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Reasonable Adjustments Guidance for customers

of Tamworth Borough Council

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**Approved by Corporate Management Team**

**Document Location**

This document is held by Tamworth Borough Council, and the document owner is HR.

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**Revision History**

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| **Revision Date** | **Version Control** | **Summary of changes** |
| June 2023 | V1 | First draft |
| June 2023 | V2 | Second draft following feedback |

**Key Signatories**

Approvals Creation and Major Change

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| **Name** | **Title** | **Approved** |
| CMT | Approved | July 2023 |

Approvals Minor Change and Scheduled Review

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| **Name** | **Title** | **Approved** |
| CMT |  |  |

Distribution

The document will be distributed through Astute as guidance and will also be available on the Intranet.

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**Introduction**

Tamworth Borough Council (TBC) is committed to making sure that our disabled customers are not disadvantaged when accessing or using our services.

We are committed to providing a high standard of accessibility to our services and our commitment extends further to customers who are not disabled but have a need, for example:

* whose first language is not English,
* need extra support with literacy needs,
* have religious and faith observance commitments
* have caring commitments.

The guidance does not outline how every circumstance will be approached, and the examples are not exhaustive.

**The Equality Act 2010**

Under the Equality Act 2010 (the Act) a person is considered as having a disability if they have a physical or mental impairment that has a ‘substantial’ and ‘long term’ negative effect on their ability to carry out normal day to day activities.

The Act provides a legislative framework to protect the rights of individuals and to advance equality of opportunity for all.

Tamworth Borough Council must make reasonable adjustments in the following three circumstances:

* If there is a policy, practice or procedure which disadvantages a disabled person significantly more than a person who is not disabled.
* If a physical feature disadvantages a disabled person significantly more than a person who is not disabled.
* If a disabled person without any aids, adaptions or support service would be disadvantaged significantly more than a person who is not disabled.

**What is a reasonable adjustment?**

Reasonable adjustments are not defined in the Equality Act but there is a Code of Practice to help [Reasonable adjustments: a legal duty - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/reasonable-adjustments-a-legal-duty/reasonable-adjustments-a-legal-duty). Depending on the individual’s needs, these might include:

* Using larger print, or a specific colour contrast.
* Using plain English in our correspondence or providing an Easy Read service.
* Giving more time than usual to provide information or comments on a complaint.
* Using the telephone rather than written communication, or vice versa.
* Communicating with a person through their representative or advocate.
* Arranging a single point of contact.
* A physical alteration to one of our premises, for example, fitting a lift, wide doors or a ramp.
* It may be a change to one of our policies, procedures or services, for example a comfort or rest break in a meeting, or an extension to a time limit.
* Adjusting how we communicate with the public to meet their specific needs. For example, providing information in alternative formats.
* Scheduling meetings to accommodate caring commitments.
* Scheduling meetings to accommodate religion and faith commitments.

In all circumstances, the reasonable adjustment is being made to ensure our services can be equally accessed by customers with disabilities or needs, as well as those without.

**How to request a reasonable adjustment**

A reasonable adjustment can be requested at any time by sending a letter or email to the Council to explain what adjustments are needed and why or contacting us online or through our Customer Service Centre. A family member, friend or representative can ask for an adjustment for you, if you have given permission for the Council to liaise with them.

We will let people know that they can request reasonable adjustments by publishing this guidance on our website, asking people if they have a disability and if they need reasonable adjustments, by referencing our commitment to providing reasonable adjustments in our correspondence and by making sure that employees are aware of their responsibilities.

It is recommended the following paragraph is added to correspondence to customers “We are committed to ensuring that people are not disadvantaged in accessing our services. We will make reasonable adjustments for those people that need further assistance, depending on the individual’s needs, further guidance can be found in our Reasonable Adjustments guidance [Equality and diversity | Tamworth Borough Council](https://www.tamworth.gov.uk/equality-and-diversity).”

**Responses to requests**

We will not assume what reasonable adjustments a person may need. But we will consider each request and discuss this with the customer to agree any possible change.

Before agreeing an adjustment, the Council will consider some important factors:

* What the disadvantage would be if the adjustment was not made.
* Whether the adjustment will be effective in reducing the disadvantage.
* How practical it is to make it.
* Whether it would disrupt the Council’s other activities unreasonably.
* The cost and availability of resources, including external help and finance.

The Council will try to agree a reasonable adjustment with a minimum of delay but in some cases the Council may need to consider the request in more detail.

There may be circumstances where the Council decides not to meet the request. The Council has a duty to make the adjustment where it is “reasonable”. The Council needs therefore to consider 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 before deciding whether the request is reasonable. The Council will record the reasonable adjustments requested and the decision made.

In the circumstance where we are unable to make a reasonable adjustment the Council will explain why and will work together with the customer to find the most appropriate alternative solution for them. When the Council agrees a reasonable adjustment, it will inform the customer in writing.

**Community Impact Assessments**

The Council completes a Community Impact Assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to the community from any protected group, including disability, under the Equality Act 2010.

**Complaints about failure to provide reasonable adjustments**

The Council hopes that following a request, customer will be happy with the actions/adjustments it has made. If this is not the case and a customer is unhappy with the Council’s response to any request made for a reasonable adjustment, or with the reasonable adjustment provided, a complaint can be made.

If necessary, a reasonable adjustment will be made to our complaints process in order to provide equal access.

Examples of reasonable adjustments the Council can make if a customer needs help making a complaint include; appointing a family member, friend or advocate to act on the customer’s behalf or they also attend meetings.

Detail about how to submit a complaint can be found here:

[Comments, Compliments & Complaints | Tamworth Borough Council](https://www.tamworth.gov.uk/comments-compliments-complaints)

**Telephone:** 01827 709709

**Email:** **tellus@tamworth.gov.uk**

**In writing:** Marmion House, Lichfield Street, Tamworth, B79 7BZ

**E-form**: [Complete an e-form via our website](https://www.tamworth.gov.uk/making-complaint)



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| **Part 1 – Details**  |
| What Policy/ Procedure/ Strategy/Project/Service is being assessed? | Reasonable adjustments guidance for customers |
| Date Conducted | 28th July 2023 |
| Name of Lead Officer and Service Area | Jackie Noble |
| Commissioning Team(if applicable) |  |
| Director Responsible for project/service area | Zoe Wolicki |
| Who are the main stakeholders | Residents and business owners within Tamworth Borough |
| Describe what consultation has been undertaken. Who was involved and what was the outcome | Consultation with CMT |
| Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc) | Research other examples from local government employers |
| What are you assessing? Indicate with an ‘x’ which applies | A decision to review or change a service | 🞏 |
| A Strategy/Policy/Procedure | 🗹 |
| A function, service or project | 🞏 |
| What kind of assessment is it? Indicate with an ‘x’ which applies | New | 🗹 |
| Existing | 🞏 |
| Being reviewed | 🞏 |
| Being reviewed as a result of budget constraints / End of Contract | 🞏 |

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| **Part 2 – Summary of Assessment**  |
| Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing. |
| Who will be affected and how?To provide a framework for residents and business owners within Tamworth Borough to request a reasonable adjustment(s) when interacting with Tamworth Borough Council. |
| Are there any other functions, policies or services linked to this impact assessment?Yes 🞏 No 🗹 |
| If you answered ‘Yes’, please indicate what they are? |

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| **Part 3 – Impact on the Community** **Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?** |
| **Impact Area** | **Yes** | **No** | **Reason (provide brief explanation )** |
| Age | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of age |
| Disability | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of disability and its purpose it to enhance accessibility to disabled customers |
| Gender Reassignment | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of gender reassignment |
| Marriage and Civil Partnership | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of marriage and civil partnership |
| Pregnancy & Maternity | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of pregnancy and maternity |
| Race | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of race |
| Religion or belief | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of religion or belief and makes explicit reference to making adjustments to allow religious observance |
| Sexual orientation | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of sexual orientation |
| Sex | 🞏 | 🗹 | The policy applies consistent and fair treatment irrespective of sex |
| Gypsy/Travelling Community | 🞏 | 🗹 | Not a factor |
| Those with caring/dependent responsibilities  | 🞏 | 🗹 | The policy makes reference to adjusting meeting to meet responsibilities  |
| Those having an offending past | 🞏 | 🗹 | Not a factor  |
| Children | 🞏 | 🗹 | Not a factor  |
| Vulnerable Adults | 🞏 | 🗹 | Not a factor  |
| Families | 🞏 | 🗹 | Not a factor  |
| Those who are homeless | 🞏 | 🗹 | Not a factor  |
| Those on low income | 🞏 | 🗹 | Not a factor  |
| Those with drug or alcohol problems | 🞏 | 🗹 | Not a factor  |
| Those with mental health issues | 🞏 | 🗹 | The guidance makes reference to adjustments for people with mental health issues  |
| Those with physical health issues | 🞏 | 🗹 | The guidance makes reference to adjustments for people with physical needs  |
| Social inclusionPlease include refugees and asylum seekers,  | 🞏 | 🗹 | The guidance makes reference to adjustments for those needing assistance with translation  |
| Social inclusion: Armed ForcesThe Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered | 🞏 | 🗹 | Not a factor  |
| Health and Wellbeing | 🞏 | 🗹 | Not a factor  |
| Climate Change  | 🞏 | 🗹 | Not a factor  |

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| **Part 4 – Risk Assessment****From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations****This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.** |
| Impact Area | Details of the Impact | Action to reduce risk |
| *Eg: Families* | *Families no longer supported which may lead to a reduced standard of living & subsequent health issues* | *Signposting to other services. Look to external funding opportunities.*  |
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**Part 5 - Action Plan and Review**

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Impact (positive or negative) identified | Action | Person(s) responsible | Target date | Required outcome |
|  | Outcomes and Actions entered onto Pentana |  |  |  |
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Date of Review (If applicable) ………………………………………………..

Guidance and form updated July 2023 following CMT approval.