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Reasonable adjustments (external) policy

Introduction

1. The Equality Act 2010 requires the Auditor General for Wales and the Wales Audit Office to take reasonable steps to avoid our practices placing people with impairments¹ at a substantial disadvantage as a result of their impairments. The Act also requires us to comply with the Public Sector Equality Duty, ie, to have regard to the need to eliminate discrimination, promote equality of opportunity and foster good relations.
2. This policy provides an explanation of our overall approach to complying with these legal requirements. It does not set out to explain how we will approach every situation. It must be adhered to by all Wales Audit Office staff, and to persons who provide services to the Wales Audit Office, in their dealings with members and employees of audited bodies and other organisations, and in dealings with members of the public. A separate policy applies in respect of Wales Audit Office employment matters.

Reasonable adjustments that we provide

3. The impairments covered by the 2010 Act are physical and mental impairments that have substantial and long-term adverse effects on a person's ability to carry out normal day-to-day activities. We must take such steps as are reasonable to avoid the way we carry out our functions putting a person with impairment at a substantial

¹ The 2010 Act uses the term **disability**. The Auditor General and Wales Audit Office subscribe to the **Social Model of Disability** in recognition that disabled people are disabled by environmental, institutional and attitudinal barriers in society. The key definitions within the Social Model are:

- a) Impairment is an injury, illness or congenital condition that causes or is likely to cause a long-term effect on physical appearance and/or limitation of function within the individual that differs from the commonplace.
- b) Disability is the loss or limitation of opportunities to take part in society on an equal level with others due to institutional, environmental and attitudinal barriers.

The Social Model of Disability suggests that it is appropriate to refer to someone as having **impairment** as opposed to having a disability. This policy therefore uses the term impairment.

disadvantage compared to a person without such impairment. This involves considering what can be done to overcome such disadvantage, and whether an adjustment can be made that is reasonable in all the circumstances of the case. This may mean some people with impairments receive more favourable treatment than other people. Such favourable treatment is lawful in this context.

4. Examples of the reasonable adjustments that we may make include:
- providing additional time for interviews in order to help people to understand the questions being put to them;
 - making written notes of telephone requests for information for people who have impairments that affect their ability to write;
 - communicating by letter or email instead of orally so as to accommodate people with speech impediments;
 - providing British Sign Language interpretation for people with hearing impairment; and
 - providing information in large font or in audio form in order to address the needs of people with visual impairment.

Communication about adjustments

5. We will let people know that we can provide reasonable adjustments in the following ways:
- by asking people in the first communication that we have with them, such as in acknowledgement letters, whether they have an impairment and require any adjustments;
 - by publishing this policy on our website; and
 - by liaising with representative groups and others to raise awareness of this policy.
6. Other than adjustments that are generally appropriate, we will avoid making assumptions about whether a person requires any adjustments or what those adjustments should be. We will discuss requested requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances.

Compliance with the Public Sector Equality Duty

7. In addition to reasonable adjustments in respect of impairment, we will also comply with the Public Sector Equality Duty, which requires us to have regard to the need to

eliminate discrimination, promote equality of opportunity and foster good relations. The Duty applies in respect of all protected characteristics.

Requesting reasonable adjustments

8. A person who considers that they require reasonable adjustments may make a request for such adjustments orally or in writing to the Wales Audit Office staff or persons who provide services to the Wales Audit Office that they are dealing with.

Response to requests for reasonable adjustment

9. Wherever a member of Wales Audit Office staff or person who provide services to the Wales Audit Office considers it reasonable and finds it practical to make an adjustment in response to a request, they should do so without delay. If a member of Wales Audit Office staff or person who provide services to the Wales Audit Office is not sure as to the appropriate response, they should contact the Wales Audit Office Law and Ethics Team.
10. In some cases, we may need some time to consider how best to overcome the difficulty a person may be experiencing, such as where the adjustment requested may be practically difficult to provide. Where this is the case, the relevant member of Wales Audit Office staff or person who provide services to the Wales Audit Office should explain the situation and give an estimate of the time needed for such further consideration.

How do we decide what is ‘reasonable’?

11. The Equality Act does not define what is ‘reasonable’, but guidance from the Equality and Human Rights Commission suggests that the most relevant factors to take into account in deciding whether to make an adjustment are:
 - **Will the adjustment help in overcoming the difficulty that the person may have?** In most cases it will be clear that a requested adjustment will be helpful in overcoming the difficulty the person experiences in dealing with us as a public authority and service provider. However, where this is not clear we may ask for an explanation of how the adjustment would help. If no explanation that makes clear how the adjustment would help is forthcoming, we may decline to provide the adjustment.
 - **How practical is it to provide the adjustment?** Aspects of practicality include whether an adjustment is technically feasible, whether it can be made in the relevant timescale and whether it is compatible with other legal obligations.
 - **What are the resource implications of making the adjustment?** While it will often be reasonable to incur some additional expense, if such expense were, for

example, to greatly increase the cost of undertaking an audit, the adjustment may not be reasonable.

- **Would the adjustment cause disruption to others?** For example, if a requested adjustment would prevent other people from accessing an audited body's services, the adjustment is unlikely to be reasonable.

Complaints regarding reasonable adjustment decisions

12. If a person requesting the adjustment considers our response unsatisfactory, they may make a complaint in accordance with the Wales Audit Office [Complaints Policy](#).

Monitoring

13. We will record and monitor the reasonable adjustments that have been requested, together with the corresponding responses. Wales Audit Office staff and persons who provide services to the Wales Audit Office who receive requests for adjustments must send copies or notes of them to the Planning and Reporting Manager, together with information regarding their response. This information will allow us to review the adjustments that we provide and help us identify whether there are any wider steps that we can take to improve our operations.