



Laburnum BOAT CLUB

Hackney's Community Boating Project

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Reasonable Adjustment Policy

Reasonable Adjustment Feb 24

1. Purpose

1.1. This policy is intended to help all staff to understand and put into practice the formal duty placed on Laburnum Boat Club to make reasonable adjustments for disabled people. It also provides guidance on meeting individual needs which may not be covered by the Equality Act (2010) through appropriate adjustments which support our commitments to deliver high standards in customer service and those set out in our Equality, Diversity and Inclusion Policy.

2. Legal Requirements

2.1 As a provider of services to the public, the Laburnum Boat Club has a legal duty to make reasonable adjustments to ensure that people are not prevented from using our service because they have a disability. In addition, we have an obligation to ensure that we make reasonable adjustments for disabled job applicants and employees.

2.2 Under the Equality Act (2010), the duty to make reasonable adjustments comprises a series of responsibilities falling into three areas:

2.2.1 changing our practices, policies and procedures;

2.2.2 providing additional aids and services; and

2.2.3 overcoming a physical feature which is a barrier to access by altering or removing the feature, or providing the service by an alternative method.

2.3 In summary, all staff should be aware of the following key points:

2.3.1 Laburnum Boat Club's duty is to disabled people in general as well as individuals (so, for example, we have a duty to make our premises accessible to wheelchair users whether or not we are actually dealing with a wheelchair user)

2.3.2 If we fail to make a reasonable adjustment, and the effect of the failure is to make it impossible or unreasonably difficult for a disabled person to make use of our service, we will probably be committing unlawful discrimination

2.3.3 Unreasonable difficulty includes not just physical barriers, but also the time, inconvenience, effort, discomfort, anxiety and loss of dignity entailed in accessing the service

2.3.4 It is possible to commit unlawful discrimination even when unaware of a person's disability if we have not made reasonable efforts to establish whether a disability exists (so, for example, withdrawal of our service from someone using bad language could be unlawful if the person had Tourette's Syndrome, and we failed to ask if they had any special needs or circumstances)

3. What is a Reasonable Adjustment?

3.1 Reasonable adjustment is a legal term introduced under the Equality Act (2010). It means that Laburnum Boat Club has a duty to make reasonable adjustments where its arrangements or physical premises place a disabled person at a substantial disadvantage in comparison with persons who are not disabled.

3.2 It is not possible to provide an exhaustive list of reasonable adjustments since an adjustment can only be determined

as

reasonable

or not in

relation to a

specific set

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of circumstances. However, the Equality Act's Code of Practice suggests that, when deciding whether an adjustment is reasonable, we should consider the following issues:

3.2.1 the effectiveness of any adjustment: for example, providing signers at a conference where there are BSL users will only be effective if the BSL users have a clear and uninterrupted view of a signer during each session;

3.2.2 the practicability of the adjustment: for example, it would not be practicable or necessary to install a wheelchair accessible toilet on every floor of the office, providing that at least one such toilet is easily accessible to wheelchair users;

3.2.3 the financial and other costs of any adjustment: for example, if a customer living in a distant location is unable to put a complaint in writing and requests a home visit so that a staff member can take down the details of the case for them, it might be reasonable to refuse on grounds of cost, provided that a different adjustment can be made – for example, taking down the details by telephone and sending them to the customer for checking;

3.2.4 the extent of disruption caused: for example, where visits by wheelchair users are rare, it would be reasonable to have a portable ramp available rather than altering every area of the building where there is a step;

3.2.5 the extent of our financial and other resources, and the amount of resources already spent on adjustments: any adjustment would need to be proportionate, taking account of Laburnum Boat Club's size, funding and function; and

3.2.6 the availability of financial or other assistance: for example, grants such as Access to Work funding may be available for adapted technology for a disabled employee.

4. Adjustments Not Covered by the Equality Act (2010)

4.1 In addition to fulfilling our legal obligations, Laburnum Boat Club is committed to maintaining a high standard of accessibility and experience of our service for all those with whom we come into contact. We should therefore extend our approach to reasonable adjustments to embrace not just disability, but any special need or circumstance.

4.2 While it is not possible to list all such circumstances, some examples of areas where we may make reasonable adjustments not covered by the Equality Act are as follows: • providing information in different languages, or translation and interpreting services for people whose first language is not English; • providing additional support to people with literacy problems; • providing additional support to people who need it because of physical, emotional or mental infirmity; • providing additional support to people who have communication or learning difficulties; and • providing support to carers and advocates for people with special needs.

5. General Guidance

5.1 As a general rule, Laburnum Boat Club staff should use the following approach:

5.1.1 Ask – don't assume. Remember that many disabilities or special needs are not necessarily visible or obvious. We should therefore ask people routinely whether they need additional support. Such questions need not be intrusive – for example, during an initial conversation we should explain how we would normally deal with the issue the person has raised and then ask: "Do you need any additional support, for example because of a disability or other special circumstance?" That leaves the way open for the person to tell you as much or as little as he or she chooses about the circumstance whilst still requesting the support they need.

5.1.2 Listen. Most people with disabilities or special needs will know what support they need and will tell you how you can help them. Try to meet their request where it is reasonable to do so.

5.1.3 Be flexible. Remember that people in similar sets of circumstances may have different ways of dealing with them – just because people have a similar disability, it does not mean that they will require the same support. For example, one deaf person may use British Sign Language and another may lip read.

5.1.4 Be honest. If someone asks for an adjustment which you are not sure we can provide, explain that you will need to check on what support is available and get back to them.

5.1.5 Seek help. You should then discuss with the Club Coordinator how best to proceed.

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