**Letter before Action:
No reasonable adjustments at the public engagement meeting or an open meeting of a decision-making body, such as council.**

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

From: your name
Address:
Phone:
Email

Date:

Dear [Name of the public body]

**Re: Letter before action for Disability Discrimination – the Equality Act 2010**

I am writing this letter in accordance with the pre-action protocol of Civil Procedure Rules.

I am a Disabled person and you have discriminated against me. This is unlawful and you have to take steps to put things right. If you do not take these steps, I will take legal action and ask the court to order you to put things right. In this letter I will set out the events giving rise to this claim and the law.

**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 Deaf. It is impossible for me to understand spoken language without communication support.”]

[Describe the adjustment you needed to attend the meeting and participate in it. For example: “British Sign Language is my first language and to communicate with hearing people or understand what is being said I need a BSL interpreter.“]

**The facts of the case**

[Give details of what happened, when and where. For example: “On X date I wanted to attend an open meeting of the full council where the decision was made about changes to social care support for Disabled people. I wanted to ask a question at that meeting about the impact of changes on Deaf people.”]

[Describe what went wrong. For example: “On X date I contacted the local authority to let them know that I would like to attend the meeting and to ask whether BSL interpreter would be present. Just a few days before the meeting I was informed that the BSL interpreter would not be provided.”]

[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 attending an important meeting which can have a huge impact on many Deaf people. I was unable to put my views across and I was unable to understand what exactly had been discussed at the meeting.”]

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

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. BSL interpreter is an auxiliary service.

I made it clear to you that in order for me to attend the meeting I would need a BSL interpreter. I gave you sufficient notice and I do not see how it was not possible to book an interpreter. I also would like to remind you that the duty to make reasonable adjustments is anticipatory. You knew that the decision made at that meeting would have a significant impact on many Deaf and Disabled people’s lives, therefore it was reasonable to anticipate that many of us would want to attend it.

I also believe the practice of not providing communication support for such important public meetings puts Deaf people like me at a significant disadvantage as we are effectively excluded from those meetings. 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 BSL interpreter is present at the meeting you failed to make reasonable adjustments for me and therefore discriminated against me.

**Obtaining information**

The Civil Procedure Rules that the court follows in cases like this say that you (the proposed opponent) should provide relevant information and documents reasonably requested by someone in my situation. Please therefore provide me with the following information about the incident that I am complaining about:

* Any letters or emails relating to the incident; in particular any correspondence between council officers and the interpreting agencies.
* Details of any policies you have in respect of provision of communication support at public meetings.

**What you need to do to put things right**

I expect you to do all the things I would achieve if I took a case to court, including the following:

1. An open acknowledgement that you have discriminated against me;
2. A commitment from you to change the way you work ensuring Deaf people can get communication support at public meetings.
3. A commitment to change or develop a policy on the provision of communication support and other reasonable adjustments at public meetings.
4. Compensation for injury to feelings and any financial losses I have suffered as a result of the discrimination outlined above.

**Next steps**

Please, acknowledge the receipt of this letter by email. 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 other ways to resolve this problem rather than going to court. However, if I do not hear from you, or if you deny that you are in breach of the Equality Act then I will issue proceedings in the county court against you. You could then become liable for my legal costs as well as the compensation I am seeking outlined above.

Yours sincerely