**Letter before Action: BSL interpreter or other type of communication support was not provided**

To: Name of the company, which provided the service

Address

Also by email

From: your name

Your address:

Phone:

Email

Date:

Dear (Company’s name)

**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, I use British Sign Language to communicate.

**Give more details about the communication support you needed**

British Sign Language (BSL) is the preferred language of over 87,000 Deaf people in the UK for whom English may be a second or third language. You can find out more about BSL here  <https://bda.org.uk/help-resources/#BSL>

BSL interpreting is provided by qualified interpreters, who must be registered. See this website for the list <https://www.nrcpd.org.uk/>

**Events giving rise to my claim**

[Give details of what happened, and how you tried to use the service, with date, time and place

For example: I made an appointment to speak to the bank adviser on the X date at X time in X branch

Describe what exactly went wrong, for example: when I arrived I was shocked to find out that the interpreter was not booked for me. Your staff wrote this on a paper. I then was asked if I knew someone who could interpret for me.

Or

I wanted to book a session with a fitness instructor and asked if you could book a BSL interpreter for me. The manager said it was not possible.

Describe the impact this had on you, for example: being unable to access a service, not understanding what is going on, feeling humiliated, any physical or financial impact, were your choices restricted.

For example,

I felt humiliated and angry. I could not access your service at all. It felt like I was made feeling guilty for being Deaf. I felt like a second class citizen.

Describe whether this situation happens regularly. ]

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

You are a service provider 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.

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 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. Communication support, such as BSL interpreter is an auxiliary service.

I made it clear to you that in order to access your service I need BSL interpreter. This has not been provided and as a result I could not access your service at all.

I believe it is reasonable for you to provide an interpreter and therefore you failed to comply with your duties under the Equality Act 2010.

**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:

* CCTV footage; Describe how you look or attach a photo;
* Any letters or emails relating to the incident;
* Details of any policies you have in respect of provision of communication support, including BSL interpreters.

**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 run your service ensuring Deaf people who need to communicate via a BSL interpreter are able to do so;
3. A commitment from you to train your staff in Disability Equality and their duties under the Equality Act;
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 alternative ways to resolve this dispute 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. You could then become liable for my legal costs as well as the compensation I am seeking outlined above.

Yours sincerely