

Scrutiny Inquiry Panel - Accessible Southampton

Thursday, 24th February, 2022
at 5.30 pm

PLEASE NOTE TIME OF MEETING

Virtual Meetings - Virtual meeting

This meeting is open to the public

Members

Councillor Vaughan (Chair)
Councillor Rayment (Vice-Chair)
Councillor Coombs
Councillor Guest
Councillor Streets

Contacts

Democratic Support Officer
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Scrutiny Manager

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PUBLIC INFORMATION

Role of Scrutiny Panel Inquiry – Tackling Accessible Southampton

The Overview and Scrutiny Management Committee have instructed the Scrutiny Panel to undertake an inquiry.

Purpose: To identify whether the physical infrastructure of the city creates barriers for people with disabilities to access all that Southampton has to offer, and, if so, to determine what we can do as a city to address this.

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Southampton: Corporate Plan 2020-2025

sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

Public Representations

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

Smoking policy – the Council operates a no-smoking policy in all civic buildings.

Mobile Telephones – please turn off your mobile telephone whilst in the meeting.

Fire Procedure – in the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – access is available for the disabled. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2021/2022

7 October 2021
18 November 2021
2 December 2021
20 January 2022
24 February 2022
21 April 2022

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Committee are contained in the Council's Constitution.

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 3 (including 1 Independent Member).

Disclosure of Interests

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

Personal Interests

A Member must regard himself or herself as having a personal interest in any matter

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - (a) any employment or business carried on by such person;
 - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

Continued/.....

Prejudicial Interests

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are now available online at
www.southampton.gov.uk/council/meeting-papers

1 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

3 DECLARATIONS OF SCRUTINY INTEREST

Members are invited to declare any prior participation in any decision taken by a Committee, Sub-Committee, or Panel of the Council on the agenda and being scrutinised at this meeting.

4 DECLARATION OF PARTY POLITICAL WHIP

Members are invited to declare the application of any party political whip on any matter on the agenda and being scrutinised at this meeting.

5 STATEMENT FROM THE CHAIR

6 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) (Pages 1 - 4)

To approve and sign as a correct record the minutes of the meeting held on 20 January 2022 and to deal with any matters arising, attached.

7 ACCESSIBLE SOUTHAMPTON - ACCESSIBILITY TO PUBLIC FACILITIES AND SERVICES (Pages 5 - 20)

Wednesday, 16 February 2022

Head of Legal and Democratic Services

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SCRUTINY INQUIRY PANEL - ACCESSIBLE SOUTHAMPTON
MINUTES OF THE MEETING HELD ON 20 JANUARY 2022

Present: Councillors Vaughan (Chair), Rayment (Vice-Chair), Coombs and Streets

Apologies: Councillors Guest

11. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The apologies of Councillor Guest were noted.

12. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the meeting held on 2 December 2021 be approved and signed as a correct record.

13. **ACCESSIBLE SOUTHAMPTON - ACCESSIBILITY TO INFORMATION AND COMMUNICATION**

The Panel considered the report of the Service Director – Legal and Business Operations for the fourth meeting of the ‘Accessible Southampton Inquiry’. The Panel considered ‘Accessibility to information and communication’ and noted the presentations.

Summary of information provided:

What contributes to good accessibility in information & communication from Disabled People’s Viewpoint – Ian Loynes, Chief Executive, Spectrum CIL

- A presentation was delivered by Ian Loynes, summarising the key issues raised at the Accessible Southampton Focus Group meeting.
- Key points raised in the presentation included the following:
 - Information and communication should be written to be understandable to the audience in question – This is not applied by all SCC services
 - If information or communication is aimed at the ‘general public’ then it needs to ensure that it will be accessible and understandable to all equality groups (including Disabled People)
 - Consider if all the intended audience will be able to access your chosen communication method
 - Use Plain English
 - Make it easy for staff to get it right - Provision of accessible info should not be a cost issue
 - SCC should consider having an Accessible Information Standard (Sans Serif font, minimum size 14pt)
 - Ability to easily produce other formats ‘on demand’
 - The language of disability is important – words matter (Best practice provided by Spectrum CIL and added to the Inquiry evidence log)

- Just common decency: Don't use words that people don't like - words to describe Disabled People, that we find offensive such as 'Handicapped' or 'Bed/House Bound' are still routinely used (and often inaccurate!)
- Just as some people prefer information in non-English languages, some Disabled People need information in other formats - i.e.: BSL, Braille, Audio, Easy Read, Makaton
- Client information should include preference for how they would like their information provided and should be applied consistently across an organisation
- All general information should say that other formats are available on request
- Whilst its hard/dangerous to generalise, many people still do not have access to the Internet - Yet more and more the only way to gain a service or information is via the Internet
- Access to services/information must remain available in a variety of ways. Invest in schemes which provide equipment / training to encourage more to benefit from the Internet
- Internet should provide a range of accessibility controls
- Provide easy access to a human being (easy to find Phone number)
- Far too many public meetings are still inaccessible to Disabled People
- To include as part of an access statement (e.g., public meetings will always be held in accessible venues). Checklist to ensure meetings are accessible
- Opportunity for accessible communication standards and language to be included in staff/Cllr inductions and training to improve awareness.

Communication Access Symbol – Rosie Dowty, Lead Speech & Language Therapist, at Southampton Community Learning Disability Service, Southern Health NHS Foundation Trust & Kate Dench, Learning Disability Joint Commissioning Manager at the Integrated Commissioning Unit

- Key points raised by Rosie Dowty during her presentation were as follows:
 - 1 in 5 people have a communication support need at some point in their life
 - Communication Access UK is an initiative developed in partnership by charities and organisations that share a vision to improve the lives of people with communication difficulties
 - No over-arching symbol for communication access in the UK until now. Communication Access UK have developed the Communication Access Symbol, a new disability access symbol underpinned by a completely free training package and standards
 - Communication Access UK has been developed for both organisations and individuals. Anyone can sign up to Communication Access UK and complete the training package
 - Individuals will receive certificates confirming that they have completed the training, while organisations will receive accreditation as Communication Accessible once they have committed to deliver the training and adhere to the standards
 - Organisations will then be placed on a national directory and can then display the Communication Access Symbol. Both certificates and

accreditation are valid for 12 months and will need to be renewed annually. Communication Access UK has been developed to be 100% free.

- The Communication Access Symbol has not been seen anywhere in Southampton yet
- No County/Unitary/District Council has been awarded the symbol yet – Would be good to start with SCC customer/community focussed teams
- Recognition that city wide support for the initiative would support the City of Culture ambitions as well as improving the lives of people with communication difficulties. Go! Southampton would be a key partner.

How the Council its information and communication accessible – James Marshall, Head of Customer and Communications, SCC

- A presentation was delivered by James Marshall.
- Key points raised in the presentation included the following:
 - New Customer Access Strategy recently approved by Cabinet that sets the principles and ambitions for where the Council wants to be
 - Council accessibility standards:
 - Always start with the user/customer
 - Give people options
 - Design for the user who will find it the hardest
 - Plain English is critical
 - Keep it simple
 - Listen to feedback and review regularly
 - Use letters where appropriate to the audience
 - Guidance outlines key considerations:
 - Plain English
 - Minimum size 12 font
 - Use Ariel
 - Make accessible versions available
 - Use corporate template
 - The accessibility of the Council's website has increased significantly following the introduction of various template changes enabled by the new Content Management System – 99.2% of content now conforms with WCAG Level AA (statutory requirement)
 - Further changes to the accessibility of the website are planned
 - The Council is working to increase digital inclusion in Southampton through public access computers (see Appendix 2 – ICT provision in Southampton's libraries); training; Digital eagles; supported digital channels; working with partners (see Appendix 1 – SO:Let's Connect)
 - Translation - We have a contract in place with a translation service
 - Challenges - Big organisation with lots of systems and departments; Lots of priorities; Single view of the customer (client details known by one service but not another); Resources; Breaking bad habits
 - Improvements have been made over the past 18 months, but we acknowledge this is a journey that requires ongoing effort to continuously improve
 - The Council has a Customer Experience Programme which is making improvements:
 - To improve digital channels
 - Set standards and redesign services with a customer focus

- Deliver customer service and related training to all council staff
- Coordinate activity to support digitally excluded customers
- Recognition that more needs to be done to engage with customers, including Disabled People at the start of a process. Open to having a reference group to act as a critical friend to support SCC information and communications.

Written evidence: SO:Let's connect

- Information was submitted on-behalf of SO:Let's Connect. This project commenced in 2020 in response to services moving on-line during the lockdown. The service loans digital devices to people in Southampton, thereby helping residents become digitally connected. The pilot project has identified how important digital access is and funding is currently being assembled to enable the project to continue.
- The initiative was welcomed by the Panel and the Head of Customer and Communications was encouraged to refer residents to the service that were not digitally connected.

Agenda Item 7

DECISION-MAKER:	SCRUTINY INQUIRY PANEL
SUBJECT:	ACCESSIBLE SOUTHAMPTON – ACCESSIBILITY TO PUBLIC FACILITIES AND SERVICES
DATE OF DECISION:	24 FEBRUARY 2022
REPORT OF:	SERVICE DIRECTOR – LEGAL AND BUSINESS OPERATIONS

<u>CONTACT DETAILS</u>			
Executive Director	Title	Deputy Chief Executive	
	Name:	Mike Harris	Tel: 023 8083 2882
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Author:	Title	Scrutiny Manager	
	Name:	Mark Pirnie	Tel: 023 8083 3886
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STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

In accordance with the inquiry plan, for the fifth meeting of the 'Accessible Southampton Inquiry' the Panel will be considering the following issues:

- Accessibility to public facilities and services

RECOMMENDATIONS:

- | | |
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| (i) | The Panel is recommended to consider the comments made by the invited guests and use the information provided as evidence in the review. |
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REASONS FOR REPORT RECOMMENDATIONS

- | | |
|----|--|
| 1. | To enable the Panel to compile a file of evidence in order to formulate findings and recommendations at the end of the review process. |
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ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- | | |
|----|-------|
| 2. | None. |
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DETAIL (Including consultation carried out)

- | | |
|----|---|
| 3. | For the final evidence gathering meeting of the inquiry the Panel will be considering accessibility to public facilities and services. For reference the EU Accessible City Award Criteria asks applicant cities to identify how accessibility is considered and integrated in the public services provided within their city. |
| 4. | The Equality Act 2010 prohibits discrimination against all persons on the grounds of the protected characteristics that are specified in the Act. Disability is one of the specified protected characteristics. Protection from discrimination for disabled people applies to disabled people in a range of circumstances, covering the |

	provision of goods, facilities and services, the exercise of public functions, premises, work, education, and associations.
5.	In addition to the legal obligations to individual disabled people, the Council also has a wider Public Sector Equality Duty to actively: <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation • Advance equality of opportunity • Foster good relations
6.	The Duty requires the Council to take into account disabled people's impairments, when making decisions about policies and services, as the law recognises that disabled people's needs may be different from the needs of non-disabled people. This might mean making reasonable adjustments or treating disabled people better than non-disabled people to meet their needs.
7.	Having due regard for advancing equality involves: <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
8.	For information, attached as Appendix 1, is 'A Guide to Making Reasonable Adjustments and / or Special Considerations for Customers' produced by Sheffield City Council.
9.	At previous meetings of the Inquiry the Panel have been informed about various actions and initiatives undertaken by Southampton City Council to support accessibility to the services and facilities provided by the Council. These will be summarised at the meeting by the Scrutiny Manager.
10.	To ensure that the views of Disabled People are represented, at the start of the meeting the Panel will receive feedback on the key issues raised at the Spectrum CIL convened Accessible Southampton Focus Group meeting. The focus group is scheduled to meet on 17 th February 2022 to consider accessibility to public facilities and services in Southampton.
11.	Following the feedback from the meeting of the Accessible Southampton Focus Group, Ann Webster - Lead on Equality and Diversity at Derby City Council, will be delivering a presentation outlining how Derby City Council have sought to ensure that accessibility is considered and integrated into the public services and facilities they provide. Derby City Council are recognised as delivering best practice in this area.
12.	The final contribution to the inquiry evidence log will come from Rebecca Handley, Deputy Executive Director/Operations Director at GO! Southampton - Business Improvement District. At the November meeting Go! Southampton provided the Panel with written evidence on how the organisation was planning to take forward the recommendations within the Spectrum CIL produced access audit. Unfortunately, the meeting coincided with the switching on of the Christmas lights and Rebecca was unable to attend the meeting in person. Following the successful BID ballot, Rebecca has been invited to the meeting to update the Panel on the approach the organisation is planning to take, with partners, to

	tackle opportunities and barriers in the built environment and to inform future developments.
13.	The invited guests will take questions from the Panel relating to the evidence provided. Copies of any presentations will be made available to the Panel.

RESOURCE IMPLICATIONS

Capital/Revenue/Property/Other

14. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.

Other Legal Implications:

16. None

RISK MANAGEMENT IMPLICATIONS

17. None

POLICY FRAMEWORK IMPLICATIONS

18. None

KEY DECISION?	No
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WARDS/COMMUNITIES AFFECTED:	None
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SUPPORTING DOCUMENTATION

Appendices

1.	A Guide to Making Reasonable Adjustments and / or Special Considerations for Customers produced by Sheffield City Council
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out?	No
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Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	No
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Other Background documents available for inspection at:

Title of Background Paper	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None
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A Guide to
Making Reasonable Adjustments
and / or Special Considerations
for Customers

Contents

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[Section 5 – How to identify individual needs](#)

[Section 6 – Organising a British Sign Language Interpreter](#)

[Section 7 – Who else can help?](#)

Section 1: Introduction

1.1 Purpose

This document is intended to serve as a guide for both managers and staff to ensure that they are aware of:

- The legal requirements to make reasonable adjustments for disabled customers in accordance with the Equality Act 2010
- Reasons for special consideration
- Sheffield City Council's procedures for making reasonable adjustments
- Who the key points of contact are and how they can help

The process of identifying and meeting individual needs is often straight forward and little more than common sense; however there will be times when it requires input from a number of sources. As with anything, the more often you make adjustments and the more familiar you become with the process, the more confidence you will have.

There are also guides in relation to making [reasonable adjustments for staff](#) and [disabled pupils](#) <http://intranet/managers/equality-diversity/reasonable-adjustments-for-disabled-people>

Guidance can also be found on the Equality and Human Rights Commission website, for e.g. "Creating Reasonable Adjustments for Disabled People":

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/organisations-and-businesses/duty-make-reasonable-adjustments-remove-barriers-disabled-people>

1.2 Special Considerations

Reasons for special consideration could be temporary illness, injury or adverse circumstances at the time the service is being provided. Although there is no duty it is good practice to make special considerations if we can when requested.

1.3 Models of Disability

The medical model refers to a person as being disabled. This is reflected in the phrase "people with disabilities." Even though the word 'person' comes first, it suggests that they own the condition and should manage it. It focuses on what people can't do, rather than what they can.

The social model centres on the idea that it is the effect of the environment and attitudes that are *disabling* and uses the phrase "disabled people". It promotes a sense of shared responsibility for creating an accessible world.

Sheffield City Council advocates the use of the social model as it makes disability an everyday matter for all. All staff hold a responsibility for creating an accessible environment;

therefore language and behaviour is expected to promote the social model. However, as this guidance centres on the legal requirements of the Equality Act 2010, we have used *the legal definition* throughout.

Section 2: Overview of the Equality Act 2010

The Equality Act 2010 prohibits discrimination against all persons on the grounds of the protected characteristics that are specified in the Act. Disability is one of the specified protected characteristics. Protection from discrimination for disabled people applies to disabled people in a range of circumstances, covering the provision of goods, facilities and services, the exercise of public functions, premises, work, education, and associations. In addition to the duties we owe to individual disabled people, the Council also has a wider [Public Sector Equality Duty](#) to actively:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity
- Foster good relations

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Our Equality Duty also applies to other characteristics protected by the Equality Act. Only those disabled people, who are defined as ‘disabled’ in accordance with section 6 of the Act (see below*), and the associated Schedules and regulations made under that section, will be entitled to the protection that the Act provides to disabled people. However, the Act also provides protection for non-disabled people who are subjected to direct discrimination or harassment because of their association with a disabled person or because they are wrongly perceived to be disabled. In the vast majority of cases there is unlikely to be any doubt whether or not a person is or has been disabled, but this guidance should prove helpful in cases where the matter is not entirely clear. The law allows that in the context of disability, in some circumstances, disabled people receive more favourable treatment than non-disabled people.

***According to the Equality Act (2010) a person is defined as disabled if they have a mental or physical impairment that ‘has a substantial, (i.e. more than minor or trivial) long term (i.e. more than 12 months) effect on their normal day to day activities.’**

A person is also protected under the Act if they have been affected in this way in the past but have been ‘well’ for some time. Progressive conditions such as HIV and Cancer are covered from diagnosis onwards. If a condition is controlled by medication, it is the effect of the condition minus

medication that will be considered. Therefore someone who has Epilepsy that has been controlled for a number of years is likely to still be covered by the Act. There is full guidance available here: <https://www.gov.uk/definition-of-disability-under-equality-act-2010>.

Failure to make a reasonable adjustment is a discriminatory act.

It is very important to keep a record of conversations, including dates and times so this information can be passed on to new Managers. It can also be used as evidence in a proceeding if needed.

Additional information on our Equality Duties is available for managers and Staff on the intranet

<http://intranet.sheffield.gov.uk/managers/equality-diversity>

Section 3: Reasonable Adjustments: What to consider

3.1 What is a Reasonable Adjustment?

The Equality Act says there's a duty to make reasonable adjustments if a person is at a substantial disadvantage because of a disability compared to non-disabled people or people who don't share your disability. Substantial means more than minor or trivial. This does not mean making all changes the customer requests but we have a duty to make an assessment on and provide what is reasonable to do so.

3.2 What is meant by reasonable?

Adjustments only have to be made if it is reasonable to do so. What is a reasonable thing to ask for depends on things like:

- the nature of the disability
- how practicable the changes are
- if the changes asked for would overcome the disadvantage that the customer and other disabled people experience
- the size of the organisation (not your service/team)
- how much money and resources are available
- the cost of making the changes
- the impact on others
- any changes that have already been made
- the extent of our Duty as a public sector organisation

Due to the size of the Council our Duty will be very broad

Example 1

A customer who is deaf is being interviewed at First Point. The customer's first language is British Sign Language (BSL) and needs an interpreter to communicate with the officer as s/he doesn't know BSL. The disabled customer's disability places them at a substantial disadvantage compared to someone who is not deaf and who can communicate in English. The officer should therefore use a BSL interpreter when interviewing the customer.

Example 2

A customer has a mental health condition which means they find it difficult to participate in meetings and they have been asked to attend an interview. Offer for them to have an advocate with them, make sure the person is fully aware of what will happen in meeting, how it will be conducted, who will be there, is at a time that is best for the customers participation and that they have additional time to prepare.

Example 3

If we are running a consultation event we have to make it is meaningful and make sure that the venue is accessible, materials provided in a range of formats, with as much notice as possible and with involving a wide variety of Sheffield's communities.

3.3 Should people have to pay for the adjustments?

The Equality Act says the customer should never be asked to pay for the adjustments. It will be the responsibility of each Portfolio to absorb any costs incurred from adjustments made within their approved budgets.

3.4 What happens if we do not cooperate with the Duty to make reasonable adjustments?

If someone does not cooperate with their Duty to make reasonable adjustments, the Equality Act says it is unlawful discrimination. The customer can ask organisation to make the necessary reasonable changes. If we refuse, the customer can make a discrimination claim in the County Court under the Equality Act. You must take steps as a manager to demonstrate you have considered all requests.

3.5 What do people or organisations have to do?

There are three different things people or organisations may have to do make it easier for customers or staff to access or do something.

i) Change the way things are done

Some people or organisations may have a certain way of doing things which makes it more difficult for some people to access or do something. This could be a formal or informal policy, a rule or a practice. It could also be a one-off decision. The Equality Act calls this a **provision**, **criterion** or **practice**. The organisation should change these things if they are a barrier, unless it is unreasonable to do so. We should not have any policies that state no exemptions.

Example 4

The Council has a general policy of only allowing questions at meetings from people who are present in the meeting. A person's mobility is impaired which means they cannot leave the house / have difficulty leaving the house. This means s (he) is not able to attend meetings so would therefore be disadvantaged by that policy. A likely reasonable adjustment would be to contact the person to discuss the person's needs and suggest that someone else could attend the meeting and ask the question for them, or, s (he) can submit a written question which is read out in the meeting and a written response provided.

Example 5

A housing officer offers to come and meet a customer at home as the person has severe agoraphobia and finds it difficult to leave home. Normally, housing officers only make appointments at the office. The officer provides the customer with an extra service under their duty to provide reasonable adjustments

ii) Change a physical feature

Sometimes a physical feature of a building or other premises may make it more difficult for a customer to access or use it. Whilst not exhaustive, here are some examples of physical features which it might be possible to change:

- steps and stairs
- passageways and paths
- entrances and exits
- internal and external doors
- toilets
- signs
- lighting, colour scheme and ventilation

Again, whilst not exhaustive, here are some adjustments which could be made, these include removing, changing or providing a way of avoiding the physical feature, where it is reasonable:

- providing ramps and stairway lifts
- making doorways wider, having two sets of door handles including lower height
- installing automatic doors
- providing more lighting and clearer signage
- reduce background noise in rooms
- changing paintwork so there is a colour contrast between walls and doorframes

iii) Provide extra aids or services

Sometimes a customer may need particular aids or equipment to help him or her access or do something. Or the person may need additional services. The Equality Act calls this **auxiliary aids** and **services**. Here are examples of auxiliary aids and services which could be provided:

For deaf and hearing impaired people:

- Appropriate written information (such as a leaflet, booklet or guide)
- Qualified British sign language (BSL) interpreters
- A facility for taking and exchanging written notes
- Induction loops / Infrared transmission systems
- Subtitles or DVD's with sign language interpretation
- Information displayed on computer screens
- Text phones, telephone amplifiers, or teletext displays
- Audio-visual fire alarms

For blind and partially sighted people:

- Readers or Extra staff assistance
- Documents in large print, or Braille
- Information on memory stick/card reader
- Information on /CD/MP3 etc.
- Telephone services to supplement other information
- Spoken announcements or verbal communication
- information supplied without tables and in plain formatting

Section 4: When to identify individual needs

4.1 What the law says

The Duty around providing reasonable adjustments is '**anticipatory**'. This means an organisation cannot wait until a disabled person wants to use its services, but must think in advance (and on an ongoing basis) about what disabled people with a range of impairments might reasonably need, such as people who have a visual impairment, a hearing impairment, a mobility impairment, a learning disability or mental health condition. The Duty is also a continuing duty; it is not something which needs simply to be considered once and once only, and then forgotten.

As a Council we have to think in advance about the accessibility of our goods, facilities or services. We should be planning continually for the reasonable adjustments we think we need to make, whether or not we already have disabled customers. We have to legally anticipate the requirements of disabled people and the adjustments that may have to be made. This also means that important information for customers should be available in accessible formats.

We should also establish a means for letting disabled people know how to request adjustments. Furthermore, once the Council has decided to put auxiliary aids and services in place, it is important to draw their existence to the attention of disabled people. This ensures we are not only complying with the Act but are also adopting good practice.

4.2 Council Commitment

As part of our commitment to having an accessible city the Council is also supporting a new project called **Accessible Sheffield** where we are working in partnership with [DisabledGo](#), [Disability Sheffield](#) and the [Access Card](#). As part of this an access guide to Sheffield will be provided by DisabledGo and will soon be available to residents and visitors for free. Disability Sheffield will be providing support and guidance to venues and businesses across Sheffield whom are interested in improving their accessibility. In addition the Access Card will be made available for disabled residents, making services more accessible and personalizing deals and offers for you.

The access guide will cover 1000 venues, all of which will be visited and assessed by a DisabledGo surveyor who will look at a whole range of accessibility features from parking to accessible toilets. The guide will be available in 2015 at www.disabledgo.com and also be featured on www.sheffield.gov.uk. A shorter guide in booklet format will be produced for people who do not have access to the Internet

Section 5: How to identify individual needs

It is not always easy to identify that someone is disabled, indeed they may have a medical condition that is covered by the Equality Act but do not view it as themselves as disabled. In addition to this, a large percentage of impairments are hidden, such as autism, depression or diabetes. A hidden impairment is a condition/s which are not always apparent and which may or may not attract a diagnosis but which contribute to social difficulties. Therefore it is advisable to routinely discuss individual needs with customers in a pro-active manner, asking the person whether they need any reasonable adjustments – for example, ‘Do you have any additional requirements due to a disability or medical condition?’ Also some people may have more than one impairment or fluctuating conditions which will mean they need a range of adjustments.

There is further guidance available in the Hidden Impairments Toolkit, it focuses on specific hidden impairments including:

- Attention Deficit Hyperactivity Disorder
- Developmental Coordination Disorder
- Dyslexia
- Autistic Spectrum Condition
- Specific Language Impairments
- Dyscalculia

The general guidance section of the toolkit may be useful across other hidden impairments:

<http://intranet/managers/equality-diversity/hidden-impairment-toolkit>

There are also many other hidden impairments such as mental health conditions. The term mental health condition covers many different issues. Mood problems are common involving both low mood (depression) and less commonly over excitable mood (or mania.) Anxiety is another common problem, as are more long standing personality disorder problems. Features of mental distress may include self-harm or eating disorders. This is not a complete list and there are varying degrees of severity. There is a guide of [definitions of disability](#) available.

You should discuss adjustments as soon as possible, with a view to having all the necessary requirements in place quickly. If a condition is newly acquired, or the person hasn't accessed the service/ Council before, they may not be fully aware of how the condition/ service will affect them. Therefore you may need to get advice from your manager or the Equality Lead Officer in your Portfolio, [see contacts for details](#) . It is important to utilise all support available as appropriate. Consideration should be given to the Data Protection Act and also individual privacy; an example may be useful to illustrate this point.

You do not have to give the customer's name when asking for advice, only share what is required to be able to provide the support needed.

Help with handling information is available <http://intranet/ict/handling-council-info>.

Section 6: Organising a British Sign Language Interpreter

British Sign Language (BSL) is a language in its own right; this means that you should identify if and when a Deaf customer requires an interpreter.

Council services needing help with translation or interpretation must buy support through Language Line Solutions. Language Line provides a telephone interpretation service in over 200 languages, 24 hours a day, 7 days a week, 365 days a year. Telephone and face to face interpreters can be booked for a range of languages that are commonly used in Sheffield.

Language Line also provides British Sign Language, Braille and document translation. Please note that there is a particular demand issue with qualified BSL interpreters, and that short notice requests are not guaranteed to be fulfilled. In order to ensure you get the service you require, please give Language Line as much notice as possible if you require a BSL interpreter.
<http://intranet/structure/resources/customer-services/ti>

For Housing follow the link for the procedure
<http://homesintranet.net/resources/enquiry-guidance/customer-care-knowledge-library-/personalising-service--translation-and-interp>

For all Council services, the best way is through the web booking system, as this allows you to track your booking. Language Line can set you up with this service and advise you on how to use it (to set this up call the number below and press option 4). Alternatively, you can call Language Line each time you want to make a booking – call freephone **0800 456 5930**.

You can also book a face-to-face or BSL interpreter [online](#)

Section 7: Who else can help?

Council Wide

Social Justice and Inclusion Manager - [Adele Robinson](#)

Human Resources Service Manager Policy and OD - [Michele Hassen](#)

Legal Services - Assistant Director (People) [Steve Eccleston](#)

Consultation - Head of Elections, Equalities and Involvement [Michael Bowles](#)

Portfolio Equality, Diversity and Inclusion Leads

Children, Young People and Families - [Bashir Khan](#)

Communities - [Phil Reid](#) and [Kate Register](#)

Policy, Performance and Communications (PPC) - [Adele Robinson](#)

Place - [Ian Oldershaw](#) and [Annemarie Johnston](#)

Resources - [Michelle Hawley](#)

For issues relating to development and planning and accessibility of buildings

Access Officers

[Brian Messider](#) and [Simon Ovenden](#)

There are also some online resources to be found on the website

Reasonable adjustments for staff

<http://intranet/managers/equality-diversity/reasonable-adjustments-for-disabled-people>

Hidden Impairments Toolkit

<http://intranet/managers/equality-diversity/hidden-impairment-toolkit>

Guidance in relation to Disabled Pupils

<https://www.sheffield.gov.uk/your-city-council/policy--performance/how-we-will-deliver/other-strategies-plans-and-policies/equality-and-diversity/our-workforce/reasonable-adjustments.html>

Guidance on consultation

<http://intranet/managers/consultation>