

Guidance

Reasonable Adjustment

Version Control

Date	Version	Details
21 June 19	1.0	New

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1. Introduction

The Service Complaints Ombudsman for the Armed Forces (SCOAF) recognises that it must take reasonable steps in the way we work with people with a disability to ensure that they are not disadvantaged in comparison to people who are not disabled.

The purpose of this policy is to set out some basic principles and factors that we would take into account when making reasonable adjustment. It is not a comprehensive list as adjustments will vary from person to person.

This policy applies to all SCOAF customers.

2. What is a reasonable adjustment

A reasonable adjustment involves making a change to the way we usually do business to ensure we are fair to people with a disability. We may depart from our usual practice if we find it places someone with a disability at a disadvantage: e.g. by providing information in a different format. We will discuss the requirements with the Service person concerned and seek to reach agreement on what may be reasonable in the circumstances.

3. Our legal duties in relation to disabled people

The Equality Act 2010 requires employers and service providers to make changes to the way in which services are delivered to ensure that people with a disability can access them on equal terms. This is known as the duty to make reasonable adjustments and applies to the office of the Service Complaints Ombudsman for the Armed Forces.

4. Our duty to make adjustments as a service provider

The duty to make reasonable adjustment is exceptionally important in ensuring that Service personnel accessing our office are able to do so on equal terms regardless of their disability or impairment.

In order to properly exercise the duty, the different elements need to be understood as outlined below.

4.1 Nature of the Duty

The duty to make reasonable adjustments is anticipatory, positive and proactive.

This means that:

- When making decisions regarding how services will be provided, consideration must be given to potential barriers faced by people with a disability trying to access our services.
- How we provide services and the potential barriers that may be faced must be considered on an ongoing basis.
- When barriers are identified, or brought to our attention, we must give consideration as to what changes could be made.
- Changes must be made to the way we offer our services to ensure they are inclusive, where it is reasonable to do so.

The duty is a general duty in that we must anticipate what barriers could be faced by people with a disability in general. However, steps must be taken to make reasonable adjustment for specific individuals once it is known they have a disability and are having difficulty accessing our services.

It is also a continuing duty. We must not only consider potential new barriers, but consider whether the reasonable adjustments originally made continue to be the most appropriate adjustments that could be made and revisit previous decision not to make reasonable adjustment if circumstances have changed.

4.2 The Three Requirements

The duty to make reasonable adjustments has three requirements that apply in situations where a person with a disability would otherwise be placed at a substantial disadvantage compared with people who do not have a disability who are accessing our services.

1. Changing the way things are done

Our practices and processes, whether written or unwritten, should not present barriers to people with a disability. If they do, we need to take steps to make changes to the way things are done.

2. Changing the physical space to make it accessible

If our office is open to the public, we just ensure that any physical features that place people with a disability at a substantial disadvantage is removed, altered or minimised or that there is an alternative method for providing the same service to people who cannot access the office.

3. Provision of auxiliary aids or services

Reasonable steps must be taken to provide auxiliary aids or services if this enables them to access our service, or makes it easier for them to access our service.

This could include, but is not limited to:

- having accessible features on the website for people with vision impairment
- taking an individual's disability into account when determining the time and location of a meeting or interview

- ensuring the language we use in our messaging is “plain” to ensure it is more easily processed by individuals with a learning disability

SCOAF pays for the cost of any adjustment made.

5. Requesting reasonable adjustments

SCOAF will let complainants know that we can provide reasonable adjustment in the following ways:

- including an area on all application forms where complainants can highlight any adjustments
- asking the complainant direct if they have a disability and might need any adjustments
- publishing this policy and a factsheet on the website
- Making sure a clear note is included on the Casework Management System that alerts SCOAF personnel to any agreed reasonable adjustment

6. The types of reasonable adjustments SCOAF can offer

Requests for reasonable adjustments will be considered on an individual basis and will always be agreed with the complainant to ensure we have fully understood their requirements.

General considerations

SCOAF personnel are responsible for considering whether there might be a barrier to people with a disability accessing our services.

A complainant’s need for reasonable adjustment may be expressly brought to the attention of the Enquiries and Referrals Officers at the point of initial contact or it may become apparent during the course of dealing with an enquiry or undertaking an investigation.

Once the need for reasonable adjustment has been identified, the Enquiries and Investigations teams are required to determine what measures to put in place, drawing on advice from colleagues and line management as required, and implement these as swiftly as possible.

6.1 Applying Reasonable Adjustment

Changes only need to be made where it is reasonable to do so. What is reasonable is determined by balancing the following factors:

- how effective the change will be in assisting people with a disability in general or a particular individual
- whether the change can actually be made
- the cost of making the change
- the resources and size of our office

Once these factors have been balanced, if it is determined that an adjustment is reasonable to make, then it must be made. The ultimate decision as to whether an adjustment is reasonable will be made by the Chief of Operations.

While we will consider each request for reasonable adjustments individually, there are some common adjustments outlined below:

- **Producing easy read documents and correspondence.** If someone has low literacy levels, they may need us to simplify the information we provide them.
- **Changing the visual appearance of documents.** Printing documents on certain colour paper, or changing the layout, can sometimes assist people with specific learning difficulties.
- **Contacting you at specific times or in a specific way.** This could be required if someone has difficulty concentrating or is fatigued at certain times of the day due to a disability or health condition. Or the adjustment could be the way that contact happens – perhaps a phone call instead of an email is required.
- **Giving you additional time to respond.** If someone has difficulty with processing information and concentrating for long periods of time, is actively unwell or is seeking treatment, then additional time to respond to correspondence may be required.
- **Helping you to complete your application form.** Our application forms are quite easy to complete, but if someone is having difficulty completing the form due to a disability or health condition then we may be able to assist further.

7. Monitoring

All reasonable adjustments requested and made will be recorded and monitored. This will enable us to review what works and identify any other steps that could improve our service.