

## **Process for Responding to Requests for Reasonable Adjustments under the Equality Act 2010 to the Trust's Enforcement Action against Non-Compliant Continuous Cruisers**

This process sets out how the Trust should deal with a request from a disabled boater to make a "reasonable adjustment" under the Equality Act 2010 to our normal cruising requirements in the context of taking enforcement action against non-compliant continuous cruisers.

N.B. This process does not cover allegations of unlawful discrimination by the Trust against those with other "protected characteristics" under the Act (e.g. age, maternity). Where the Trust is accused of this (in an enforcement context or otherwise) this should be referred to Denise Yelland ("DY") to consider in consultation with the legal team.

### **Step 1**

Upon receipt, the enforcement officer should pass the receipt to the enforcement supervisor ("ES") for consideration

### **Step 2**

The ES should acknowledge the request with the following wording:

*"I acknowledge your request of [date] for the Trust to make reasonable adjustments to our normal movement requirements for boats without a home mooring on the basis of your disability.*

*To enable us to consider your request, I would be grateful if you could provide in writing within 28 days of the date of this letter:*

- i) evidence of your disability in the form of a letter from your GP;*
- ii) a written description from you of how your disability makes it more difficult for you to comply with our Guidance for Boats without a Home Mooring; and*
- iii) confirmation of the adjustment that you are requesting the Trust to make.*

*Upon receipt of this information we will consider whether to make an adjustment in your case and we will inform you of our decision within a further 28 day period.*

*If we do not receive all this information from you within 28 days we will continue with our enforcement action".*

### **Step 2**

ES should suspend any further enforcement action until 28 days have elapsed without having received this requested information.

If the requested information is not provided then enforcement action should continue according to the standard process.

### **Step 3**

If this information is provided, the ES should send it to Denise Yelland (DY) or another nominated member of the enforcement team to make a record and pass on to the legal team to review.

### **Step 4**

DY and legal team will determine whether the requested reasonable adjustments should be made in the light of the particular circumstances of the boater.

### **Step 5**

DY (with input from the legal team) will write to the boater with the outcome of the decision within the 28 day period.

EA1/ZE

Dear

**Request for Reasonable Adjustments under the Equality Act 2010**

I acknowledge your request of \_\_\_\_\_ for the Trust to make reasonable adjustments to our normal movement requirements for boats without a home mooring on the basis of your disability.

To enable us to consider your request, I would be grateful if you could provide in writing, within 28 days of this letter:-

- i) evidence of your disability in the form of a letter from your GP;
- ii) a written description from you of how your disability makes it more difficult for you to comply with our Guidance for Boats without a Home Mooring; and
- iii) confirmation of the adjustment that you are requesting the Trust to make.

Upon receipt of this information we will consider whether to make an adjustment in your case and we will inform you of our decision with a further 28 day period.

If we do not receive all this information from you within 28 days we will continue with our enforcement action.

Yours sincerely

Enforcement Supervisor

Mobile:

Tel:

email:



## Equality Act 2010 Requests for Reasonable Adjustments

Request received from a disabled boater for us to make an adjustment under the Equality Act 2010 to our normal cruising requirements.



Where a current ZE is already open, EO creates a task in ES name "Send Letter" , text 'equality'  
Where no current enforcement action open EO should create a new ZE coded E50 Other Enforcement, creating task as above.



ES sends EA1 letter completes task and sets new task of "Case Held" with planned finish date minimum 28 days



ES - No response received - puts Check Status task in EO name to continue with enforcement action.

Response received - information provided by boater should be forwarded to Denise Yelland  
Keeps Case Held task open

Sets new task in Denise Yelland name "Check Status" "Review with Legal", timescale 28 days



DY with input from Legal will review and write to boater with the outcome of their decision within 28 days.

Where request declined DY raise task in EO name "Check Status" and EO should continue with enforcement action as appropriate

Where request is approved DY raises new task in EO name "Check Status" - note decision/actions required and changes title of ZE to "Equality Act 2010 Adjustments" in order that on reviewing future sightings it will be apparent to review ZE to make an informed decision on any future action.

EO take appropriate action with ZE.

