

CEDR Reasonable Adjustments Policy

Introduction

CEDR recognises that it must take reasonable steps in the way that we work with and provide our services to disabled people in order to ensure that they are not disadvantaged in comparison to people who are not disabled. There are legal requirements to make reasonable adjustments which are often complex and which differ depending on the nature of a person's individual circumstances.

This document does not detail how CEDR will approach every situation. Instead, it is intended to:

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

Many of the arrangements that we offer for disabled people may also be made available for those who do not have disabilities. For example, a person using our services may find it easier to read information we send out in a larger sized font.

This document applies to all those who use CEDR services, including both complainants and participating companies.

What is a reasonable adjustment?

A reasonable adjustment involves making a change to the way that we usually do things to ensure that we are fair to disabled people. We may depart from our usual practice if we find it places disabled people at a substantial disadvantage, for example by providing information in an alternative format.

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

Our legal duties in relation to disabled people

The Equality Act 2010 requires CEDR 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.

Our duty to make adjustments as a service provider

When dealing with consumer disputes, CEDR acts as a service provider. CEDR has a duty to make reasonable adjustments in this context and this will apply to all aspects of our service delivery to the public.

CEDR has a duty 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 is not disabled.

This duty also requires that we consider what can be done to overcome any such disadvantage, and whether an adjustment can be made which is reasonable in all the circumstances of the case.

We will use our best efforts to agree in advance with the person in question the reasonable adjustments that we are able to make and provide reasons when it may not be possible.

Requesting reasonable adjustments

CEDR will let people know that we can provide reasonable adjustments in the following ways:

- by asking individuals directly if they have a disability and might need any adjustments;
- by publishing this document on our website; and
- by including a clear note on a relevant record, for example a case file, that alerts CEDR staff to an agreed reasonable adjustment.

The types of reasonable adjustment we can offer

While 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 our 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;
- using email or the telephone in preference to hard copy letters where appropriate, which may assist those with a visual impairment;

- speaking clearly to the people we deal with and offering additional time to cover the issues they need to discuss;
- using plain English appropriate to the person we are dealing with and avoiding jargon;
- translating documents or correspondence into Braille;
- communicating with people through their representative if requested and approved by them;
- helping someone who has mental health problems to understand and manage the action we are taking by arranging a single point of contact within CEDR; and
- providing access to a text phone service or British Sign Language translations for those with a hearing impairment.

A small number of requests may require more detailed consideration and our approach to these requests is discussed in the section below.

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 of 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).

How do we decide what is 'reasonable'?

The Equality Act does not define what is 'reasonable'. However, in determining whether an adjustment is 'reasonable', CEDR will take the following considerations into account:

- the effectiveness of the adjustment(s) in preventing the disadvantage;
- the extent to which it is practical for CEDR to make the adjustment(s);
- the cost and availability of resources, including external assistance and finance; and
- the extent to which making the adjustment(s) would disrupt CEDR activities.

Monitoring

CEDR will record and monitor the reasonable adjustments that have been requested and made. This will allow us to review the services we provide and help us identify whether there are any wider steps that we can take to improve our services.



Dealing with complaints about our service

CEDR is committed to providing a high standard of service dealing with everyone in a way that is fair, and free from discrimination.

If any of our users are dissatisfied with the arrangements that we have made for providing reasonable adjustments, we will respond in accordance with the CEDR complaints procedure.



CEDR administered ADR services include claims related to: