

## Reasonable Adjustments for Service Users

We are committed to taking action to ensure that the way we work does not place people with disabilities at a disadvantage. We want to remove the barriers some of our complainants have in accessing our service and making complaints.

### Our legal duties

Anyone providing goods, facilities or services to the public or a section of the public, or carrying out public functions, who find that there are barriers to people with disabilities in the way they do things must consider making adjustments. If those adjustments are reasonable, they must be made.

The duty is 'anticipatory'. This means a service provider cannot wait until a person with a disability wants to use the service. They must think in advance (and on an ongoing basis) about what people with a range of impairments (such as people who have a visual or hearing impairment, a mobility impairment or a learning disability) might reasonably need.

The Equality Act 2010 requires us to provide reasonable adjustments for people who are "disabled". Under the Act this means they have a *"physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities"*.

The duty is to make "reasonable adjustments" if the way that we carry out our functions places a disabled person at a "substantial disadvantage" compared to someone who does not have a disability.

We will do our best accommodate requests even if you don't have a disability as defined by the Equality Act 2010.

### What are reasonable adjustments?

Reasonable adjustments are not defined by the Act. There is a [Code of Practice](#) which gives guidance as to the kind of adjustments that could be made. Making a reasonable adjustment means making a change to our usual practices to avoid or correct a disadvantage to a person who has a disability in accessing our service. Depending on your needs, this could include:

- Providing documents or correspondence in larger print, or with a specific colour contrast (which may help people with conditions such as dyslexia)
- Giving you more time than would usually be allowed to provide further information or comments on their complaint
- Using the telephone rather than written communication (e.g. if you have a visual disability)
- Translating documents or correspondence into Braille
- Communicating with you through your representative or advocate
- Arranging for a single point of contact at the Ombudsman's office

- Providing access to an 'EasyRead' version of key documents for those with a learning disability
- Providing access to a "Reader Friendly" version of key documents for those with dyslexia or other reading difficulties
- If you use British Sign Language (BSL) we might provide you with an interpreter

### **Asking for reasonable adjustments**

When you first contact us, we will ask you if you have a disability and whether you might need an adjustment to help you use our service. But you can also ask for a Reasonable Adjustment at any time during our consideration of your complaint.

We will also suggest new or additional adjustments if we feel it might help you continue to make the best use of our service.

### **Our response to requests**

Before agreeing an adjustment, we will consider:

- What the disadvantage would be if the adjustment were not made
- Whether the adjustment will be effective in reducing the disadvantage
- How practical it is to make it
- Whether it would disrupt our other activities unreasonably
- The cost and availability of resources, including external help and finance

We will try to agree a reasonable adjustment with a minimum of delay. In some cases we may need to consider the request in more detail.

There may be circumstances where we decide not to meet the request. The law says that an adjustment only has to be made if it is "reasonable". We need to take account of the cost or resource implications of making the adjustment, whether the request itself is reasonable and whether there is a less expensive way of meeting the request. Where it is very difficult to provide the adjustment or meeting it would interfere with our ability to meet our legal obligations, we may decide it is not "reasonable".

We will look at each request individually and will aim to agree any adjustments with you to avoid us making incorrect assumptions about your needs. Where we do not agree an adjustment, we will explain why. When we agree a reasonable adjustment we will let you know in writing.

### **Other actions we take**

- We publish this policy on our website and highlight it to bodies in our jurisdiction (e.g. councils)
- We make sure that our staff are aware of their responsibilities.
- We include a statement in our leaflets that invites people to contact us if they need us to adapt the way we communicate.
- We regularly review our casework to see if we are putting our commitments as set out in this policy into practice

## **Complaints about failure to provide reasonable adjustments**

We hope that when you use our service you will be happy with the actions we have taken to make sure any barriers to making your complaint have been overcome. But if you are unhappy with our response to any requests you make for reasonable adjustment, or with the reasonable adjustment provided, you can complain to us about this.

You can find out more about how you might make a complaint here: [service complaints policy](#).

March 2021