

Understanding Dyscalculia: Employer's Guide

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This article aims to provide a comprehensive guide for employers regarding dyscalculia, a mathematical learning difficulty affecting approximately 5% of the UK population. In it, we'll look at dyscalculia, its impact on employees and the legal obligations employers have to support neurodivergent employees.

Understanding Dyscalculia

Dyscalculia refers to a specific learning difficulty concerning mathematics. It involves difficulty understanding number concepts, performing calculations, timekeeping, measurement and spatial reasoning. On the other hand, individuals with dyscalculia often exhibit strengths such as creativity, strategic thinking, problem-solving and intuitive thinking.

Legal Perspective

In the UK, the critical legislation concerning workplace neurodiversity is the [Equality Act 2010](#). It consolidates and expands previous equality laws, protecting neurodivergent workers, who are likely to be classified as 'disabled' under the act. The act affords them vital rights to reasonable adjustments and protection against discrimination, harassment and victimisation.

Defining Disability under the Equality Act 2010

For a condition to be considered a disability under the Equality Act 2010, it must be a 'physical or mental impairment' that 'has a substantial and long-term adverse effect' on a person's ability to carry out normal day-to-day activities. Therefore, neurodivergent conditions like dyscalculia, a lifelong cognitive difference, are likely to meet the legal definition of 'long-term'.

Dyscalculia in the Workplace: Challenges and Opportunities

The symptoms of dyscalculia can pose challenges for individuals in their professional lives. These may include difficulties understanding and working with numbers, performing calculations, and remembering mathematical facts, issues related to negative attitudes, timekeeping and planning schedules.

However, supporting neurodivergent employees can offer unique opportunities for organisations. The distinctive cognitive profiles of neurodivergent individuals can bring novel perspectives, creative problem-solving and other skills to the workplace.

Managing Dyscalculia: Reasonable Adjustments

The Equality Act 2010 requires employers to make 'reasonable adjustments' for disabled employees to alleviate any substantial disadvantages they might face. These adjustments can be simple and inexpensive but significantly improve workers' happiness and performance.

Examples of Reasonable Adjustments

Examples of reasonable adjustments for dyscalculic employees can include:

- Using a calculator for tasks involving calculations
- Employing calendars and schedules to plan daily activities
- Setting alarms to keep track of time
- Structuring breaks into long meetings

- Providing a second computer screen
- Agreeing on a later start and finish time to avoid rush hour
- Varying dress code
- Providing noise-cancelling headphones to workers who are hypersensitive to sound
- Varying role responsibilities or agreeing to a transfer to a similar post, where appropriate
- Providing coaching or a mentor system

Implementing Reasonable Adjustments

While identifying potential adjustments, employers should always consult with the worker and only implement changes with their consent. If an employer can't afford an adjustment, the worker might be eligible for support under the Access to Work scheme.

Legal Considerations: Proving Disability

When an employer disputes that a person has a disability under the Equality Act, the burden of proof falls on the claimant. For invisible disabilities, such as dyscalculia, this is likely to involve providing or commissioning expert evidence.

Real-life example

In 2023, in an Employment Tribunal claim, [Molyneux v Apprentify Ltd](#), Miss Molyneux brought successful claims, including discrimination arising from disability and failure to make reasonable adjustments, when her employer dismissed her from apprenticeship for failing a mock maths exam in circumstances where she found maths difficult because of her dyscalculia. In this case, the Tribunal awarded Miss Molyneux £53,348.25.

Conclusion

Understanding dyscalculia and its implications is crucial for employers to ensure a diverse, inclusive, and productive workplace environment. By recognising the unique strengths of neurodivergent employees and making reasonable adjustments, employers can not only comply with the law but also create a workplace that values individual strengths and promotes innovation.

Speak to employment solicitor [Patrick Simpson](#) today to ensure your current workplace practices and policies comply with your legal obligations. In particular, if you have a staff member who is, or might be, considered disabled, you must consider suitable reasonable adjustments. Putting your best foot forward in this complicated area of employment law is the best way to avoid defending potential claims in the Employment Tribunal, which, as [Apprentify Ltd](#) found out, can result in significant awards to successful claimants, given that discrimination claims are uncapped.

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Note: This article is not legal advice; it provides information of general interest about current legal issues.

