

OEP Reasonable Adjustment Policy

1. Introduction

- 1.1. The Office for Environmental Protection (OEP) aims to be an inclusive and accessible organisation. We are committed to taking action to ensure that the way we work does not place anyone with a protected characteristic at a disadvantage and to meet our legal obligations under the Equality Act 2010 (the Act).
- 1.2. This policy is designed to provide guidance for our staff on how to respond to situations where reasonable adjustments may be needed, to ensure that our services and functions are accessible to all.

2. Background

- 2.1. As a provider of services to the public, the OEP has a legal duty to ensure that our services and opportunities are accessible to all. Where necessary, this may mean that the OEP has to consider and make reasonable adjustments to ensure accessibility.
- 2.2. Our duties are ‘anticipatory’, meaning that we should be considering, on an ongoing basis, ways to make our services and opportunities accessible to all, including people with alternative needs or protected characteristics.
- 2.3. Under the Act, the duty to make reasonable adjustments comprises a series of responsibilities falling into three areas:
 - 2.3.1. Changing our practises, policies and procedures.
 - 2.3.2. Providing additional aids and services.
 - 2.3.3. Overcoming a physical feature which is a barrier to access by altering or removing the feature or providing the service by an alternative method.

3. What is a reasonable adjustment?

- 3.1. In general terms, a reasonable adjustment could be defined as a change made by an organisation to ensure that a service user, with protected characteristics, is not disadvantaged when compared to a service user without protected characteristics.
- 3.2. Whilst it would not be possible to provide an exhaustive list of potential reasonable adjustments, there is a [Code of Practice](#) within the Act which gives guidance as to the kind of adjustments that could be made in specific circumstances.

3.3. Depending on the individual's needs, these might include, for example:

- Providing documents or correspondence in larger print, or with a specific colour contrast (which may help people with conditions such as dyslexia)
- Using the telephone rather than written communication (e.g. for someone with a visual disability)
- Translating documents or correspondence into Braille
- Communicating with a person through their representative or advocate
- Providing access to an 'easy read' version of our decision for those with a learning disability.

3.4. Our duty is to all including those with protected characteristics and our obligation to consider the necessity of a reasonable adjustment could arise through any of our interactions with service users. However, we are most likely to encounter requests for reasonable adjustment as part of our complaints handling and recruitment functions.

4. Requests for reasonable adjustments

4.1. We will let people know that they can request adjustments by:

- Publishing this policy on our website
- Being mindful of the potential situations where our customers may have circumstances which require an adjustment
- Making it straightforward for candidates to indicate their need for reasonable adjustments during the recruitment process
- Making sure that our staff are aware of their responsibilities
- Inviting people to contact us if they need to ask us to adapt the way we communicate

5. Our approach to considering requests for reasonable adjustment

5.1. We will consider each reasonable adjustment request individually and on the basis of the presented circumstances.

5.2. In considering requests we will seek to positively engage with requestors so as to avoid us making incorrect assumptions about needs.

5.3. Before making any adjustments, we will seek to consider important factors including:

- What the disadvantage would be if the adjustment were not made
- Whether the adjustment will be effective in reducing the disadvantage
- How practical it is to make it
- Whether it would disrupt our other activities unreasonably
- The cost and availability of resources, including external help and finance

- 5.4. We will try to agree a reasonable adjustment with a minimum of delay. However, in some cases, we may need to consider the request in more detail and may seek further information.
- 5.5. There may be circumstances where we decide not to meet the request. The law says that an adjustment only has to be made if it is “reasonable”. We need to take account of the cost or resource implications of making the adjustment, whether the request itself is reasonable and whether there is a less expensive way of meeting the request.
- 5.6. Where it is very difficult to provide the adjustment or meeting it would interfere with our ability to meet our legal obligations, we may decide it is not “reasonable”.
- 5.7. If we fail to make a reasonable adjustment, and the effect of the failure is to make it impossible or unreasonably difficult for someone with protected characteristics to make use of our service, we may be committing unlawful discrimination.
- 5.8. Unreasonable difficulty includes not just physical barriers, but also the time, inconvenience, effort, discomfort, anxiety and loss of dignity in accessing the service.
- 5.9. It is possible for an organisation to commit unlawful discrimination even when unaware of a person’s disability if it has not made reasonable efforts to establish whether a disability exists (so, for example, if a customer is using abusive language which could lead to withdrawal of service, we should first seek to establish if they had any special needs or circumstances, such as Tourette’s Syndrome).

6. Complaints about failure to provide reasonable adjustments

- 6.1. If someone is dissatisfied with our response to their request for reasonable adjustment, or with the reasonable adjustment provided, they can complain to us about this.
- 6.2. Complaints should be addressed to the OEP’s Principal Complaints Manager using the contact details below:

Email

enquiries@theoep.org.uk

Address

Complaints Manager
Office for Environmental Protection
Worcestershire County Hall
Spetchley Road
Worcester
WR5 2NP

6.3. A return contact email or postal address should be included for responses to the complaint.

6.4. Please do not hesitate to contact us by telephone on 03300 416 581 should you require any further assistance or have difficulties in submitting your complaint in writing.

In summary
OEP staff will be aware that:
<ul style="list-style-type: none"> • Our duty is to all including those with protected characteristics.
<ul style="list-style-type: none"> • If we fail to make a reasonable adjustment, and the effect of the failure is to make it impossible or unreasonably difficult for someone with protected characteristics to make use of our service, we may be committing unlawful discrimination.
<ul style="list-style-type: none"> • Unreasonable difficulty includes not just physical barriers, but also the time, inconvenience, effort, discomfort, anxiety, and loss of dignity in accessing the service.
<ul style="list-style-type: none"> • It is possible for an organisation to commit unlawful discrimination even when unaware of a person's disability if it has not made reasonable efforts to establish whether a disability exists.
OEP staff will:
Always ask and never assume. We will remember that disabilities and special needs are not always obvious and therefore will ask people routinely if they need additional support. This will be done in a non-intrusive way allowing the option for people to disclose as much or little as they want, whilst still establishing if they need any support.
Listen and be honest. We will aim to understand the needs of people and acknowledge they may know what the best support is. We will be open and honest and explain in some instances we may need to check what support is available and if it is reasonable.
Seek help. We will always consult with others if we are unsure of the best way to assist people.