

Reasonable adjustments and accessibility

Reasonable adjustments

The legislation will place a duty on employers and service providers to make **reasonable adjustments** to enable disabled people to have the same opportunities as others and be fully included in society.

What reasonable adjustments are provided must be discussed with the person needing the adjustment. In some circumstances, the reasonable adjustment provided will benefit other people. In other cases, the reasonable adjustment provided will only benefit the person who requested it.

Disproportionate burden

Under the proposals, denying someone a reasonable adjustment would be unlawful discrimination unless it would be a **disproportionate burden** for the employer or service provider to provide the adjustment. This might depend on the financial cost, other costs such as staff time, impact of productivity, disruption involved or the size and financial resources of the employer.

Reasonable adjustments might include making existing facilities and information accessible, providing training, providing a service in a different way, adjusting someone's work tasks or working hours, providing equipment, adjusting curricula, learning materials and teaching strategies or just doing things slightly differently.

However, adjustments would not have to be made unless the disabled person would suffer a substantial (meaning more than minor or trivial) disadvantage without the adjustment. Everyone would be expected to make small adjustments that cost little or nothing.

What is classified as a physical feature

A physical feature includes:

- a feature arising from the design or construction of a building;
- a feature of an approach to, exit from or access to a building;
- a fixture or fitting.

It does not include:

- the replacement of a sign or notice;
- the replacement of a tap or door handle;
- the replacement, provision or adaptation of a door bell or door entry system;
- changes to the colour of a wall, door or any other surface

Physical changes to buildings

Whether someone has to make significant changes (like physical changes to buildings) would depend on the wider impact those changes would have, the size and financial resources of the business, the cost of the adjustment, and other things.

If, following consideration, the adjustment would be a disproportionate burden to provide then the person, business or organisation would not have to provide it.

Education and providers of goods and services

For education providers and providers of goods and services only, the reasonable adjustment duty is **anticipatory**.

This means that providers of goods and services and education providers should think in advance about how to meet relatively common access needs – whether this is through more substantive changes to make facilities accessible (noting that some changes will not have to be provided if they would be a disproportionate burden), or through having a portable ramp or hearing loop to hand when people ask, for example.

Guidance and advice

Guidance to help people think through what access issues might be relevant to them will be available from the Employment and Equal Opportunities Service (this will be available towards the end of 2022).

The Committee is also proposing commissioning some specialist access consultancy advice for small service providers.

Timeline for physical changes

No one would have to make substantial changes to physical features (like buildings) in the first five years of the legislation.

Even when the duty is in force and applies to physical features, no organisation would need to make changes that were a disproportionate burden to provide. The five-year delay is intended to help organisations to prepare.

Public sector responsibility

Public sector organisations would also have a duty to develop accessibility action plans, which would outline what steps the organisation would prioritise to improve access for disabled people.

Public sector organisations would have five years following the introduction of the legislation to get a plan in place.

More information including the full Policy Letter, resolutions, summary of proposals and FAQs about accessibility are available on the main [Discrimination webpage](#).

Training is available to book on the [Consortium's website](#). Guidance documents will be available from Q4 2022.