**Letter before Action: cannot get information in easy read or other alternative format – public functions**

To: Name of the public body

Address

Also by email

From: your name

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. [I have X condition which means (describe the impact of your impairment on your ability to access information), for example:

I am a person with learning difficulties. As a person with learning difficulties I need support to understand information. Additional efforts should be made to explain things to me in simple words and printed information should be in easy read format.

[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.]

**The facts of the case**

[Give details of what happened, when and where and what information you needed in accessible format. For example: on X date I received a letter from you informing me about the outcome of my assessment for X benefit.]

[Describe what exactly went wrong. For example: This letter was in standard print in spite of the fact that I told you on many occasions over the phone and in benefits forms that I need information in easy read.]

[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: As said above, I need written information to be in simple words with pictures, otherwise I cannot understand it fully. You did not provide this to me and as a result I could not understand what the letter said. I feel angry as if I’m a second class citizen. I am still not sure if I have got the deal I wanted.]

[Describe whether this situation happens regularly.]

**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.

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 operate, altering a physical feature or providing an auxiliary aid or service. Information in alternative format is an auxiliary aid or service.

Section 20(6) of the Equality Act 2010 says that when in order to use or access service like everybody else a Disabled person needs information in alternative formats, the steps that it is reasonable to take include ensuring that information is provided in the alternative format.

I made it clear to you that in order for me to understand your letters and act upon them I need them to be in easy read format. This has not been provided. I therefore was treated unfavourably because of something arising as a consequence of my disability. In my view, this practice cannot be objectively justified.

You also have failed to take steps to minimise the disadvantage I experienced by making reasonable adjustments in the way of providing me with information in a format I need. I do not see how this is unreasonable for you to take those steps.

**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:

* Audio recordings of the phone calls I made from \_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_.
* Any letters or emails relating to the incident;
* Details of any policies you have in respect of provision of information in alternative formats.

**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 Disabled people who need information in alternative formats are provided with it without delay.
3. A commitment to change or develop a policy on the provision of information in alternative formats, including easy read, ensuring Disabled people are getting information in the format they need.
4. A commitment from you to train your staff in Disability Equality and their duties under the Equality Act.
5. 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 against you. You could then become liable for my legal costs as well as the compensation I am seeking outlined above.

Yours sincerely