

Reasonable Adjustment Policy

Prepared By

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1. Purpose

Pickering and Ferens Homes (PFH) are committed to ensuring that disabled people are not disadvantaged in accessing our services. This policy is intended to provide guidance on meeting individual needs covered by the Equality Act (2010) through offering appropriate adjustments. It is also to ensure we continue to deliver high standards in resident service, meet residents' needs and align these standards with those set out in our Equality, Diversity and Inclusion Strategy.

This policy does not explain how we will approach every situation; it will do the following: -

1. Confirm our commitment to improving accessibility for all of our residents
2. Set out the principles of our commitment to provide reasonable adjustments for residents who require them
3. Details what factors we will take into account when dealing with requests for reasonable adjustments

4. Explain how residents can appeal if they do not agree with PFH's decision relating to their circumstances

Many of the arrangements that we offer for disabled people can also be made available for those who do not have disabilities. For example, provision of documents in larger font than our usual font.

2. The Equality Act 2010

The Equality Act 2010 (the Act) provides a legislative framework to protect the rights of individuals and to advance equality of opportunity for all.

Under the Act the legal duty to make reasonable adjustments arises in three circumstances:

- Where there is a provision, criterion or practice which puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled
- Where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled
- Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not disabled.

Substantial disadvantage is defined in the Equality Act 2010 s.212(1) as 'more than minor or trivial'.

3. What is a reasonable adjustment?

A Reasonable Adjustment is a legal term described in the Equality Act (2010). It means that PFH have a duty to make reasonable adjustments where it's working practices (including policies and procedures), or physical premises put a disabled resident at a substantial disadvantage in comparison with residents who are not disabled.

It is not possible to produce an exhaustive list of reasonable adjustments since an adjustment can only be determined as reasonable or not in relation to a specific set of circumstances.

However, the Equality Act's Code of Practice suggests that, when deciding whether an adjustment is reasonable, the following issues should be considered:

1. The effectiveness of an adjustment in preventing or reducing the disadvantage for the disabled person – for example, the adjustment should be designed to fully address the disadvantage it is meant to overcome
2. The practicability of the adjustment – for example, it may not be necessary or practical to have a wheelchair accessible toilet on every floor of an office, providing that at least one such toilet is available to wheelchair users
3. The financial and other costs of any adjustment – for example, if a resident requests higher specification of an aid or adaptation than the standard item issued, as long as the standard item will perform the same task – it may be reasonable to refuse on grounds of cost, provided the alternative is suitable
4. The extent of the disruption caused – for example, it would not be practical for a staff member to devote all of their time to one resident, as other residents would inevitably suffer
5. The availability of financial or other assistance – for example, a grant for funding may be available to supplement any adjustment needed

4. Adjustments that will be considered

PFH is committed to maintaining a high standard of accessibility to our services for all residents we come into contact with. We should therefore ensure our approach embraces all residents who have a mental or physical impairment as defined by the act as follows:

“Under the Equality Act 2010, a person is considered to be disabled 'if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on his or her ability to carry out day-to-day activities'. 'Substantial' is defined by the Act as 'more than minor or trivial'. An impairment is considered to have a long-term effect if:

- It has lasted for at least 12 months
- It is likely to last for at least 12 months, or
- It is likely to last for the rest of the life of the person.

Day-to-day activities are not defined in the Act, but in general they are things people do on a regular or daily basis, for example eating, washing, walking, reading, writing or having a conversation.”

The following examples would be covered by this definition (this list is not exhaustive);

- Providing additional support for residents with communication or learning difficulties
- Providing additional support for residents who need it due to a physical need or those with mental health conditions
- Providing additional support for residents with sensory impairments, such as those which affect sight or hearing

Whilst it is not possible to list all such circumstances, below is a list of some examples:

- Providing translation or interpreting services for residents whose first language is not English.
- Providing additional support for residents with literacy problems.

5. Guidance

As a general rule, PFH staff should follow the following guidelines.

Ask – don’t assume. Remember that many disabilities or special needs are not necessarily visible or obvious. Therefore, we should ask our residents routinely whether they need additional support. We don’t need to be intrusive –we should explain how we would normally deal with an issue the person has raised and then ask: “Do you need any additional support, for example because of a disability or other special circumstance?” That leaves the way open for the person to tell you as much or as little as he or she chooses about the circumstance whilst still requesting the support they need.

Listen - Most residents with disabilities or special needs will know what support they need and will tell you how you can help them. Try to meet their request where it is reasonable to do so.

Be flexible. Residents in similar sets of circumstances may have different needs or requests – just because people have a similar disability, it does not mean that they will require the same support.

6. Monitoring

We want to learn from our residents and the service we provide, as a result where reasonable adjustments are requested or made, we will record and monitor those. This will help us to identify the effectiveness of those adjustments and whether the resident suffered any detriment because of poor considerations. This will in turn help us to review our service.

7. Complaints

We are committed to provide a high standard of service, dealing with everyone in a way that is fair and free from discrimination. If someone is dissatisfied with the arrangements, we have made for providing reasonable adjustments, we will respond in accordance with our Complaints policy.

Our Complaints policy can be viewed on our website, or contacting us on 01482 223783 to request a copy.

If necessary, when reviewing our decision, we will seek advice from specific expert disability groups or seek legal advice.

8. Review

This policy will be reviewed every 3 years unless there are changes to legislation, regulation, best practice, or a business need.