

## Insights

# NEURODIVERSITY IN THE WORKPLACE

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### SUMMARY

This week, we explore and offer practical guidance on neurodiversity, a workplace issue that, much like the menopause, has developed substantially over the past few years and is now a part of Labour's employment law reform initiatives.

Neurodiversity represents the range of differences in an individual's brain functions and behaviours. Neurodiverse individuals often have different strengths but face different challenges from those who are neurotypical. Typical neurodiverse conditions include Dyslexia, Autistic Spectrum Disorder (ASD), Development Coordination Disorder (DCD or Dyspraxia) and ADHD.

Some neurodiverse individuals may qualify as disabled under the Equality Act 2010 (EqA) but the language of disability may not always be helpful or appropriate. It depends on the individual.

### INCLUSION

Even before the recruitment stage, employers should try and promote an inclusive, supportive environment for neurodiverse individuals. None of the measures set out below will be effective if an individual masks a neurodiverse condition for fear they will be treated differently. Neurodiversity is known for being a condition that can be masked or hidden as there may be a belief that individuals will be stigmatised or treated differently from neurotypical individuals. A neurodiverse individual attending an interview and/or going through a recruitment process is far more likely to declare openly a condition such as dyslexia, ADHD or DCD if they believe and know in advance that the employer will be receptive, accepting and inclusive. This means not just having the relevant policies and procedures in place, this needs to be known to candidates.

### RECRUITMENT

The challenges faced by neurodiverse individuals should be factored into recruitment processes in the same way as an employer would consider a physical disability (in fact some neurodiverse conditions can manifest themselves physically, such as DCD). Employers should consider making reasonable adjustments at the recruitment stage to ensure that the roles advertised are accessible to all.

Reasonable adjustments may include:

- having clear and simple job descriptions and/or advertisements;
- making sure the physical environment where the interview takes place is accessible;
- the consideration that neurodiverse individuals will sometimes experience heightened sensory issues and may need the right environment to process information. The more relaxed and comfortable the individual feels, the better the interview will likely proceed. It is advisable to provide a quiet and private interview room with no opportunities for distraction. This includes checking lighting, background noise, and room temperature.
- choosing questions carefully. Depending on the individual's condition, too many metaphors and abstract questions should be avoided. Breaking down questions may be helpful for neurodiverse individuals to focus their efforts. It is advisable to be mindful that neurodiverse individuals, particularly those with DCD and ASD, may interpret language and questions more literally than neurotypical individuals, and may also find ironic/humorous asides more difficult to process;
- allowing breaks during the interview;
- training the interviewers on neurodiversity and how this may present in interview processes; and
- providing interview questions or details of exercises ahead of time so that neurodiverse individuals can prepare. In fact, one major department store recently took the decision to make interview questions available online so that their recruitment process could be more neuroinclusive.

Implementing these measures can go a long way to encourage individuals to apply for the role but also support them through the different stages of the assessment. Employers can also request feedback on which adjustments help individuals the most. This can help identify areas for improvement, as well as empowering neurodiverse individuals to voice their opinions and participate in decision-making.

## MANAGEMENT

The nature of neurodiversity means that each and every individual deals with their responsibilities and interactions in a different way - neuroinclusion in the workplace means embracing and encouraging these differences.

One way in which employers can promote neuroinclusivity is to take active steps to encourage neurodiverse individuals to raise any concerns they may have with work processes/routines that have been created to fit the behavioural traits of neurotypical employees. Policies and procedures should clearly outline how neurodiverse individuals can speak to their managers or HR about any challenges they are facing. Once a concern is raised, employers can then provide support by way of encouraging individuals to speak to designated staff or provide other resources.

It is equally as important to ensure that talented neurodiverse individuals do not miss out on career progression internally. All individuals, neurodiverse and neurotypical, should be encouraged to speak openly about their career aspirations and be encouraged to put themselves forward for promotion opportunities.

Employers should also remember that not all styles of working work for everyone and should be wary of making assumptions about what individuals need to perform at their best. Encouraging the workforce as a whole to request workplace adjustments that may support their way of work will help employers get the best out of each and every employee, not just those who are neurodiverse.

## CONCLUSION

Diversity in the workplace is beneficial for both employers and staff yet there can be a struggle to identify, recruit and manage individuals who fall within this talent pool. Considering some the ideas set out above may help employers engage with and support neurodiverse individuals from the recruitment stage onwards and help get the best out of each and every employee.

Neurodiversity can be particularly difficult as each individual is different. As the term makes clear, there is no typical neurodiverse individual, and it is a set of conditions that can be disguised, with individuals being reluctant to disclose a condition they may have learned to live with and mask through learned childhood experience.

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This article was written with trainee solicitor Jemima Rawding.

## RELATED CAPABILITIES

- Employment & Labor
- ESG Governance, Compliance and Reporting

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