

1. Guinness is committed to providing a high standard of service, dealing with everyone in a way that is fair and free from discrimination and disadvantage.
2. Under the Equality Act 2010, there is a legal duty on Guinness to make “reasonable adjustments” for a customer who is disabled if the service we provide, or the way we provide it, puts the customer at a substantial disadvantage. This policy sets out how we will make reasonable adjustments to our services for, and communications with, customers who have a mental or physical disability, in compliance with the Act. This includes requests from customers to modify the way we provide a service and applies to all customers of The Guinness Partnership Ltd, Guinness Housing Association Ltd, Guinness Homes Ltd and Guinness Care & Support Ltd (‘Guinness’). There is a similar duty concerning the physical features of the home. This duty is covered in our Aids and Adaptations policy.
3. This policy does not seek to explain how we will approach every situation; it is intended as a general statement of our commitment. It includes our policy principles and factors that will be taken into account when dealing with a request for a reasonable adjustment.
4. This policy does not cover the services and adjustments we make to meet customers’ other needs where they do not relate to disabilities as they are not “reasonable adjustments” under the Equality Act.
5. A glossary of definitions is at Annex 1. Examples of disabilities that fall under the provisions of the Equality Act 2010 is at Annex 2.

The Guinness Policy

6. Our policy is that we will:
 - Comply with our legal and regulatory responsibilities, including meeting the duties set out in the Equality Act 2010.
 - Let customers know that we can provide reasonable adjustments and how to request them, by providing information on our website and in other published documents.
 - Consider each request individually and on its merits.
 - Explain to the customer the reasons for our decisions, where necessary.
 - Record and monitor the reasonable adjustments that have been requested and made. This will help us review the effectiveness of our provision and identify whether there are any wider steps that we can take to improve our services.
 - Ensure that all information is managed in compliance with the Data Protection Act 2018 and General Data Protection Regulation (GDPR).

Background

7. Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
8. The Equality Act 2010 provides a legislative framework to protect the rights of individuals. Under this legislation a public body has the legal duty to make reasonable adjustments if a ‘provision, criterion or practice’ puts a person with a disability at a substantial disadvantage as compared to a person who is not disabled.

Further detail*Requesting a reasonable adjustment*

9. A customer can request a reasonable adjustment through different channels including:
 - By telephone, online contact form, or letter
 - By contacting us through our presence on social media platforms
 - In person.
10. In each case we will verify the identity of the person requesting the reasonable adjustment and their relationship to Guinness (this may be particularly necessary for requests received through social media).
11. In most cases, we will be able to agree and deliver the required reasonable adjustment with a minimum of delay. However, in some cases, we may need to consider how best to overcome the difficulty a person with a disability is experiencing or seek advice from expert disability organisations that can assist with signposting and other forms of support.

Types of reasonable adjustment

12. There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to agree on what may be reasonable in the circumstances.
13. We will not make assumptions about whether the customer requires any reasonable adjustments or what those adjustments should be.
14. Some examples of the adjustments that we can make include:
 - Allowing more time to explain repairs or installations to a customer
 - Allowing more time or breaks during meetings or telephone calls
 - Allowing more time at a viewing or for the customer to make a decision
 - Providing an induction loop or assistance from a sign language interpreter
 - Providing information or documents in appropriate alternative formats such as large print, Braille, coloured paper, or easy read language
 - Working with representatives acting on behalf of the customer.

How do we decide what is reasonable?

15. When considering what is reasonable, we will take into account:
 - The effectiveness of the adjustment(s) in preventing or reducing the disadvantage for the person with a disability
 - The practicality of us making the adjustments
 - The availability of our resources, including external assistance and finance
 - Any disruption to the service that making the adjustment may cause.

- 16. For some changes, particularly where significant changes are being made, we may ask for some supporting information about the customer’s disability to enable us to make the decision.
- 17. Guinness will be responsible for paying for any reasonable adjustments. If we consider the cost or requested changes unreasonable, we will seek other ways to support our customers.

Complaints

- 18. If a customer is dissatisfied with the arrangements, we have made for providing reasonable adjustments, we will respond in accordance with our Complaints policy.

Period of review

- 19. Our review programme is driven by service improvement initiatives, changes to legislation, regulation, evolving good practice or feedback from customers and other key stakeholders. Typically, we review policies on a three yearly cycle.

Key legal and regulatory references

- Data Protection Act 2018 including General Data Protection Regulations
- Equality Act 2010
- Equality Act 2010 Code of Practice

Related policies

- Aids and Adaptations Policy
- Complaints Policy
- Data Protection Policy
- Diversity and Inclusion Policy

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Policy author	Helen Hudson, Housing Policy Manager	
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Policy owner	Trafford Wilson, Executive Director of Customer Services	
Version history		
Version number	Review trigger	Brief description of the main changes
1.0	----	New policy

Annex 1: Definitions

Term	Description
Disability	<p>A physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on a person’s ability to do normal daily activities.</p> <p>‘Substantial’ is defined as being more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed.</p> <p>‘Long-term’ means 12 months or more, e.g. a breathing condition that develops because of a lung infection.</p> <p>Progressive conditions are those conditions that have effects which increase in severity over time. A person with a progressive condition is to be regarded as having an impairment which has a substantial adverse effect on his or her ability to carry out normal day-to-day activities before it actually has that effect.</p> <p>A list of examples is set out in Annex 2</p>
Discrimination	<p>There are several types of discrimination:</p> <ul style="list-style-type: none"> • Direct discrimination means treating someone less favourably than someone else because of a protected characteristic • Indirect discrimination means putting in place a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
Provision, criterion, practice	<p>Is a rule which, when applied to all, puts certain individuals at a disadvantage. Is the individual disadvantaged by the way the services are provided, or does the criteria needed to access the service put the individual at a disadvantage? If this can be proved, the individual, may be able to make a claim for indirect discrimination.</p> <p>NB Services are referred to only here, but the rule applies generally.</p>
Reasonable adjustment	<p>To make an adjustment means to make a physical change to premises or to change work practices to avoid or correct the disadvantage to a person with a disability. Adjustments only have to be made if it is reasonable to do so.</p>
Substantial Disadvantage	<p>Substantial disadvantage is defined in the Equality Act 2010 s.212(1) as ‘more than minor or trivial’.</p>

Annex 2: Examples of disabilities which fall under the definition in the Equality Act 2010

- Mental health conditions such as anxiety, low mood, panic attacks, phobias, or unshared perceptions, eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post-traumatic stress disorders and some self-harming disorders
- Development impairments, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia
- Mental illnesses such as depression and schizophrenia
- Impairment as a result of an injury to the body such as liver disease caused by alcohol dependency or mobility difficulties (inability to walk) caused by obesity
- Specifically mentioned in legislation – HIV, cancer, multiple sclerosis
- Sensory impairment – sight or hearing
- Impairment with recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, depression, and epilepsy
- Progressive impairments – motor neuron disease, muscular dystrophy, and forms of dementia
- Auto-immune conditions such as systemic lupus erythematosus (SLE)
- Organ specific impairments, respiratory conditions such as asthma, and cardiovascular diseases, including thrombosis, stroke, and heart disease
- Development impairments, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia
- Learning disabilities.

Some impairments are automatically treated as a disability:

- Cancer, including skin growths that need removing before they become cancerous
- A visual impairment - this means a person is certified as blind, severely sight impaired, sight impaired or partially sighted
- Multiple sclerosis
- An HIV infection - even if a person doesn't have any symptoms
- A severe, long-term disfigurement - for example severe facial scarring or a skin disease.