.nice.org.uk/PH19>

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Before her stroke, Esther had a professional-cum-managerial position in a local authority. During her time off sick, Esther appreciated a senior manager visiting her to see how she was. The manager avoided putting her under any pressure and reassured her about her job. Esther was not able to return to her previous responsibilities and was retired on medical grounds and then re-employed part-time in a less stressful job in which she could continue to use her professional expertise.

Adjustments in recruitment and selection

You need to make sure you do not discriminate against a disabled job applicant during the recruitment procedure. It is important not to make assumptions about what the applicant can or cannot do. Careful attention to what the applicant has to communicate is essential to give you a good perspective on their abilities.

- Remember that anyone who has been outside the workforce for some time is likely initially to lack confidence
- Be aware that a stroke survivor may have acquired literacy difficulties due to aphasia (an acquired communication difficulty⁵).
- A stroke may lead to a radical change of career, so it is important to concentrate on the person's ability to do the job, rather than on how their application fits with their past employment record
- Be flexible about job descriptions and person specifications to allow your company to get the best out of a potential employee. Focus on the outcome required rather than specifying the means to achieving it. A stroke survivor may use different means to achieve an equivalent result
- Ask about any adjustments to the workplace which may be necessary to enable the stroke survivor to do the job well
- An informal meeting may give the stroke survivor the opportunity to provide information about their interview requirements and to find out whether the job is suitable for them

⁵ 3. Connect – The Community Disability Network (www.ukconnect.org)

- Note that the cost of a communicator for support at a job interview may be met through the Access to Work scheme. The disabled person would need to apply
- Interviews and tests can be particularly stressful for a stroke survivor. Some tests could put a stroke survivor at a disadvantage. In addition, extra time may be appropriate
- In some areas there are local schemes to assist disabled people, including stroke survivors, obtain employment. Such schemes may be helpful to employers in matching people's skills and abilities to the right job and in providing ongoing support to the disabled people placed by them and their employers

Carole was able to explain prior to her formal job interview that sometimes for no apparent reason at all she could get very emotional. That enabled her to cope with the interview well. She got the job.

Carole's reasons for staying in work after stroke included knowing she was a valued member of the team. She knew this via staff appraisal, rather than constant praise. What she wanted – and got – was not 'even though you've had a stroke you're doing really well ... just to be treated normally'.

- Follow up any requirements regarding hours, working pattern over the week, adaptations and equipment identified at the pre-return meeting or job interview. If necessary, contact the stroke survivor for further details, to ensure the most appropriate action is taken. Make arrangements for such requirements to be in place for the stroke survivor's first day (back) at work
- For many stroke survivors, a phased return (see above under Facilitating Return to Work) is particularly helpful
- Make it clear to the stroke survivor that they should inform you of any further adjustments they require during the course of their employment, and ensure that they have opportunities to do so
- Liaise with the stroke survivor regarding an application to Access to Work for assistance with costs of adaptations, equipment, transport and/or a support worker.
- Try to anticipate problems and encourage the stroke survivor to discuss any issues at the earliest possible opportunity. Be prepared to think laterally about possible solutions
- Allow time for the stroke survivor to adjust to being back at work

- Discuss with the stroke survivor whether appointing a mentor would be helpful
- If possible, provide a rest room
- Be aware that a stroke survivor may need to take a complete break at lunch and other break times. Ensure that a wish not to discuss work issues at these times is respected. If your organisation tends towards working lunches etc., you may wish to consider whether encouraging everyone to take proper breaks will benefit staff and hence the organisation
- The stroke survivor may require time off for hospital appointments or rehabilitation. Time off for treatment counts as a reasonable adjustment under the Equality Act 2010. It is also in the employer's interest for the stroke survivor to achieve maximum recovery; it may well benefit the organisation as well as the individual. Ensure that work colleagues understand that the stroke survivor is to be enabled to attend appointments and make appropriate cover arrangements
- If the stroke survivor returns to their old job but with a different work pattern (e.g. fewer hours), the job description may need to be adjusted and colleagues will need to adjust their expectations accordingly
- Medical and occupational health advice should be taken seriously
- The issue of stroke awareness needs to be handled with sensitivity. Some stroke survivors prefer their medical condition to be confidential (which is their right). Others find that providing colleagues with information about stroke is very beneficial. Different Strokes has a range of leaflets which may be helpful.

Before his stroke, Oliver was depot manager for a medium-sized mechanical engineering firm. Afterwards, Oliver's employer was able to capitalise on his extensive knowledge and skills by offering him a job on the service side, as an adviser/facilitator. This was less intense; 'hands off' work that well suited Oliver's abilities. The employer also used the opportunity provided by Oliver's circumstances to experiment with a new working pattern. He provided Oliver with a computer at home, where he now works one day a week. This arrangement has since been extended to most of the firm's employees.

After her stroke, a senior nurse employed by an NHS Trust was unable to return to her 25 hours a week district nursing post, which, in addition to requiring specialised nursing skills, was physically demanding. A newly created post involving inter-organisational work and requiring a high level of nursing skills was advertised internally. The stroke survivor applied and her skills were found to match those required for the job.

Adjustments included a modified start time to fit in with train times, some provision of transport within the working day and a telephone headset. The manager and stroke survivor decided in advance that the latter would take responsibility for reporting any problems. Normal weekly supervision meetings provided a valuable opportunity for identification of any difficulties and problem solving. After starting on reduced hours the stroke survivor built up to five hours a day. However this work pattern proved too tiring and an adjustment to four days including two longer days was agreed. Despite the manager's initial concern at not having every day covered, this had worked.

Further Information

For any further information ring **Different Strokes** on **0845 130 7172**, though mobile phone users might find it cheaper to use the 01908 317618 number.

Email info@differentstrokes.co.uk or visit our website at www.differentstrokes.co.uk

Help, Advice and Information

Ability Net

PO Box 94, Warwick, CV34 5WS

Advice helpline: 0800 269545

Website: www.abilitynet.org.uk Email: enquiries@abilitynet.org.uk

A national charity helping disabled adults use computers and the internet by adapting and adjusting their technology. “Our special expertise is ensuring that whatever your age, health condition, disability or situation you find exactly the right way to adapt or adjust your ICT to make it easier to use”.

Equality Advisory & Support Service

Helpline: 0808 800 0082 info@equalityhumanrights.com

Advises and assists individuals on issues relating to equality and human rights, across England, Scotland and Wales. Also accept referrals from organisations which, due to capacity or funding issues, are unable to provide 'in depth help and support' to local users of their services.

Fit notes

More information on taking sick leave available at:

www.gov.uk/taking-sick-leave

GOV.UK

Website: www.gov.uk

Features large amounts of benefits and employment information.

NICE National Institute for Health and Clinical Excellence

Public health guidance for primary care services and employers on the management of long-term sickness absence and incapacity for work.

Available at: <http://publications.nice.org.uk/managing-long-term-sickness-and-incapacity-for-work-ph19>

Remploy

Tel: 0845 155 2700 Website: www.remploy.co.uk

Works with many leading employers to support disabled people into jobs in mainstream employment and by directly employing disabled people in its Enterprise Businesses with more than 2,300 employees at 54 factories.

Also offers a wide range of employment services, tailored to the needs of employers and jobseekers, and employees experiencing long term sickness absence. Services include development, training, learning and rehabilitation to help individuals prepare for, gain and remain in sustainable work, whilst providing employers with skilled staff.

Shaw Trust Information Resource (STIR)

Fox Talbot House, Greenways Business Park, Bellinger Close, Chippenham, Wilts SN15 1BN

Tel: 01225 716300 Website: www.shaw-trust.org.uk

A national charity that believes in empowering people to improve their lives. Every year it helps 1000s of people who need extra support to achieve their employment and personal development goals.

It offers pre-work activities to people claiming benefits, unemployed and looking for work, or to those looking for support whilst in work. It also offers programmes to help people move from benefits into employment, including Work Choice and projects funded by the European Social Fund.

Work Choice

Website: www.gov.uk/work-choice

Helps people with disabilities whose needs cannot be met through Access to Work or workplace adjustments. Work Choice aims to ensure employers get the support they need to employ more disabled people.

This briefing paper has been made possible by the generous support of the Community Fund.