

Cheshire West & Chester Council

Council Housing

Reasonable Adjustment Statement



Cheshire West
and Chester

Reasonable Adjustment Statement

The Council are committed to providing excellent customer service and ensuring that staff better understand and meet the needs and requirements of tenants/leaseholders. We aim to do this by providing fair, equitable and inclusive services.

Where necessary or appropriate, the Council will make reasonable adjustments if it helps tenants/leaseholders to access and receive an appropriate standard of service to meet their needs.

This statement does not seek to explain how the Council approach every situation; it is intended as a general statement of the approach by:

- Confirming a commitment to providing accessibility for tenants/leaseholders.
- Setting out some of the basic principles of the commitment to providing reasonable adjustments; and
- Setting out the factors the Council will consider when dealing with requests for reasonable adjustments.

The Equality Act 2010

The Equality Act 2010 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').

What is a reasonable adjustment?

A reasonable adjustment is a legal term defined by the Equality Act 2010. Its purpose is to ensure services can be equally accessed by tenants with health conditions or disabilities, as well as those without. A reasonable adjustment could include:

- Departing from usual practice, if staff find that the current position places a tenant at substantial disadvantage, for instance by allowing more time than usual for someone to respond or provide information.
- Providing specialist equipment or additional support, such as a sign language interpreter for a meeting or event.
- Making sure buildings do not present obstacles for disabled people, for instance by providing a lift or ground level meeting rooms; or

- A physical alteration to one of our premises, for example, fitting a lift, wide doors, or a ramp.
- A change to Council policies, procedures or services, for example, a comfort or rest break in a meeting or extension of time limits (where lawful to do so).
- An adjustment to how staff communicate with tenants to meet their specific needs. For example, providing information in alternative formats.

This list is not exhaustive.

The Council use the definition of a disability set out in the Equality Act 2010. This states a person is disabled if they have a physical or mental impairment, and the impairment has a substantial and long-term effect on their ability to carry out normal day-to-day activities.

Many of the adjustments to services on offer can also be made available to tenants without disabilities.

How to determine 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:

- the effectiveness of the adjustments in preventing or reducing the disadvantage for the individual.
- the practicality of the Council making the adjustments.
- the availability of Council resources including external assistance and finance.
- any disruption to the service that making the adjustment may cause.

How do we know if a tenant requires a reasonable adjustment?

The Council will make every effort to identify if a tenant/leaseholder requires an adjustment. Tenants/leaseholders will be asked whether they, or any household members, have any additional needs at the start of their tenancy/home.

During any type of contact, staff may ask tenants/leaseholders if they have any needs, and tenants/leaseholders are also encouraged to state their needs whenever possible. Staff will record these in Council systems and aim to keep this up to date.

Where possible, the Council expect staff and third-party contractors to anticipate any needs a tenant/leaseholder may have, and the resulting support or assistance they may need. This can be from their own observations or by using the information available to them from information the tenant has provided previously.

The below indicators won't necessarily mean a tenant/leaseholder requires a reasonable adjustment, however, it is important for staff and third-party contractors to be aware of these indicators, as early identification and awareness will mean help, support and adjustments can be offered.

Protected characteristics – age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

Health and abilities – physical health impairment, sensory difference cognitive impairment, mental health issues, developmental condition, and addiction.

Access and skills – Challenges with language, literacy, numeracy, digital access, and technical skills.

Personal circumstances – major life events such as bereavement, redundancy, loss of income, divorce or a relationship breakdown, being the victim of domestic abuse, anti-social behaviour, or harassment.

Financial – Challenges with understanding of financial matters or low confidence in managing money, difficulty in enduring financial or emotional shock due to debt or a one-off unexpected expense, or low or unstable income.

Other indicators that further support, assistance or adjustments could be required by tenants could include:

- Anti-social behaviour because of mental health issues.
- A repeated failure of non-engagement with correspondence or answering the door when visited.
- Hoarding, self-neglect, or other behaviours that could cause harm to themselves or their property, and their home and/or garden becoming unfit for occupation.
- A detrimental change to their physical appearance.
- Erratic and unusual patterns of rent payments and falling into arrears when they previously had a good payment history.

Where there's a risk of harm, abuse, or neglect to tenants, staff will follow Safeguarding policies and procedures and / or the Domestic Abuse Policy.

Types of reasonable adjustments offered

There is no prescribed list of reasonable adjustments; the adjustment will depend on an individual's needs, staff will discuss the requirements with the tenant concerned and seek to reach agreement on what may be reasonable in the circumstances. Staff will not make assumptions about whether a disabled tenant requires any reasonable adjustments or what those adjustments should be staff will work collaboratively with the tenant/leaseholder.

- Some examples of the adjustments that the Council can make include:
- the provision of auxiliary aids.
- the provision of information in appropriate alternative formats e.g. large print, Braille, coloured paper.
- the reasonable extension or acceleration of time limits e.g. to request the escalation of a complaint.
- the use of email or the telephone in addition to hard copy letters.

- speaking clearly to tenants with the offer of additional time to cover the issues they need to discuss.
- using plain English appropriate to the person we are dealing with and avoiding jargon.
- arranging meetings in rooms that have appropriate facilities.
- rest and comfort breaks in meetings.
- communicating with tenants through their representative if requested and approved by them.
- arranging home visits.

Requesting reasonable adjustments

The Council will make tenants/leaseholders aware that they can request reasonable adjustments in the following ways:

- by including a paragraph in written communications.
- by asking whether a reasonable adjustment might be required over the telephone.
- by publishing this statement on our website.
- by working with key representative groups and others to raise awareness that we can make reasonable adjustments.

Effectiveness

Where possible, the adjustment should be designed to fully address the disadvantage it is meant to overcome. For example, providing a meeting room that is accessible by wheelchair may not properly overcome the barriers faced by the wheelchair user if there are no disabled toilet facilities available.

It may not always be possible for staff to provide additional time to tenants/leaseholders, for example, if there are legislative deadlines to meet.

Any reasonable adjustments which are put in place may relate to a one-off intervention, or an ongoing communication, and or delivery of services to a tenant/leaseholder. As such, the reasonable adjustment provided may need to change or be amended over time to continue to be effective and meet any changing needs of the tenant.

Resources

For an adjustment to be reasonable, it should be effective. However, it is important to remember that an adjustment which is deemed effective, may not be considered reasonable from a resource perspective. For example, resourcing is not just about the cost, but it may involve other factors, such as recruiting additional staff with specific skills to fulfil the adjustment request. The Council will need to decide if any resource implications are proportionate to the adjustment being requested. If the resource implications are not proportionate to the adjustment being requested, staff will ensure that it is communicated effectively and in a timely manner when an adjustment cannot be provided.

In most cases, staff will be able to agree and deliver the required reasonable adjustment with minimal delay. In some cases, staff may need to consider in more detail how best to overcome the difficulty being experienced, for example, where the adjustment requested may be difficult to provide or where it may interfere with statutory or regulatory obligations. The Council may seek advice from expert organisations that can assist with signposting and other forms of support.

The adjustments will always be agreed upon with the tenant/leaseholder concerned avoiding making incorrect assumptions about tenant requirements.

Monitoring

The Council will record and monitor the reasonable adjustments that have been requested and made. This will allow a review of the services provided and help staff identify whether there are any wider steps that can be taken to improve services.