



# Neurodiversity Guide





# Foreword

by Owen Reidy, Congress General Secretary

**I want to thank our disability committee for taking the initiative to produce this Neurodiversity guide for trade unions.**

Neurodiversity refers to the variations in the brain regarding sociability, learning, attention, mood, and other mental functions. The many examples in the guide are simply variations in the way that people perceive the world around them.

The guide explores the importance of embracing neurodiversity in the workplace and the benefits it brings including creativity, problem solving skills and diverse perspectives.

It is also an important acknowledgment that Neurotypical or neurodivergent, all workers belong in a trade union.

The guide was inspired by a similar guide published by the University and College Union in the UK and would not have been possible without the cooperation and support from a number of organisations. I want to thank them all for their contributions, including: Dyslexia Ireland, ADHD Ireland, AHEAD, and the National Disability Authority. Thanks also to SIPTU for their work in developing a model policy for workplaces. Any inaccuracies are of course our responsibility and we very much view this as dipping our toes into this important area and welcome constructive feedback from all.

A special word of thanks to Neuropride Ireland – Ireland's only national cross-neurodivergency Disabled Persons Organisation. Your feedback was crucial in capturing the lived experience of neurodivergent people and ensuring that the guide is greatly enhanced by that reality.

There are important developments due to take place in Northern Ireland and the Disability Committee there will produce a guide in 2025.



**Owen Reidy**

*Congress General Secretary*

## Introduction

The work of Congress on the broad disability agenda is guided by our Disability Committee in both Northern Ireland and the Republic of Ireland. The Committee works closely with a number of disability organisations, including those working on neurodiversity.

We hope that this guide will provide information to help union officials and workplace representatives to represent neurodivergent members. We hope to help reps to recognise the workplace issues that can impact on Neurodiverse people and give them the information and guidance they need to help tackle those issues.

## Why is this a trade union issue?

Equality is a core value of the trade union movement. We have a proud history of fighting for more equal workplaces.

Engaging with Disabilities including neurodiversity and recognising the differences that we all bring to the workplace removes stigma and dispels myths. It also provides a way forward for ensuring that our members requiring support at work are given that support and in turn provides our reps with the tools and skills needed to deliver that support.

Trade union strength comes from uniting and mobilising our members. The more workers we organise and involve, the stronger we are and the more we can win for workers. If we allow some workers to be left out, we are all weaker.

Acting to include disabled and neurodivergent workers makes us more powerful as a movement, able to win better pay, conditions and rights for all workers.

## Neurodiversity

Neurodiversity is a relatively new term that refers to the diversity of the human brain. This means there is a wide range of difference in how people's brains work. Neurodiversity recognises that some people's brains are wired differently.

Neurodiversity is short for neurological diversity. It (is an abstract noun that) refers to the fact that our species is made up of individuals whose brains are 'wired' or structured in different ways. Neurodivergence means having a neurology that differs significantly from typical neurology. It is an umbrella term for a set of different skills profiles including dyslexia, dyspraxia, autism, Attention Deficit Disorders (ADHD), Tourette syndrome and other conditions. The neurodiversity paradigm asserts that no one type of mind or brain is 'right' or 'wrong'

The UCU published an excellent guide to neurodiversity<sup>1</sup> in 2022 which has acted as an inspirational text for us in drawing up this guide. It includes this excellent description about neurodiversity:

“The term ‘neurodiversity’ was coined by Australian autism activist Judy Singer in 1999. Based on the idea of ‘biodiversity’, it was intended to identify that humanity is neurologically diverse, that this diversity occurs naturally, and that it is in our interests to preserve and value this diversity rather than try to eliminate it. As work and research developed, autistic author, speaker and educator Nick Walker, in his essay ‘Throw away the master’s tools: Liberating ourselves from the pathology paradigm (2013)’ writes about the principles of the Neurodiversity Paradigm as:

Neurodiversity is an essential form of human diversity. The idea that there is one ‘normal’ or ‘healthy’ type of brain or mind or one ‘right’ style of neurocognitive functioning, is no more valid than the idea that there is one ‘normal’ or ‘right’ gender, race or culture.

## Intersectionality

Intersectionality is a concept used to describe the ways in which oppressions based on various characteristics (race, gender, sexuality,

disability etc) are interconnected and cannot be adequately examined separately from one another. This neurodiversity paradigm is linked very closely to the work of Kimberlé Crenshaw, a legal scholar in 1989 following her paper ‘Demarginalising the intersection of race and sex: a Black feminist critique of anti-discrimination doctrine, feminist theory and anti-racist policies’ (1989). UCU encourages all branches to look through the lens of intersectionality when addressing discrimination in the workplace”.

## Language

Language plays an important part in how our thoughts and perceptions are shaped. It is important to remember that neurodivergent people are recognised as disabled under Irish law, and that employers have all of the responsibilities not to discriminate on the disability ground outlined in the Employment Equality Act.

The EEA definition of disability includes: “a condition, illness or disease which affects a person’s thought processes, perception of reality, emotions or judgment..”.

‘Neuroaffirmative,’ is a term used to describe neurodiversity-affirmative approaches, language and practices. The government have

1 [https://www.ucu.org.uk/media/12406/Neurodiversity-Guidance/pdf/Neurodiversity\\_A4\\_guide\\_January\\_22.pdf](https://www.ucu.org.uk/media/12406/Neurodiversity-Guidance/pdf/Neurodiversity_A4_guide_January_22.pdf)

published a guide<sup>2</sup> that suggests language that you can use based on what the majority of people belonging to the groups/communities mentioned have expressed is their preference and what they experience as most respectful and empowering. The suggestions in the guide are also more respectful and less stigmatising for other groups, such as people who have mental health challenges. The Belfast Health and Social Care Trust have also produced an excellent guide<sup>3</sup>. While it is good practice to use the most commonly used terms to refer to groups or in general communications, it is important to remain flexible and open to respecting the terms a specific individual may prefer to use for themselves in cases where this language differs.

The following terms outline different terms used in explaining neurodiversity.

- Neurodivergent: (sometimes abbreviated as ND) describes a brain that functions in ways that diverge significantly from the dominant standards of 'neuronormative'. For example, a dyslexic person is neurodivergent.
- Neurodivergence: the property (of a person or brain) of being significantly different from the typical.
- Neurodiversity: the existence within a population of individuals with different neurotypes.
- Neurodiverse: an adjective describing populations which contain individuals with different neurologies. The word Neurodiverse should not be used to describe an individual or a condition; it refers only to populations.
- Neuroatypical: synonymous with neurodivergent. Neurotypical: abbreviated as NT is often used to describe people who are not neurodivergent and falls within what society says is "normal"
- Neurominority: a group or population of neurodivergent people. For example, autistic people are a neurominority. Neurodivergent people are given different labels that diagnose how a person's brain differs from what society defines as 'normal'. Many of these are categorised as 'disorders'. However, these are not diseases and illnesses, or something that can be cured, and may not be disorders. An individual's neurology is part of that person's identity. The following are examples of neurodivergent conditions or profiles:
  - Autism: a spectrum condition characterised by differences in communication, cognitive processing, sensory sensitivities, and with literal thinking and intense special interests.
  - Attention Deficit Hyperactivity Disorder (ADHD) involves differences in directing attention, concentration and or impulsivity. ADHD has been strongly linked to increased efficiency in problem-solving and creative thinking.

2 <https://www.gov.ie/pdf/?file=https://assets.gov.ie/290292/44314513-387d-454f-82b9-6b0ca1386918.pdf>

3 <https://belfasttrust.hscni.net/service/child-adolescent-autism-service/guidelines-to-neuro-affirmative-language/>

- **Dyslexia:** a neurology which is not well-suited to certain forms of written language, leading to difficulties with reading, writing and spelling, and which may also include differences in concentration and planning. It is also associated with certain strengths, particularly in spatial reasoning.
- **Dyspraxia:** (also known as Developmental Co-ordination Disorder) – a condition associated with difficulties in movement and co-ordination, but also with strong strategic thinking.
- **Dyscalculia:** a learning difference that can cause difficulties with core mathematics. It affects approximately 6-8% of the population.
- **Dysgraphia:** a condition in which a person has difficulties with fine motor skills such as handwriting, spelling and finger sequencing, which may affect typing.

The AslAm graphic below contains useful links on some of these neurodivergencies.



## Disability in the workplace

While acknowledging that much work has been carried out in the context of the Comprehensive Employment Strategy for People with Disabilities, it is important to note that despite this and other initiatives, persons with disabilities are still significantly less likely to be employed than persons without disabilities.

Only 51.3% of persons with disabilities in the European Union who are active and of working age are employed, compared to the 76% employment rate among their counterparts without disabilities. Ireland fares badly when compared with this average – with figures ranging from 33%<sup>4</sup> to 36%<sup>5</sup> of persons with disability, about half the employment rate for people without disabilities.

The average employment gap in the European Union is 27% with Ireland having the highest gap – 39%. This is despite the fact that almost two-thirds of those receiving a disability payment in Ireland say they are able to work.

4 <https://www.edf-feph.org/publications/human-rights-report-2023-the-right-to-work/>

5 <https://www.oecd.org/publications/procurement-for-better-value-a-case-study-of-ireland-ca1e6c47-en.htm>

## Neurodiversity in the workplace

85% of autistic people are either unemployed or underemployed. It is difficult to confirm reliable numbers for other neurodivergent people as this area is greatly under-researched, but figures from research conducted by the Institute of Leadership & Management<sup>6</sup>, Infinite Autism, Autistic Nottingham & Tourettes Action show similar, and higher, levels of discrimination create barriers to a range of neurodivergent people in securing employment.

Percentages of employers who would be uncomfortable employing or managing someone with one or more neurodivergent conditions:

- Tourette syndrome: 32%
- ADHD: 29%
- Dyscalculia: 26%
- Autism: 25%
- Dyspraxia: 19%
- Dyslexia: 10%

This is despite the fact that there are many benefits of neurodivergence in the workplace. These include:

- Neurodiverse teams (i.e. teams formed with people who have a range of different

6 <https://leadership.global/resourceLibrary/workplace-neurodiversity-the-power-of-difference.html>

neurotypes) show increased creativity, innovation and are significantly more effective in problem-solving;

- Neurodivergent individuals often excel in areas where neurotypical people may traditionally underperform or find challenging, for example in maintaining sustained attention to detail, in pattern recognition, creative problem-solving and in accessibly communicating information to a mixed or broad audience/customer base.
- Neurodivergent staff increases visibility and representation particularly in school contexts. For example, having neurodivergent teachers can be incredibly powerful for autistic students. They see themselves reflected in a position of authority and success, which can boost self-esteem and confidence. Neurodivergent teachers can often relate to the challenges faced by autistic students, having potentially experienced them themselves. This fosters empathy and allows them to create a safe and supportive learning environment;
- Neuroaffirmatively designed workplace environments have proven to create a number of 'knock-on' benefits for everyone who works there; environments which prioritise flexibility across a range of communication methods and styles, access to remote working, decreased emphasis on conformity and other Neuroaffirmative approaches show

increased wellbeing, productivity and retention rates across the board. It is also worth keeping in mind that many long-term mental health conditions are forms of neurodivergence, so creating environments in which neurodivergent people of all types feel safe and supported in being authentically themselves inherently creates environments more capable of supporting all staff who are dealing with mental ill-health or challenging life circumstances at various stages of their career. In disability theory and Universal Design, this may be referred to as the "Accessibility Windfall" (i.e. unanticipated benefits for groups for whom an accessibility feature wasn't specifically designed, e.g. ramps and access features designed for wheelchair users benefitting people with children in prams, people with balance issues or vision impairment etc.)

- Increased focus and perseverance leading to increased productivity on repetitive or complex projects;
- Neurodivergent employees often excel at clear and concise communication, breaking down complex concepts into easy-to-understand steps;
- Neurodivergent individuals may approach problems from unique angles, leading to creative solutions that others might miss. Their strong grasp of logic and systems can be helpful in developing efficient processes and finding innovative solutions;



**Highly Focused**



**Expert Knowledge**



**Reliable**



**Honest**

\*Not all Neurodiverse people possess these attributes



**Loyal**



**Detail Orientated**



**Strong Memory**

Every individual is different, however some of the barriers that may impact a neurodivergent person in the workplace include:

### Heavy workload

- may be unsuitable for the pace at which a neurodivergent person works
- may create anxiety and stress
- long hours may cause mental, physical or sensory overload.

### Distressing sensory environment

- fluorescent lights, loud noise, strong smells, uncomfortable uniform or upholstery, poor ventilation
- over-stimulation from excessive sensory input: clutter, over-decorated walls, etc.

### Lack of provision for breaks and quiet

- workplace stress and anxiety become worse without the facility for 'time out' in a quiet space
- people with unusual concentration spans e.g. people with ADHD may find long work duties without breaks very difficult
- autistic workers may need the opportunity to 'stim' i.e. to carry out their preferred activity for emotional regulation e.g. skipping, humming, rocking.

## Stimming

A repetitive behaviour that helps us cope

When someone stims, they are fine

Don't draw attention to it when it happens

But do let people know in advance that they can stim if they need to



### Changes to working practices, especially when these are not negotiated and are detrimental

- sudden changes in working practices may cause unnecessary stress and anxiety
- neurodivergent workers may have developed working practices that work for them.

### Inappropriate communication styles

- small type and serif fonts are harder for dyslexic people to read
- workplace jargon and unclear instructions create problems for literal thinkers

- information provided in only one format eg written, present difficulties to people whose neurology is better suited to other formats.

### Unpredictably of working arrangements

- 'hot-desking' creates barriers for neurodivergent workers who prefer to maintain their own workspace
- anxiety about the journey to work, due to, for example, peak-time public transport or lack of workplace parking
- short notice changes to times and content of work duties.

## Confusing workplace design

- unclear or insufficient signage
- illogical layout
- jargonistic labelling of work areas e.g. a 'yellow zone' that isn't yellow!

## Computer use

- screen glare
- on-screen fonts and layouts that are hard to read.

## Unsuitable work processes

- alphabetically-based filing systems
- requirement for numerical calculations
- lack of help with organising work

## Potentially discriminatory policies and procedures

- use of disciplinary and / or capability procedures
- discrimination

## No policy to support neurodivergence in the workplace

- lack of policies leads to employees being treated differently by different line managers
- neurodivergent employees are unaware of what they can request in terms of support.

## Inappropriate recruitment and promotion practices

- irrelevant personal characteristics included in job specification eg 'team player', 'outgoing personality'

- written exams present difficulties to dyslexic applicants
- interviews judging applicants on irrelevant personal characteristics eg eye contact

## Rigid and/or inflexible working practices

- requirement for all workers to work at the same pace, even though people's work paces differ
- requirement that all workers carry out the work in exactly the same way, even though different working methods suit different people
- These can also be particular to specific employment contexts, for example, neurodivergent teachers are particularly triggered during lunch breaks with increased noise levels in the yard, bells ringing

## Hostile workplace culture

- being discriminated against, treated less favourably than others
- being harassed, bullied or excluded socially
- being unwilling to disclose their condition

The neurodivergent person may create a false impression at interview by displaying some of the following behaviours:

- Poor eye contact
- Underselling or omitting to mention personal experiences
- Mind blindness
- CV looks different
- Anxiety
- Stimming

Given this under-representation in the workforce, it is clear therefore that work needs to be done to ensure that our workplaces are more inclusive of neurodiversity.

Trade unions have a vital role to play in increasing awareness and understanding of Neurodiversity in the workplace and enforcing the rights that protect people.

## Dyslexia and the workplace

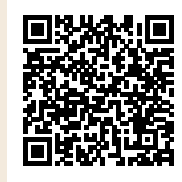
According to Dyslexia Ireland<sup>7</sup>, it is virtually impossible to find a job that does not require some level of reading, writing and remembering, or some use of the computer. Adults with dyslexia sometimes also struggle with time management and organisation at work. Planning and organising, setting out timetables, distinguishing between the important and the urgent, remembering appointments, passing on telephone messages from memory and meeting deadlines can be exceptionally difficult for many people with dyslexia. Some people may feel overwhelmed by the workload and get stressed.

It is very important that the initial job training provided takes into account the specific needs of the adult with dyslexia. This requires flexibility in the approach to training, provision

of information in alternative formats, multi-sensory learning techniques, more time and repetition of information when necessary.

## Reasonable Accommodation

As mentioned above it is a legal requirement for employers to provide reasonable accommodation in all aspects of the employment journey. Below are some key statistics and takeaways from the The WAM Statistics 2023 [report](#).



### Key Statistics

- 1 in 5 applicants required accommodations for a traditional interview
- 1 in 7 applicants required accommodations for a virtual interview
- 1 in 3 required accommodations for testing and screening recruitment processes
- Two-thirds of workplace accommodations do not incur any cost to the employer and are in relation to work tasks
- 42% of graduates require time off to attend disability related medical appointments

### Key Takeaways

- Virtual interviews are the most accessible for WAM applicants with only 1 in 7 requiring accommodations. In contrast, 1 in 5 require accommodations for a traditional interview and 1 in 3 requiring accommodations

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<sup>7</sup> <https://dyslexia.ie/info-hub/adult-dyslexia/dyslexia-at-work/>

for testing and screening processes in recruitment

- The majority of workplace accommodations do not incur any cost to the employer. Two-third of accommodations were in relation to work tasks which included a range of practical and easy to implement changes to the workplace
- Mental health condition is the most common disability cohort coming through The WAM Programme with 22% of graduates having more than one disability

Key to achieving inclusive workplaces for Neurodiverse people is the provision of reasonable accommodation. Section 16 of the Employment Equality Act obliges employers to provide 'reasonable accommodations' to employees with disabilities.

They are generally low or no cost and include things as simple as:

- Ear defenders
- Support with sensory processing
- Quiet time at lunch
- Clear language and accessible documentation
- Clear expectations
- Job duties aligned with employee strengths as much as possible.
- Assistive technology

In Northern Ireland, the Disability Discrimination Act 1995 (DDA) makes it unlawful for employers to discriminate on the grounds of disability. For more information on the DDA, see here: <https://www.equalityni.org/ECNI/media/ECNI/Publications/Individuals/DisabilityDiscrimShortGuide2011.pdf>

## Quiet Space

Privacy

Recovery

De-escalation

Matches needs





The DDA also places an obligation on employers to make reasonable adjustments which are designed to ensure fair access for people who meet the definition of having a disability as outlined in the legislation.

Applying such supports can level the playing field for neurodivergent and disabled people, and can support a neurodivergent person to contribute to the organisation's work and to be included as a valued member of the organisation.

Members must be empowered to feel confident to request reasonable accommodations if required. A research report of autistic employees in Ireland found that 60% of all respondents said they require supports or reasonable accommodations in the workplace. However, fewer than 20% said they received any supports or reasonable accommodations during the recruitment process for their current role, with 40% not making their current employer aware of their diagnosis at any stage of the recruitment journey. Sadly, this lack of transparency seems to stem from fear, with 58% of respondents saying they feel that requesting reasonable accommodations would worsen their chances of finding their preferred role.<sup>8</sup>

Congress, in partnership with Ibec, has done some work on reasonable accommodation culminating in the launch of the reasonable accommodation passport scheme<sup>9</sup>. The passport scheme provides a confidential live record of adjustments agreed with an employer. The passport is for workers to keep and share with anyone they think may need to know about the barriers they face within or outside the workplace and the adjustments that have been agreed to prevent or reduce its impact in the workplace.

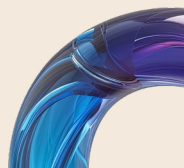
Other trade unions have launched similar schemes in the UK and Northern Ireland and more can be read [here](#)



A passport system would ensure that everyone is clear about what has been agreed and reduce the need to reassess these each time an employee changes role or has a change in line management. It acts as a tool to support individuals in fulfilling their potential and contributing to their own success and that of the organisation. We believe that its adoption by employers could encourage the employment of Neurodiverse people and open up conversations around reasonable accommodation.

8 Autism in the Workplace; Creating Opportunity for Autistic Persons (2021)

9 <https://www.employersforchange.ie/Reasonable-Accommodation-Passport-Scheme>



The NDA has published guidance<sup>10</sup> for line managers and HR professionals in order to better understand autism and to effectively recruit, work with and support staff with autism in the workplace. The guide has a number of practical tips for ensuring inclusive workplaces, including for example, a suggestion that employers should provide information about the interview process to candidates in advance of the interview. Research shows that for some Neurodiverse persons providing them with information prior to the interview, and the types of questions candidates would be asked can alleviate their anxiety about the event.<sup>11</sup> It also helps them to prepare for the interview. This guidance this will be updated over the course of the autism strategy.

The NDA is involved in a series of actions described in the Autism Strategy launched in 2024<sup>12</sup>. The Strategy aims to address gaps in existing services and supports for autistic people over an ambitious 18-month period.)

The employment theme has ten actions, primarily on the supports available to ensure an autism friendly workplace. Updating training for managers and online training materials - Action 6 - is to develop a coherent, neuro-affirmative approach to autism training in the public sector, and they will coordinate the development of a good practice guidance document. This document will inform the provision of future autism training initiatives across the public sector, and will be developed in consultation with the autistic community.

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10 <https://nda.ie/publications/reasonable-accommodations-for-people-with-autism-spectrum-disorder>

11 RSM PACEC & National Disability Authority (2018) Research on good practice in the employment of people with disabilities in the public sector, Dublin: RSM PACEC & NDA, p.8. (available separately)

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12 <https://assets.gov.ie/283420/4f4cda27-bd1c-47b7-b8f9-628d9dafb17c.pdf>

Time	Task
09.00	Arrive
09.05	John will meet you at reception and take you to the interview
09.10	Introduction with the interview panel
09.15	Skill Based Assessment – Sally will conduct this part
09.30	Questions on Qualifications – Mary will conduct this part
09.45	Questions on past experience – Henry will conduct this part
10.00	Opportunity to ask questions
10.10	Thank You & End of interview - John will guide you out

As the NDA guide states, reasonable accommodation practices which benefit neurodivergent people can also have a positive outcome for all employees and for employers themselves. Reducing possible stress points in the workplace is good for everyone. It is also good for business outcomes, as a stress-free workplace helps employers to maintain maximum productivity and to retain staff.

A recent significant development is that the new DSP fund "Work and Access"<sup>13</sup> is now available to all employers including those in the public sector.

13 <https://www.citizensinformation.ie/en/employment/employment-and-disability/work-and-access-programme/>

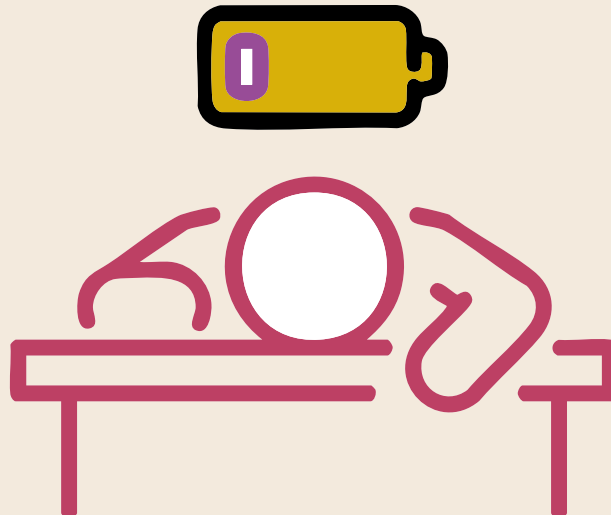
Other examples of Neurodiversity friendly changes to the work place include:

- Provide neurodiversity awareness training for all staff – particularly management and HR
- Establish a clear neurodiversity policy for the workplace and give Neurodiverse workers and those with caring responsibilities for them the opportunity to contribute to its development
- Review the working environment. Is the sensory environment suitable for people who may be sensitive to light and sound?
- Review workplace communications. Is information being shared in a way that is accessible for neurodivergent workers?

Lack of such provision can lead to fatigue and burnout.

## Autistic fatigue and Burnout

Loss of skills  
Increased sensitivity  
More frequent stimming  
More frequent meltdowns  
Chronic exhaustion



## Unconscious Bias

- Some interviewers may hold unconscious biases about neurodiversity, associating it solely with social deficits and communication difficulties. This can lead them to overlook the strengths and talents autistic applicants possess
- Interviewers may misinterpret autistic traits like directness or intense focus as negativity, failing to recognise them as potential strengths in areas like detail-orientation or problem-solving

## Workplace policy

**ACTION:** Use the model neurodiversity policy<sup>14</sup> which can be amended to suit your organisation to support Neurodiverse employees.

Congress believes that having a Reasonable Accommodation Policy that applies to all disabilities is crucial. Organisations/employers need to be mindful of not inadvertently discriminating against other disabilities by only focusing on particular cohort. However, this policy in relation to neurodiversity acts also as a model for other disabilities.

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14 Based on work by SIPTU and the UCU

# NEURODIVERSITY IN THE WORKPLACE POLICY

## 1. Introduction

This policy represents an agreement between [ ] ('the Employer') and ('the Union').

The policy covers the agreed approach of the Employer towards employees, and potential employees, who are neurodivergent, or who believe that they may be neurodivergent.

## 2. Principles

Both parties to this agreement believe that:

- a) All workers deserve opportunities, encouragement and support to realise their full potential
- b) A diversity of cognitive approaches is a source of strength and value within a genuinely inclusive workplace
- c) All reasonable steps must be taken to ensure that policies, practices and organisational culture do not discriminate against neurodivergent people
- d) Neurodivergent people may not have a formal diagnosis or assessment, that a lack of diagnostic support can be a barrier within the workplace for both employees and employers, and that employees must not be subject to unfavourable treatment if they choose to disclose a neurodivergent condition
- e) People who are neurodivergent can face discrimination and stigma in wider society, as a result they may be unwilling to disclose a diagnosis or assessment, and that employees must not be subject to unfavourable treatment because they choose to not disclose a neurodivergent condition
- f) Each person is unique and that there can be a high degree of overlap between neurodivergent conditions, and that consequently any accommodation must be identified and implemented on the basis of personal evaluation and individual consultation – not assumptions or stereotypes
- g) Employees should be supported to obtain a diagnosis or assessment should they want one
- h) Early disclosure within a genuinely supportive and inclusive workplace environment should be encouraged
- i) Any personal data gathered in connection with employees' neurodiversity must be kept confidential

- i) Barriers (including prejudice) that neurodivergent people can face in the workplace should be eliminated
- j) All reasonable steps should be taken to ensure that internal communications, training programmes, and assessments (such as to complete education and training courses) are accessible for neurodivergent workers
- k) There is a need to raise awareness of neurodiversity in the workplace and provide ongoing training and education to ensure that all employees and managers understand the needs of neurodiverse individuals
- l) There is a need to consider changes made in response to requests and take steps to eliminate potentially discriminatory practices in the course of day-to-day activities.

### 3. Scope

This policy applies to all direct employees, contract and agency workers, and volunteers working for [ ].

### 4. Getting and disclosing a diagnosis or assessment

Neurodivergent conditions can be described as a hidden disability and employers, line managers or colleagues may not have awareness of the condition itself or the supports that may be required.

The employer agrees to consider all requests for support for the purpose of obtaining a diagnosis within a timely fashion. Such support may be in the form of time off work to attend appointments, the provision of information, and funding for assessments by appropriately qualified persons.

The employer will agree to all reasonable requests for diagnostic support within a timely fashion. If a request is refused, the Employer will explain its reasons for doing so in writing.

If the employer intends to refuse a request on cost grounds and the employee is a member of the union, the employer will agree to first enter into discussions with the union to identify options for funding an assessment, if such a discussion is requested by the employee.

Funding for accessing a diagnosis or assessment, where it is provided by the employer, will not be restricted to employees against whom capability proceedings have been initiated, or are likely to be initiated.

A process will be established and publicised to encourage employees to disclose neurodivergent conditions to the employer, although it is also recognised that employees are under no legal or professional obligation to disclose a neurodivergent condition. The employer will not discriminate against nor allow discrimination against any employee who discloses that they are neurodivergent.



As neurodivergent conditions are lifelong, the employer will accept previous assessments undertaken by appropriately qualified persons as sufficient evidence that an employee is neurodivergent. Such assessments may include but are not limited to reports by specialist consultants, educational psychologists' reports and Assessment of Need (AON) reports.

## 5. Reasonable accommodation

The Employment Equality Acts 1998 – 2021 oblige employers to make reasonable accommodation for people with disabilities. An employer must take appropriate measures to meet the needs of people with a disability or disabilities in the workforce. There is a positive obligation on employers to remove barriers and make adjustments within the workplace. This means, for example, that they must make arrangements that will enable a person who has a disability to:

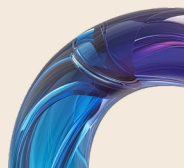
- a) have equal opportunities when applying for work
- b) be treated the same as co-workers
- c) have equal opportunities for promotion
- d) undertake training.

Appropriate measures mean effective and practical changes that the employer puts in place to enable employees with a disability to

carry out their work on an equal footing with others. These may include but are not limited measures such as:

- a) adapting the premises, work station or the equipment
- b) adapting the employee's work pattern
- c) providing access to a quiet space or a sensory room
- d) providing training or other supports
- e) adjusting an employee's attendance hours or allowing them to work from home or
- f) assigning an employee certain tasks, and substituting others for equivalent duties, in consultation with the employee
- g) putting in place a mentoring or buddy system

In order to know which appropriate measures to put in place, the employer needs to understand the practical needs of neurodivergent employees. This can be gained through consultation with the employee themselves. It may be appropriate to refer the matter to an Occupational Health Advisor so that an expert assessment can be undertaken with any special measures identified. Once received, it is vital that the employer consults with the employee in question to get their response to any possible measures.



The employer recognises that most requests for reasonable accommodations are not expensive or difficult to implement, and that such adjustments can make a significant difference to the wellbeing and performance of neurodivergent employees.

The employer will consider all requests for reasonable accommodations and respond to them with [ x timeframe].

The employer recognises that neurodivergent employees often have a clear prior understanding of the reasonable adjustments that would best support them, and that many neurodivergent workers will not require an external assessment of workplace needs.<sup>15</sup>

All clear recommendations for reasonable adjustments that are made by an appropriately qualified person will be implemented unless there are exceptional reasons to not do so.

If a request for a reasonable accommodation is refused, the employer will set out their reasons for doing so in writing within [x timeframe]. If there are compelling reasons for not accepting a request for a reasonable accommodation, the employer will try to identify alternative adjustments that achieve that same aim.

.....

15 "Justice requires that the person suffering from a disability be given the chance to make his/her case that they could perform the functions required of them if reasonable accommodations were made for them, which was not unduly burdensome to the employer and did not impair the operational capacity" *Cunningham v Irish Prison Service* 2019 IRLR 571

The signatories to this agreement recognise that many neurodivergent employees have developed coping strategies and that not all neurodivergent employees will require reasonable adjustments. The signatories further recognise that neurodivergent employees may have dual or multiple diagnoses or assessments, and that reasonable adjustments should be based on the needs of the individual.

If an employee considers that a recommendation for a reasonable adjustment made in their case is inappropriate for any reason and does not want that recommendation to be implemented in their case, then that will constitute an 'exceptional reason' for refusing a recommendation. No employee will be forced to comply with a reasonable adjustment recommendation against their will. In these circumstances, a written record of refusal (or discontinuation) of a reasonable adjustment will be kept.

The employer recognises that there may be employees who, while not neurodivergent themselves, may have caring responsibilities towards people who are neurodivergent such as parents of children identified as having special educational needs (SEN). Every reasonable effort will be made to accommodate requests for leave (or similar requests) that are made in connection with those responsibilities, and workers in this position will more generally be treated no less favourably than their counterparts who do not have caring responsibilities towards neurodivergent people.

## 6. Performance management and capability proceedings

The signatories to this agreement recognise that standardised employment practices can be barriers to neurodivergent employees' performance. The employer will use any performance management processes as an opportunity to review and improve support for neurodivergent workers, and to identify barriers that can reasonably be removed.

When concerns about an employee's performance are linked to a neurodivergent condition then performance management or capability proceedings will be halted or not initiated until any accepted reasonable accommodations have been made and an appropriate amount of time has passed to allow those adjustments to take effect.

All managers who conduct performance management or capability proceedings will, in the medium to long term, receive training on neurodiversity. The programme of such training (including timescales) will be agreed between the employer and the union within twelve months of the signing of this agreement.

The fact that an employee is neurodivergent, or is believed to be neurodivergent, will never be used as a reason for initiating performance management, disciplinary or capability proceedings.

## 7. Recruitment, progression and promotions

Neurodivergent employees and applicant employees will not be discriminated against during recruitment, progression and promotion processes.

Specific provision will be made to encourage neurodivergent job applicants to disclose conditions and request adjustments to recruitment, application, and interview processes.

## 8. Awareness and training

Neurodiversity will be incorporated into existing equality and diversity training programmes (both initial and top-up training). The employer, in consultation with the Union, will deliver or fund the delivery of training and awareness events specifically on the topic of neurodiversity, with the programme and provider of such training to be agreed by both parties. As covered in section 6, all managers who conduct performance management or capability proceedings will receive neurodiversity training.

## 9. Trade union undertakings

The union will nominate a representative to act as a 'Neurodiversity Champion' to raise awareness in the workplace and act as a point of contact with the employer, including for the sharing of guidance and best practice. The union will provide guidance to its members on the disclosure of neurodivergent conditions that they have, or are believed to have, to the employer, which is based on the principle of early disclosure as best practice, unless there are compelling reasons not to do so. The union will raise any concerns regarding potentially discriminatory practices or incidents at the earliest reasonable and practicable stage.

## 11. Legislative compliance

This policy complies with current employment legislation. The Employment Equality Acts 1998 – 2021 (as amended) (EEAs) provide a broad definition of disability which in all likelihood would include neurodivergent conditions listed in this policy.

The EEAs prohibit discrimination on the grounds of disability in employment, including training and recruitment. The law prohibits victimisation and harassment of people who are disabled for the purposes of the Act. Under Section 16 of the Employment Equality Act, employers have a duty to implement

reasonable accommodation for employees with disabilities.

Under the Safety, Health and Welfare at Work Act 2005 (as amended), it is the responsibility of the employer to ensure, insofar as it is reasonably practicable, the safety, health and welfare at work of their employees. Further, Regulation 25 of the General Application Regulations under the Safety, Health and Welfare at Work Act provides that employers shall ensure that places of work are organised to take account of persons with disabilities.

## 12. Signatures and commencement

This Neurodiversity Policy will come into force from the day of its signing.

-----  
[Name Job title Signed and dated on behalf of the Employer]

-----  
[Name Job title Signed and dated on behalf of the Union]



## Appendix 1

Sources of information (Need to add to this table and include website links)

### ADHD Ireland

<https://adhdireland.ie/>

### AHEAD

Working with and for disabled people to shape inclusive and empowering environments in tertiary education and employment.

[www.ahead.ie/](http://www.ahead.ie/)

### Autism Ireland

Cooles Road, Multyfarnham, Mullingar, Co. Westmeath N91 WC67

Phone: 044 9371680

Email: [info@autismireland.ie](mailto:info@autismireland.ie)

### Aspire

*(Asperger Syndrome Association of Ireland)*

Carmichael Centre, Coleraine House, Coleraine Street Dublin 7

Phone: 01 878 0027

Email: [info@aspireireland.ie](mailto:info@aspireireland.ie)  
[aspireireland.ie](http://aspireireland.ie)

### As I Am

17-21 Temple Road, Blackrock Co Dublin

Phone: (01) 445 3203

<http://www.asiam.ie>

### Dyslexia Ireland

<https://dyslexia.ie/info-hub/adult-dyslexia/dyslexia-at-work/>

### EmployAbility

Unit 15, Bluebell Business Park, Old Naas Road, Dublin 12

Phone: (01) 460 3081

Email: [info@employability.ie](mailto:info@employability.ie)

<https://www.employability.ie>

### Health and Safety Authority

The Metropolitan Building, James Joyce Street, Dublin 1, D01 K0Y8

Phone: 0818 289389

[www.hsa.ie](http://www.hsa.ie)

### Irish Society for Autism

Unity Building  
16/17 Lower O'Connell Street  
Dublin 1

Phone: 01 874 4684

Email: [admin@autism.ie](mailto:admin@autism.ie)

<https://autism.ie>

### National Disability Authority

25 Clyde Road, Dublin, D04 E409

Phone: 01 6080400

[www.nda.ie](http://www.nda.ie)

### Neuropride Ireland

Ireland's only national cross-neurodivergency Disabled Persons Organisation - <https://beacons.ai/neuroprideireland>

### Not so Different

Not for profit social enterprise established in 2016 with a proven track record delivering services to improve education and employment outcomes for neuro-atypicals (those with a neurological developmental condition) and neuro-typicals (those with no perceived neurological developmental condition).

[www.notsodifferent.ie/](http://www.notsodifferent.ie/)

### Shine Ireland

The Shine Centre, Weston View Ballinrea Road, Carrigaline Co. Cork

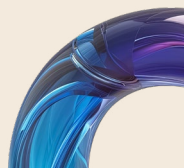
Phone: 021 4377052

Email: [info@shineireland.com](mailto:info@shineireland.com)

### Specialisterne Ireland

SAP AppHaus, Waterside Citywest, Dublin 24

[www.specialisterne.ie/contact/](http://www.specialisterne.ie/contact/)



# Neurodiversity Affirming Practice

## *Core Principles*



**intersectionality**

**respecting autonomy**

**validating differences**

**presuming competence**

**reframing expectations**

**promoting self-advocacy**

**rejecting neuronormativity**

**prioritising lived experience**

**nurturing positive self-identity**

**adapting systems and environments**

**honouring all forms of communication**

developed by Sonny Jane Wise 2023 @livedexperienceeducator [www.livedexperienceeducator.com](http://www.livedexperienceeducator.com)





STRONGER TOGETHER

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