**Local authority social services do not provide me with information in a format I need**

To: Name of the local authority

Address

Also by email

From: your name

Your address:

You phone:

Email

Date:

Dear (local authority)

**Re: complaint about Disability Discrimination and breaches of the Care and Support Guidance**

This is a letter of complaint, I would like it to be registered and investigated under your complaints procedure.

I am writing this letter to complain about your failure to send me my social care assessment and support plan in a format I need. I believe by failing to do this you have discriminated against me and also did not comply with the Care and Support Guidance.

**I am a Disabled person under the Equality Act 2010**

I am a Disabled person within the meaning of Section 6 of the Equality Act 2010.

(Describe your impairment and the impact it has on you), for example:

I’m a person with learning difficulties, I need support to read and understand complex information. I need all written information to be in easy read format.

Or I am blind and need all printed information in braille.

**Describe the alternative format or communication support you need**

Written information in an ‘easy read’ format when straightforward words and phrases are used supported by pictures, diagrams, symbols and / or photographs to aid understanding and to illustrate the text.

**The issue I am complaining about**

Give details of what happened with date, referencing the document you needed in an accessible format.

For example: on the X date my social worker X visited me to carry out an assessment of my care and support needs. We discussed then the difficulties I have reading and understanding information in standard print. On X day I received a letter in standard print, which included my assessment and my care and support plan.

Describe what exactly went wrong, for example:

It was not in a format which is accessible to me. I could not read it. I then was offered a meeting where my social worker offered to go through this document with me. But I think this is not enough. I still could not think about this information, make comments and corrections. After a while I would forget what was said in that meeting and there is not document I can read independently which tells me what support I will be getting.

Describe the impact in had on you

I was upset and angry. My independence, choice and control were not supported. I felt like I was a second class citizen.

Describe whether this situation happens regularly.

**The law and how it applies to my case**

You are a public body exercising a public function under Section 29 of the Equality Act 2010. Section 15 of the Equality Act says you must not discriminate against Disabled people because of something arising as a consequence of their disability. I did not get information in a format that I could read and understand. I could not effectively participate in the process or challenge the decision. I cannot see how this failure to provide me with information in an accessible format can be objectively justified.

Section 20 of the Equality Act 2010 requires you to take such steps as it is reasonable to ensure Deaf and Disabled people like me are not put at a disadvantage. Those steps should include: changing policies or the way you work, altering a physical feature or providing an auxiliary aid or service. Information in an alternative format is an auxiliary aid or service. I believe it was reasonable step for you to take.

Moreover, the Care Act and the Care and support guidance require you to take steps to ensure a person can effectively participate in the assessment and care planning process. I cannot do this unless I am given information in a format that is accessible to me. The above mentioned Guidance requires you to give a copy of my assessment (para 6.98), eligibility decision (para 10.29) and the Care plan (para 10.89) in accessible format.

Use this paragraph if you needed information in easy read to help you make a decision

The Mental Capacity Act says I should be supported to make decisions. This includes you thinking whether information could be in a different way. Chapter 3 of the Mental Capacity Act [Code of Practice](http://webarchive.nationalarchives.gov.uk/+/http://www.dca.gov.uk/legal-policy/mental-capacity/mca-cp.pdf) explains how this should be done.

By failing to provide information in the format I need or communication support that I need you discriminated against me.

**Obtaining information**

Please provide me with the following information about the incident that I am complaining about

* Any information recorded on my file about my access requirements
* Details of any policies or procedures you have in respect of the provision of accessible information during the care and support assessment and planning process.

**What I Would Like to Achieve by this Complaint**

1. A written apology;
2. My assessment and care plan sent to me in a format I need by X date.
3. A change in your policies and procedures which ensured Disabled people who need information in alternative formats can get all their social assessments, care plans and review documents in a format that is accessible to them.
4. A commitment from you to train your staff explaining their duties to provide information in accessible formats...
5. Compensation for the discrimination and injury to feelings that I experienced.

**Next Steps**

I very much hope we can resolve this matter amicably. I look forward to hearing from you within the next 21 days.

I am happy to engage with you to explore alternative way to resolve this dispute, however, if I do not hear from you, or if you deny that you are in breach of the Equality Act and The Care and Support Guidance, then I will take legal advice and explore the options I have to challenge the discrimination I experienced.

Yours sincerely

(Your name)