



Balance Conditions in the Workplace

Fact Sheet

Life On The Level - Who Are we

We are a Health Support Group for anyone with a balance condition, that is either serious or chronic (long term). We are a volunteer organisation, we are affiliated with both the UK's charity Menieres Society and the USA's VeDA Non profit organisations. We offer support, information and advice for anyone who is currently suffering with a balance illness. We work with NHS and Private Consultants, and experts in other related fields, many of which are leaders in their field. We help sufferers and their family, friends, employers to understand these conditions.

More About Balance Conditions

All of us may have moments of minor loss of balance, from a merry go round, to drinking of too much alcohol being the most common. Perhaps due to these fleeting and relatively mild experiences most people will find it difficult to understand than serious and chronic balance conditions can cause the most traumatic, devastating and stressful periods in someone's life.

Typically a balance condition will start for no discernable reason, but effectively prevent the sufferer from walking, moving and in many cases cause period violent attacks of "vertigo" (rotational spinning of ones vision, inducing vomiting and extreme mental anguish).

General practitioner Doctors have little or no training on Balance conditions, and will not be able to diagnose or treat most patients. Instead they will refer them to a hospital based expert consultant. Unfortunately current UK waiting times vary from one to two years to access such experts. This in itself causes great distress for the sufferer, who may have no idea what their condition is, how long it will last and will in get better or worse. So, a common secondary aspect to all balance conditions over time are loss of confidence, anxiety and mental health related issues. [The vast majority of cases do "get better", but it is normal to fear the worst, until one knows "the facts"].

Another typical feature of Balance conditions are the variations in symptoms and intensity of symptoms from day to day or week to week, month to month. This means that a sufferers may have full mobility and is relatively able to walk, travel, work, socialize for many days, but without warning then encounter a day, or days, of intense symptoms that can leave them bed bound or fearful to leave their home. Then just as quickly the physical symptoms can weaken and dissipate for a period of time. These are not always illnesses that have a clear start, daily continuous illness and then clear end. Recovery can take weeks, months or years.

See www.lifeonthelevel.org for more information.

Is A Balance Condition a "Disability"

The Equality Act 2010 defines disability as :- "If you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities."

A General rule of thumb - Does this impact you day-

to-day and has lasted, or is likely to last, longer than a year? If the answer is yes, then you are protected by the 2010 Act and have a hidden disability.

This definition and knowledge of the law is essential information for both Employer and Em-

ployee, as for example if a tribunal was to rule that actions taken were discrimination against an employee, "unlimited" damages could be awarded.

To avoid such outcomes we urge both Employee and Employers to study this fact sheet.

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Special points of interest:

- Balance Conditions often have unpredictable daily changes in symptoms
- Balance Conditions can qualify as a hidden disability and this is compounded by the possible additional mental stress that often accompanies these illnesses.

Likely Issues In The Work Place

We are all different individuals and we all work in very different businesses or organisations, doing many varied roles that require many diverse skills and abilities. So the following explores “typical” issues that can occur when an employee has a balance condition.

How is the Employee Impacted:-

- Increased absence days
- Perceived new unreliability
- Lack of focus at work
- Inability to work at normal speed or intensity

A need to change the environment in which you work

Perhaps a need to change your role

Perceived ‘distance’ or unsociable attitude with colleagues

The Employer’s Adverse Perceptions or Actions :-

- Sees employee as no longer of value
- Perceives employee is “pretending”
- Irritated by new unreliability in attendance
- Receive Colleagues or customer complaints

about productivity

Concerned that employee is no longer suitable for the job

Looks to terminate employee

Health and Safety are always the priority

If you perform a task that requires good balance function as a necessity for safe working practice—for example working at height, on ladders, driving vehicles, fork lifts—It is imperative that you declare your balance condition at the earliest opportunity.

This will ensure that your health condition does not pose any increased risk to the health and safety of you, colleagues and any relevant stake holders (General Public / Customers etc),

If your balance does not affect your ability to do your job - for example working in an office, working at home, then you are under no obligation to declare your balance condition until you want to.

However disclosure is necessary to begin any employee to employer conversation.

Working It out together

First Steps—Disclosing your balance condition to your employer.

For example sharing this fact sheet with your line management / HR department and colleagues can be an initial step to then officially discuss your balance condition.

For any employee, this is a potentially anxious and stressful event, as there will always be concern on how an employer will react or over react . However, disclosure may be beneficial as it enables your employer to provide reasonable adjustments and support .

For the Employer, they should note that any information shared should be

treated confidentially, and employers should not make assumptions based on disability . Risk - That your employer does the wrong thing! But there could be “unlimited damages” if they are found to have discriminated against you and you are seen as having a hidden disability at work. So for Employee and Employer there is every reason and incentive to look to careful , sensitive and appropriate communication together , to initially look to establish what the balance condition could mean for your work and role.

Note that If you are in a Trade Union, then contact

them for advice. They can send someone with you to meetings with your employer - when you are not feeling at your best, then it can be really helpful to have someone else attend meetings with you who understands what you’re going through and be your advocate when you aren’t feeling up to being your own advocate.

At this stage it can be very useful for the Employer to engage the services of their own HR department (If they have one) and or seek professional guidance from external experts on their legal obligations and best practice in these situations

For all this can be the first experience of discussing and managing a balance condition in the work place, so no one needs to feel obliged to play the part of “knowing all the answers”, or indeed even “knowing all the questions”.

We recommend that Employers do some research to understand their employers health condition and be aware of the possible pressures and stress occurring simultaneously “outside of work” for their employer. Life On The Level is happy to help here and will at no cost to an employer assist when approached by a members employer.

Welfare Meetings & Reasonable Adjustments

Following on from some sort of issue occurring, or from your own disclosure of your balance condition you may be called to a meeting.

A Welfare meeting – of how are you? What's happening?

The Employee, for example, may request to arrange a second meeting to discuss even more detail, so, it is not necessary to have to explain all in the first meeting.

There are three normal outcome options :-

“Nothing”, its agreed to wait and watch and see how it goes

Or

You or your employer may request to have a Doctors GP report or Occupational Health referral We recommend that the OH Referral is always selected as it will be more appropriate to the circumstances of a balance condition. For the employee - it is Important - Always “Tick the box” on any OH Authorisation Form - “to see the

report first” (so you can be sure they have understood your condition) and explain this as well as possible to the employer. The report can be useful to everyone, in showing the best options to move forward together and make “reasonable adjustments”

OR

“Ill health dismissal” - Don't Panic! This would be a process, not an immediate act so both employer and employee have many opportunities to argue or defend positions.

Employers have an obligation to look at alternative roles, work and environments, so there is much to discuss if an employer is looking to dismiss, before dismissal occurs.

Workplace (reasonable) adjustments.

Employers are legally obligated to consider and provide reasonable adjustments. The Key word here is = reasonable!

Some Workplace adjustments Examples with Balance Conditions

Flexible hours so you can start late if you wake up with BPPV

Ground floor desk so you don't have to deal with stairs

Different screens/monitors that help with your visual sensitivity
Parking space close to the entrance if you have issues walking in open spaces

Desk close to toilets if you struggle with nausea/vomiting

Awareness session for your colleagues so they know how to support you if you have an attack at work

If cost is likely to be an issue to any adjustments, remember that there is “Access to Work” that may be able to fund changes - see below for link.

Reasonable Adjustments can allow loyal and effective employees to continue to contribute normally in spite of a balance condition.



Contact Information

www.lifeonthelevel.org
contact@lifeonthelevel.org
Tel 0116 318 4042

Useful Links

Equality Advisory and Support Service (EASS)

www.equalityadvisoryservice.com

Acas (Advisory, Conciliation, & Arbitration Service)

www.acas.org.uk

Disability Rights UK www.disabilityrightsuk.org

Access to work www.gov.uk/access-to-work

The Association of Disabled Professionals

www.adp.org.uk

Balance Conditions can be very disruptive to every aspect of ones life, including employment. We hope our fact sheet has helped to set out some basic facts and tips that will serve as a good foundation for both Employee and Employer. Allowing both to move forward together and find the best outcomes that are truly mutually beneficial to all and we hope will provide future case studies, on our own web site, for the best practice of managing Balance Conditions in the work place . **Life On The Level - Support Group**