**Lack of physical access: Cannot enter the building**

To: [Name of the company which provides a service]

Address

Also by email

From: Your name

Your address

Your phone

Email

Date

Dear [Company’s name]

**Re: Complaint about disability discrimination – the Equality Act 2010**

I am writing this letter of complaint because of difficulties that I had when using your service. I would like you to make your service more accessible to me and other Disabled people who need level access to be able to enter your building. This letter explains what went wrong and what I want you to do to make things right.

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

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

[Describe your impairment and the impact it has on you. For example: I have a spinal injury and I use electric wheelchair to move around.]

**The issue I am complaining about**

[Give details of what happened, with date, time, place. For example: On X date at X time I wanted to enter into your shop at X address.]

[Describe what went wrong. For example: I could not enter as there was a small step at the entrance. I had to shout for someone to come out and asked whether you had a portable ramp so that I could come in. I then was told by (insert the name or position of a person) that there was no ramp. He offered to push me into the building or to serve me outside. I was not prepared to do either of these]

Describe the impact this had on you, including: being unable to access a service, feeling humiliated, any physical or financial impact, having your choices restricted.

For example: as a result I had to go and find another shop that was accessible to me, wasting my time. I feel angry and as if I’m a second class citizen. I was made to feel like I was guilty for not being co-operative and for wasting other customers’ time, when the only thing I wanted was to shop like everybody else does. This experience made me anxious. I feel my choices are restricted to large supermarkets, which are quite far away.

**Describe the adjustment you needed**

To enter the shop I needed level access, or a portable ramp. This adjustment is relatively inexpensive. It would have enabled me to use the service like everybody else.

**How you breached the Equality Act 2010**

You are a service provider under Section 29 of the Equality Act 2010. Section 20 of the Equality Act 2010 requires you to take such steps as it is reasonable to ensure Disabled people like me can access your services like everybody else. Those steps should include: changing policies or the way you provide your service, altering a physical feature or providing an auxiliary aid or service. The step at the entrance is a physical feature which prevents me from using your service: you should have taken reasonable steps to change it.

There is a small step at the entrance, which could have been removed as required by the Equality Act. If it is not possible or reasonable for you to remove the step, you should have considered providing auxiliary aid – a portable ramp to enable me to use your service. By failing to do this you have discriminated against me.

I believe neither of the alternatives you offered to me were satisfactory as they did not respect my dignity and independence.

The Statutory Code of Practice, issued by the Equality and Human Rights Commission (available at <https://www.equalityhumanrights.com/sites/default/files/servicescode_0.pdf>) says at para 7.56:

*The Act requires that any means of avoiding the physical feature must be a ‘reasonable’ one. Relevant considerations in this respect may include whether the provision of the service in this way significantly offends the dignity of disabled people and the extent to which it causes disabled people inconvenience or anxiety.*

**Obtaining information**

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

* CCTV footage of me taken on the day (insert date and time and describe how you look).

**What I would Like to achieve by this complaint**

1. A written apology;
2. You either undertaking works to remove the step or buying a portable ramp that could be used by wheelchair users to enter into your shop
3. Compensation for the discrimination and injury to feelings that I experienced.

**Next actions**

I very much hope we can resolve this matter amicably. I look forward to hearing from you within the next 21 days. If you believe you have not breached the Equality Act 2010, please give your reasons.

I am happy to discuss with you alternative ways 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 then I will consider taking legal action against you.

Yours sincerely