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HR & Finance

HR Director Boardroom Summary

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Chaired by

EVERSHEDS
SUTHERLAND



Speakers:



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Partner
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HR, Change Director &
Workplace Mediator
Two Magpies

Discussing the topic:
*‘Why Good Intentions Are No Longer
Enough.’*



Overview

Our recent HR Director discussion in Cambridge focused on the realities of managing neurodiversity in the workplace and why good intentions alone are no longer sufficient to protect employees or organisations. The session centred around a real-life case study and generated valuable debate around recruitment, reasonable adjustments, management capability, conflict resolution and legal risk.

Case Study Discussion

The discussion opened with an example of a recruitment process that was widely viewed as being managed well initially.

At the outset of the interview process, the candidate disclosed that they were autistic. The organisation responded positively, ensuring:

- Full transparency around the role requirements.
- A detailed job description with clear deliverables and expectations.
- Appropriate onboarding and training support.
- Reasonable adjustments were identified and implemented.
- With the employee's agreement, colleagues were informed of the individual's needs to help create a supportive working environment.

Initially, the arrangement worked extremely well and demonstrated good practice in action.

However, following merger and acquisition activity, there was a change in management and a lack of communication of the employee's needs and the adjustments in place which led to agreed arrangements not being continued. This proved to be the point at which the situation began to deteriorate, eventually resulting in a grievance being raised by a colleague and concluding with settlement agreements.

Recruitment and Disclosure

A key theme discussed was the importance of thorough preparation and early conversations during recruitment.

Delegates agreed that:

- Where a disability or neurodivergent condition is disclosed, employers must engage in meaningful discussion around the support required.
 - Consideration of reasonable adjustments should begin as early as possible.
 - Recruitment processes should be flexible enough to accommodate individual needs while maintaining objective assessment standards.
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A particularly challenging area identified was the use of psychometric testing during recruitment.

While these tools can provide useful insights, concerns were raised around:

- Their suitability for neurodivergent candidates.
- Potential unintended disadvantages.
- The need for organisations to review whether assessments remain fair and inclusive.

Victoria confirmed that she will share further guidance and a circular on the use of psychometrics with interested organisations.

The Challenge of Confidentiality

An increasingly common challenge discussed was when individuals choose not to disclose their neurodivergent condition more broadly within the business.

Whilst confidentiality must always be respected, the group acknowledged that HR and People leaders can play an important role in helping individuals understand the benefits that appropriate disclosure may bring, particularly where it enables colleagues and managers to provide more effective support.

The focus should always remain on empowering employees and creating an environment where disclosure feels safe rather than mandatory.

Managing Material Change

One of the most significant failings in the case study occurred following organisational change.

Following the management transition:

- The individual's role evolved without any planning or consultation.
- Expectations changed.
- Key information regarding adjustments and support requirements was not effectively transferred to the new manager.
- Documentation surrounding decisions and changes was limited.

This prompted an important discussion around what constitutes a "material change" in role.

Key considerations highlighted included:

- Being specific about what is changing.
 - Assessing the actual impact on the individual.
 - Considering whether existing adjustments remain appropriate.
 - Ensuring expectations are clearly communicated.
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- Maintaining consistency in decision-making.

Delegates agreed that even seemingly small role changes can have a significant impact and therefore require careful assessment and documentation.

The Critical Role of Management Training

A unanimous view emerged that management capability is becoming one of the biggest organisational risks in this area.

Delegates strongly agreed that:

- Neurodiversity awareness training for managers is essential.
- Senior leaders require a deeper understanding of their responsibilities.
- HR mediation skills and programmes are becoming increasingly valuable.
- Early intervention and conflict resolution capability will help organisations stay ahead of evolving workplace expectations and anticipated ACAS-related developments.

The consensus was clear: organisations cannot assume managers possess the skills needed to effectively support neurodiverse employees without targeted training.

Grievances, Conflict and Communication

The discussion then moved onto the growing complexity of workplace grievances.

Several attendees noted that they are increasingly receiving lengthy grievances written with the help of AI, sometimes running to over 100 pages.

A practical approach that proved effective for many organisations was:

1. Ask the individual to identify the three to five key issues at the centre of their concerns.
2. Clarify the outcomes they are seeking.
3. Explore individual conflict styles.
4. Focus on conversations and understanding before moving immediately into highly formal processes.

The group discussed the importance of understanding how individuals communicate and process information, particularly where neurodiversity may influence responses during periods of conflict.



Tools such as:

- Insights Discovery
- Lumina Sparks
- Other visual communication frameworks

were highlighted as potentially useful ways of helping individuals better understand themselves and each other.

AI, Workplace Interactions and Escalation

An interesting discussion emerged around the increasing use of AI and digital communication tools.

Attendees observed that some workplace disputes appear to be becoming more entrenched and adversarial, with employees often presenting extensive documentation and highly detailed written submissions.

The group considered how organisations can balance:

- Giving employees a voice.
- Ensuring concerns are heard.
- Maintaining proportionate and constructive resolution processes.

Again, the importance of conversation, mediation and early intervention was emphasised throughout.

Documentation and Legal Considerations

A recurring theme throughout the session was the importance of documentation.

Delegates highlighted that HR teams are often expected to deliver more support with fewer resources, making robust record-keeping increasingly important.

Key reminders included:

- Document significant conversations and decisions.
- Record requests for reasonable adjustments and the rationale behind decisions.
- Ensure handovers between managers are comprehensive.
- Maintain consistency in communications and decision-making.

Attendees also discussed the reality that, from an employment law perspective, internal communications may become disclosable during legal proceedings, including emails, Teams messages and WhatsApp communications where relevant.





As such, organisations should encourage professional, considered communication at all times.

Key Takeaways

1. Early HR Intervention Matters

The earlier concerns are identified and addressed, the greater the opportunity to prevent escalation.

2. Neurodiversity Understanding Is No Longer Optional

As diagnosis rates continue to increase, organisations need greater awareness, capability and confidence in supporting neurodiverse employees.

3. Management Training Is Essential

Managers must understand neurodiversity, reasonable adjustments and the impact of workplace change.

4. Change Must Be Managed Carefully

Any material change to a role, reporting line or responsibilities should trigger a review of existing support arrangements and adjustments.

5. Documentation Protects Everyone

Clear records, rationale and communication provide protection for both employees and employers.

6. Focus on Resolution, Not Volume

Understanding the key issues, desired outcomes and communication preferences can often be more effective than becoming overwhelmed by extensive grievance documentation.

7. Reasonable Adjustments Must Be Actively Considered

Where adjustments are requested, organisations should carefully evaluate them and, where they cannot be accommodated, clearly document and communicate the reasons why.

Closing Reflection

The overarching message from the discussion was that positive intentions alone are no longer enough. Organisations must combine empathy with structure, documentation, management capability and proactive intervention. As workplaces become increasingly diverse and complex, success will come from creating environments where individuals are understood, supported and managed consistently throughout their employment journey.





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