

# Barcan+Kirby

## Reasonable Adjustments Policy

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### Introduction

As a firm that deals with the public we must take reasonable steps in the way that we work with disabled people so they are not disadvantaged in comparison to people who are not disabled. There are also rules for providing reasonable adjustments for our employees which are not covered in this policy but can be located in the Staff Handbook.

This policy is not intended to explain how we will approach every situation, it is meant as a general statement of our policy and:

- + confirms our commitment to improving accessibility for everybody we deal with;
- + sets out some of the basic principles of our legal duty to provide reasonable adjustments for disabled people; and
- + sets out the factors that we will take into account in dealing with requests for reasonable adjustments.

### What is a reasonable adjustment?

A reasonable adjustment involves making a change to the way we usually do things to ensure that we are fair to disabled people. This may involve:

- + departing from our usual practice in the way we do things, if we find that the current position places disabled people at a substantial disadvantage, for instance by allowing more time than we usually would for a meeting to provide information that we need; or
- + providing specialist equipment or additional support, such as a hearing loop for meetings
- + making sure our buildings do not present obstacles for disabled people, for instance by having at least one of our offices that provides ground floor meeting rooms.

We will not make assumptions about whether a disabled person requires any adjustments or about what those adjustments might be. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances.

### Our legal duties in relation to disabled people

The Equality Act 2010 requires us to provide reasonable adjustments for disabled people, defined by the Act as those who have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

This will, in some circumstances, mean that disabled people receive more favourable treatment than non-disabled people, which is lawful in the context of disability.

### Duty to make reasonable adjustments as a service provider

In the language of the Equality Act, our duty to make adjustments as a service provider applies if the way that we carry out these functions, the absence of an auxiliary aid, or any physical feature places the disabled person at a "substantial disadvantage" compared to someone who is not disabled.

### Requesting reasonable adjustments

We will let people know that we can provide reasonable adjustments, for example in the following ways:

- + by including a paragraph in written communication (e.g. client care letters);
- + by asking whether an adjustment might be required over the telephone; and
- + by publishing this policy on our website.

### Types of reasonable adjustment we can offer

Whilst we will consider each request for reasonable adjustments individually, there are some common adjustments which we will offer as a matter of course and some other adjustments that we can make particular arrangements to provide.

The adjustments will always be agreed with the person concerned to avoid making incorrect assumptions about a person's needs.

Some examples of the simple reasonable adjustments that staff can make may include:

- + providing documents or correspondence in a larger font size
- + providing documents on coloured paper or with a specific colour contrast which can often help people with conditions such as dyslexia
- + allowing a person who has a learning disability or mental health problems more time than would usually be allowed to provide further information – except where there is a specific deadline which we have no power to change
- + using email or the telephone in preference to hard copy letters where appropriate, which may assist those with a vision impairment
- + speaking clearly to the people who we deal with and offering additional time to cover the issues they need to discuss – this will help everyone understand our processes and procedures
- + using plain English appropriate to the person we are dealing with and avoiding jargon

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- + arranging meetings in rooms which have appropriate facilities
- + arranging for sign language interpreters to attend meetings
- + arranging meetings in rooms external from the firm which have appropriate facilities (this must be authorised by the Head of Department).

### **Our response to requests for reasonable adjustments**

In the majority of cases we will be able to agree and deliver the required reasonable adjustments with a minimum delay. In some cases, we may need to consider in more detail how best to overcome the difficulty a disabled person may be experiencing. For example, where the adjustment requested may be difficult to provide or where it may interfere with our regulatory obligations.

### **How do we decide what is 'reasonable'?**

The Equality Act does not define what is 'reasonable' but guidance from the Equality and Human Rights Commission suggests that the most relevant factors are:

- + whether taking any particular step would be effective in preventing the substantial disadvantage
- + the practicability of the step
- + the financial and other costs of making the adjustment and the extent of any disruption caused
- + the extent of the employer's financial or other resources
- + the availability to the employer of financial or other assistance to help make an adjustment, e.g. advice from Access to Work
- + the type and size of the employer.

### **Further information**

Bill Willcocks, Compliance Officer, is responsible for ensuring this policy is implemented throughout the firm, and that it is reviewed and updated on an annual basis. You should feel free to raise any questions or concerns with him.

[www.barcankirby.co.uk](http://www.barcankirby.co.uk)