**Complaint letter  
A consultation process was inaccessible**

To: [Name of the public body]  
[Address]  
[Also by email]

From: [Your name]  
[Address:]  
[Phone:]  
[Email]

[Date:]

Dear [Name of the public body]

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

This is an official complaint, I would like it to be registered and investigated under your complaints procedure. I would like you to note that the issue I am raising needs urgent action.

I am writing this letter of complaint because you did not make adjustments required by the Equality Act to enable Disabled people to take part in consultation process about the proposal to [insert what the consultation is about]. I would like you to ensure you meet the needs of Disabled people, when exercising your functions. I believe you are in breach of the Equality Act 2010. 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 section 6 of the Equality Act 2010.

(Describe your impairment and the impact it has on you. For example: I am a person with learning difficulties. I find it difficult to understand complex written information.]

[Describe the alternative format or communication support you need. For example: “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. You can find more information about easy read format here <http://www.easy-read-online.co.uk/media/10612/comm%20basic%20guidelines%20for%20people%20who%20commission%20easy%20read%20info.pdf>“]

**The issue I am complaining about**

[Give details of what happened, when and where. For example: “On X date I found out that you published a consultation document about proposed cuts to social care budget, including significant cuts to learning disabilities team. My support worker contacted you on the X date asking whether the consultation document is available in easy read.”]

[Describe what went wrong. For example: “My support worker was told that there was no easy read version and that it would take too long to put the document into easy read. She then asked whether there would be any additional work to engage with people with learning difficulties. She was told that nothing was planned specifically, except general engagement meeting. I put myself on a list to attend the meeting on X date and asked for a copy of all information in easy read. I was told this was not available.”]

[Describe the impact this had on you, including inconvenience, feeling humiliated, any financial impact, were you unable to understand information and act upon it? Were you unable to express your views?

For example: “I felt angry, as I was excluded from taking part in a consultation for a proposal which will have an impact on my life.”]

**How you breached the Equality Act 2010**

You are a public body exercising public functions 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, when you exercise a public function.

Section 20 of the Equality Act 2010 requires you to take such steps as it is reasonable to ensure Disabled people like me can take part in decision-making and engage with you effectively like everybody else. Those steps should include: changing policies or the way you operate, altering a physical feature or providing an auxiliary aid or service. The provision of information in alternative formats is an auxiliary aid.

I made it clear to you that in order for me to take part in the consultation process I needed all information in a format that is accessible to me. I would like to remind you that the duty to make reasonable adjustments is anticipatory. You knew that the proposal you are consulting on would have a huge impact on many Disabled people, including many people with learning difficulties. Therefore it was reasonable to anticipate the need to make the documents and the process as accessible as possible to different groups of Disabled people. I also believe the practice of not ensuring consultation documents are available in accessible formats puts Disabled people like me at a significant disadvantage as we are effectively excluded from the process. I do not see how there could be a reasonable justification for this, especially when it comes to meetings which could have an impact on our day-to-day lives.

By failing to ensure consultation documents are available in alternative formats or establishing alternative ways to support people with learning difficulties to engage in the consultation process you failed to make reasonable adjustments for me and therefore discriminated against me.

I also believe you did not follow the Consultation Principles [Guidance](https://www.gov.uk/government/publications/consultation-principles-guidance) issued by the Cabinet office. This document clearly says you are required to tailor consultation to the needs of Disabled people and ensure they understand what they are consulted about and can respond effectively.

**Obtaining information**

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

* Details of any policies you have in respect of making consultation process accessible for Disabled people.

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

* 1. A written apology;
  2. A change in your policies and procedures ensuring consultation documents are available in a range of accessible formats, including easy read.
  3. A commitment from you to extend the existing consultation and do specific work to engage with people with learning difficulties.
  4. 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. If you believe you have not breached the Equality Act 2010, please give your reasons.

I am happy to discuss with you other 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