

# **Housing Service Reasonable Adjustments Policy**

Owner: Housing Strategy and Engagement Manager

Date: August 2024

Review by: September 2027



## **Contents**

SECTION1: Introduction, purpose and scope .....	3
SECTION 2: Policy objectives.....	3
SECTION 3: Legal Duties and regulatory requirement.....	4
3.1 Equality Act 2010 .....	4
3.2 Consumer Standards .....	4
3.3 Housing Ombudsman .....	4
SECTION 4: Defining and requesting reasonable adjustments .....	5
SECTION 5: Recording reasonable adjustments .....	6
SECTION 6: Communication and information in alternative formats .....	7
SECTION 7: Monitoring and review .....	8
SECTION 8: Data Protection and confidentiality .....	9
SECTION 9: Related policies and procedures.....	9

## **SECTION 1: Introduction, purpose and scope**

- 1.1 Our vision at Chesterfield Borough Council is 'putting our communities first'. As a Council, we are here to serve and support our communities. It is these communities that make Chesterfield Borough a great place to live, work and visit. And it is these communities that we seek to put first as a council in all that we do.
- 1.2 The Council as a community leader, landlord, service provider, employer and commissioner of goods and services, has a clear social and legislative responsibility to prevent discrimination and advance equality. By working to eliminate discrimination and promote equality we will empower our residents and help them to realise their full potential.
- 1.3 This policy focuses on reasonable adjustments within the housing service to ensure that our customers with disabilities are not disadvantaged when accessing our services. This policy supplements the Council's equality and diversity policy.
- 1.4 As a social housing provider, we will take action to deliver fair and equitable outcomes for our customers. We will focus on achieving a high standard of customer care and adopting a person-centred approach to service delivery for all. This policy applies to all housing services customers which includes tenants, prospective tenants, leaseholders, residents, and their household members.

## **SECTION 2: Policy objectives**

- 2.1 This policy aims to ensure that:
  - Customers with a disability or disabilities can access our services, as far as reasonably possible, in the same way non-disabled customers do
  - Our staff understand our duty to make reasonable adjustments
  - Our staff understand the types of adjustments they can make when delivering services to disabled customers
  - We anticipate adjustments that disabled customers may require

## **SECTION 3: Legal Duties and regulatory requirements**

### **3.1 Equality Act 2010**

Under the Equality Act 2010, a person who is letting out or managing accommodation must not unlawfully discriminate against a person on the basis of their protected characteristic, for example a disability. Under the Equality Act, disability is a protected characteristic and is classed as a physical or mental impairment that has a 'substantial' and 'long-term' or 'progressive' negative effect on a person's ability to do normal daily activities.

'Substantial' means more than minor or trivial. For example, it may take a person much longer than it usually would to complete a daily task like getting dressed. 'Long-term' means 12 months or more. For example, a breathing condition that develops as a result of a lung infection.

A 'progressive' condition is one that gets worse over time. People with progressive conditions can be classed as disabled. However, you automatically meet the disability definition under the Equality Act 2010 from the day you're diagnosed with HIV infection, cancer or multiple sclerosis.

### **3.2 Consumer Standards**

The Regulator of Social Housing's Consumer Standards and Code of Practice state that:

*'landlords must treat tenants and prospective tenants with fairness and respect and take action to deliver fair and equitable outcomes for tenants and prospective tenants in the services they provide. Landlords should also consider how they can adapt their services and communications to meet individual tenant needs.'*

Registered providers must also provide tenants with accessible information about the rights of disabled tenants to reasonable adjustments.

### **3.3 Housing Ombudsman**

The Housing Ombudsman Complaint Handling Code became statutory in April 2024 and states that:

*'Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.'*

## **SECTION 4: Defining and requesting reasonable adjustments**

- 4.1 Under the Equality Act 2010, we have a legal duty to make reasonable adjustments to prevent a disability putting someone at a disadvantage compared with others who are not disabled. This includes:
- Changing the way things are done – e.g. information in accessible formats such as British Sign Language, easy read or large print
  - Overcoming barriers created by physical features of a – e.g. provide a reasonable alternative building to meet, or change a physical feature to improve access such as installing a ramp
  - Provision of auxiliary aids / extra equipment – e.g. hearing loop, speech to text etc
- 4.2 The Equality Act does not define what is 'reasonable' but guidance from the Equality and Human Rights Commission suggest that the most relevant factors are:
- How effective the adjustment(s) will be in assisting a customer with a disability
  - How effective the adjustment(s) will be in preventing or reducing the possibility of a customer being at a disadvantage
  - The practicality of the council making the adjustment(s) – for example, where it may not be necessary
  - The cost of the adjustment(s) and whether this is possible within council resources
  - Any disruption to the service that making the adjustment(s) may cause
- 4.3 We seek to be proactive and make it as easy as possible for customers to inform us about disabilities and work with us to develop appropriate reasonable adjustments. This includes:
- Asking customers about their disabilities and needs in their housing application
  - Completing Personal Housing Plans with new tenants to ensure we have a full detailed record of any reasonable adjustments required
  - Ensuring we take account of reasonable adjustments and make improvements when we contact tenants by phone, letter, e-mail or in person
  - Publishing this policy on our website
  - Ensuring that documents etc. indicate how to access alternative formats
- 4.4 Reasonable adjustments can be requested from us in the following ways:
- By telephoning our Customer Service Team
  - In writing, explaining what the adjustment is and why it is needed; this can be done by letter or email
  - By referral from an agency
  - By a family member or advocate when we received authority for them to act on your behalf
- 4.5 A member of staff may also make suggestions for reasonable adjustments, where they think it may meet a customer's needs. We will discuss this with the customer to jointly decide on the best approach.

- 4.6 We may need medical evidence, for example to identify the effect or disadvantage that we need to tackle or to confirm that a particular adjustment would be effective. We will pay any costs involved in acquiring this information.
- 4.7 In the circumstance where we are unable to make a reasonable adjustment due to cost or resources, we will work together with the customer to find the most appropriate alternative solution for them. Where a customer is not happy with our decision regarding their request for a reasonable adjustment, they have the right of appeal. This can be done in writing, email or via the telephone. The appeal will be considered by a Head of Service within the Housing Directorate, drawing upon advice from the Policy and Partnerships service.
- 4.8 An adaptation is an alteration or addition to any aspect of a home to make it easier or safer for use by a disabled person. Our Adaptations Policy sets out how we provide adaptations to help residents continue to live independently in their home.

## **SECTION 5: Recording reasonable adjustments**

- 5.1 We will record customer details on the customer record within our housing management system to enable us to meet individual needs. Sensitive information will be stored securely utilising appropriate systems and file permission levels. These will only be shared with housing colleagues where required. This includes any support, communication or access needs, and where anyone other than the tenant is authorised to speak to us on the tenant's behalf.
- 5.2 We will share relevant information across appropriate council services to support consistency of service. This is to ensure that when any contact with a customer is made, there is a record of the actions required to enable the member of staff to act accordingly to meet individual needs. We will work collaboratively with customers to ensure that the actions we take result in a positive outcome.

## **SECTION 6: Communication and information in alternative formats**

- 6.1 Our communication and accessibility group (which includes tenant representatives) have developed a set of tenant standards for communication to be used across the housing service to inform how we communicate and share information with our customers. The standards include the importance of giving customers time to speak and be listened to, providing information in the correct format and considering customer preferences and needs.
- 6.2 In line with these standards and the council's Equality and Diversity Policy, we will:
- provide information in alternative formats, for example in large print or Braille, as an audio file, video or on coloured paper when requested



- adapt our communication methods, for example if email or phone is preferred to a letter
  - provide a sign language interpreter for deaf customers who use British Sign Language (BSL) if it is necessary to communicate face to face
  - adapt communication methods, such as using easy read documents and face to face visits where a customer has a learning or cognitive disability
  - support customers to choose to appoint a relative, friend or other representative such as an advocate to be able to speak to us and act on their behalf in relation to council services.
- 6.3 We can also give customers more time to do something if this is allowed by law. For example, we can be flexible with timescales we have set ourselves, such as asking customers to contact us within a certain amount of time to make a request or respond to something, but we can't change timescales set out in legislation, such as if a customer wants to ask for a review after receiving a notice of seeking possession.
- 6.4 We are working to make sure all our forms are accessible and can be completed in different ways, but we will also provide help to complete forms where required.
- 6.5 Our premises and the meetings and events we hold will be accessible to customers through:
- ensuring that our Town Hall meeting rooms used for tenant engagement activities are accessible. There is ramp access to the building, accessible toilet facilities and lifts to access the first floor (where some meeting rooms are located)
  - ensuring that other venues we use for tenant activities are fully accessible; this includes our community rooms and sports centres
  - making sure induction loops are available wherever possible
  - ensuring that customers with mobility needs, including wheelchair users, are able to attend interviews and face to face appointments and that the selected venues have accessible toilet facilities
  - providing extra breaks in meetings where needed
  - providing different ways to join meetings and events e.g. in person, online and at different times of the day where possible
  - providing information in the format requested in advance of meetings

## **SECTION 7: Monitoring and review**

- 7.1 Our delivery of the Reasonable Adjustments Policy will be monitored on an ongoing basis through line management of relevant staff. 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.



- 7.2 The effectiveness of this policy will also be reviewed through feedback from individuals who have requested a reasonable adjustment via any surveys completed, complaints and any other sources. Feedback will be used to shape and steer the next review of the policy.
- 7.3 The policy will be reviewed on an informal basis at regular intervals and on a formal basis every three years by the Housing Strategy and Engagement Manager. The policy will be reviewed sooner in response to changes in legislation, regulatory guidance, good practice or changes in other relevant council policy.

## **SECTION 8: Data Protection and confidentiality**

- 8.1 Information relating to disabilities and reasonable adjustments is regarded as sensitive personal data. Our Data Protection Policy outlines how Chesterfield Borough Council protects the personal data it holds, and meets the requirements of the UK General Data Protection Regulation and the Data Protection Act 2018.
- 8.2 It is council policy that all employees are responsible for managing information in accordance with the Data Protection Policy and implement appropriate practices, measures, controls and training to ensure compliance.

## **SECTION 9: Related policies and procedures**

- 9.1 There are a number of linked policies and procedures to this policy including:
- Equality and Diversity Policy
  - Housing Service Customer Vulnerability Policy
  - Housing Adaptations Policy
  - Complaints Procedure
  - Housing Customer Engagement Agreement
  - Community Engagement Standards
  - Data Protection Policy
  - Housing Privacy Notices