

# Reasonable Adjustment Policy

This policy outlines the approach and commitment by the Civil Aviation Authority (CAA) to ensuring people with disabilities or additional needs are not disadvantaged in accessing our complaints service.

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## Introduction

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The CAA is committed to ensuring that people with disabilities and long-term conditions are not disadvantaged in accessing our services. We will make reasonable adjustments to ensure our services are fully inclusive and accessible to all.

This policy does not seek to explain how we will approach every situation, it is intended as a general statement of our policy and:

- Confirms our commitment to improving accessibility for everybody that we deal with
- Sets out some of the basic principles of our commitment to provide reasonable adjustments for disabled people
- Sets out the factors that we will consider in dealing with requests for reasonable adjustments.

If you have a disability, health problem or mental health issue, we can help you by making adjustments to remove or reduce barriers you might be facing. We have a duty to provide reasonable adjustments for disabled people under the Equality Act 2010, but we may be able to support you even if you do not have a disability as defined by the Act.

## Purpose

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This policy is intended to provide guidance on meeting individual needs covered by the Equality Act 2010, through offering appropriate adjustments. It also provides guidance on meeting individual needs which may not be covered by the Equality Act through appropriate adjustments which support our commitments to deliver high standards in customer service.

The aims of this policy are to:

- Define our legal obligation to consider adjustments and to make adjustments where reasonable
- Provide staff with information so that they can ensure that working practices eliminate unfair discrimination and recognise the ways in which we can make it easier for customers with a disability to access our services

## Scope

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It is important that everyone has equal access to our services and that people find it easy to communicate with us. We have an inclusive approach to engaging with people and recognise that we are all different and may have different needs. This applies to everyone including those we regulate.

This policy applies to our complaints service and to all methods of contact including telephone, face-to-face, letters, emails, social media, and other digital channels.

## The Equality Act 2010

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Under the Equality Act 2010 a person is considered as having a disability if they have a physical or mental impairment that has a 'substantial' and 'long term' negative effect on their ability to carry out normal day-to-day activities.

As a regulator and provider of services, the CAA has a legal duty to make reasonable adjustments to ensure that people are not prevented from using our service because they have a disability.

Under the Act our duty to make adjustments comprises a series of responsibilities falling into three areas:

- Where there is a provision, criterion or practice which puts a person with a disability at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled;
- Where a physical feature puts a person with a disability at a substantial disadvantage in comparison with persons who are not disabled; and or
- Where a person with a disability would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not disabled.

## What is a reasonable adjustment?

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Reasonable adjustment is a legal term introduced under the Equality Act (2010). It means that the CAA has a duty to make reasonable adjustments where its arrangements or physical premises place a disabled person at a substantial disadvantage in comparison with persons who are not disabled.

It is not possible to provide an exhaustive list of reasonable adjustments since an adjustment can only be determined as reasonable or not in relation to a specific set of circumstances. However, the Equality Act's Code of Practice suggests that, when deciding whether an adjustment is reasonable, we should consider the following issues:

1. the **effectiveness** of any adjustment: for example, providing signers at a conference where there are BSL users will only be effective if the BSL users have a clear and uninterrupted view of a signer during each session;
2. the **practicability** of the adjustment: for example, it would not be practicable or necessary to install a wheelchair accessible toilet on every floor of the office, providing that at least one such toilet is easily accessible to wheelchair users;
3. the financial and other **costs** of any adjustment: for example, if a customer living in a distant location is unable to put a complaint in writing and requests a home visit so that a staff member can take down the details of the case for them, it might be reasonable to refuse on grounds of cost, provided that a different adjustment can be made – for example, taking down the details by telephone and sending them to the customer for checking;
4. the extent of **disruption** caused: for example, where visits by wheelchair users are rare, it would be reasonable to have a portable ramp available rather than altering every area of the building where there is a step;
5. the extent of our financial and other **resources**, and the amount of resources already spent on adjustments: any adjustment would need to be proportionate, taking account of CAA's size, funding, and function; and
6. the availability of financial or other **assistance**: for example, grants such as Access to Work funding may be available for adapted technology for a disabled employee.

## How do we define 'reasonable'?

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The Equality and Human Rights Commission suggests the following considerations when we decide whether an adjustment is 'reasonable' or not:

- How effective the adjustment(s) will be in assisting a customer with a disability and in preventing or reducing the possibility of them being at a disadvantage;
- The practicality of the CAA making the adjustment(s);
- The cost of the adjustment(s) and whether this is possible within CAA resources; and
- Any disruption to the service that making the adjustment(s) may cause.

In the circumstance where we are unable to make a reasonable adjustment due to cost or resources, we will work together with the customer to find the most appropriate alternative solution for them.



## General Guidance

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As a general rule, CAA staff should use the following approach:

- i. **Ask – don't assume.** Remember that many disabilities or special needs are not necessarily visible or obvious. We should therefore ask people routinely whether they need additional support. Such questions need not be intrusive – for example, during an initial conversation we should explain how we would normally deal with the issue the person has raised and then ask: “Do you need any additional support, for example because of a disability or other special circumstance?” That leaves the way open for the person to tell you as much or as little as he or she chooses about the circumstance whilst still requesting the support they need.
- ii. **Listen.** Most people with disabilities or special needs will know what support they need and will tell you how you can help them. Try to meet their request where it is reasonable to do so.
- iii. **Be flexible.** Remember that people in similar sets of circumstances may have different ways of dealing with them – just because people have a similar disability, it does not mean that they will require the same support. For example, one deaf person may use British Sign Language, and another may lip read.
- iv. **Be honest.** If someone asks for an adjustment which you are not sure we can provide, explain that you will need to check on what support is available and get back to them.
- v. **Seek help.** You should then discuss with your manager and/or the Head of Customer Services how best to proceed.

## Reasonable Adjustments to our complaints process

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We will make reasonable adjustments to our complaints process where necessary, ensuring customers with a disability are not at a disadvantage when accessing the service.

Examples of the reasonable adjustments we could make are:

- Using the customer's communication preference throughout the duration of the complaint;
- We will not request a complaint in writing where this presents a barrier or disadvantage to the customer due to their disability or additional needs;
- Extension of any time limits (where lawful to do so); and
- Provide information in alternative formats, e.g. larger print, coloured paper.

## How to request a reasonable adjustment

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A reasonable adjustment can be requested from us in the following ways:

- The person you are already dealing with at the CAA
- In writing, explaining what the adjustment is and why it is needed. This can be done by letter or email.

# Appeals

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We are committed to providing a high standard of service, dealing with everyone in a way that is fair and free from discrimination. If you are dissatisfied with the arrangements we have made for providing Reasonable Adjustments, concerns can be reviewed under our Complaints procedure.

# Monitoring

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We will record and monitor the Reasonable Adjustments that have been requested and made, this will allow us to review the services we provide and help us identify whether there are any wider steps that we can take to improve our services.