**Letter before Action: no BSL interpreter or other communication support – public functions**

To: Name of the public body

Address

Also by email

From: your name

Address:

Phone:

Email

Date:

Dear (name of the public body)

**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, with date, time, place

For example: Your officer (name and position) contacted me on the X date wanting to ask me questions via email. I responded saying that I struggle to understand complex written information and to explain myself in writing as my first language is BSL. I asked if I could have an appointment with BSL interpreter present instead.]

[Describe what exactly went wrong, for example: Your office ignored my requests and kept sending me questions via email and insisting I respond to them.]

[Describe the impact this had on you, including not understanding what is going on, not being able to make your case, wasting time, feeling humiliated, any physical or financial impact, were your choices restricted.

For example: I was upset and stressed out. I was unable to put my case across and was put under immense pressure, which was not fair. This affected my confidence and emotional health.]

[Describe whether this situation happens regularly.]

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

You are a public body exercising a public function 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 are not put at a disadvantage. Those steps should include: changing policies or the way you work, altering a physical feature or providing an auxiliary aid or service. Communication support, such as BSL interpreter is an auxiliary aid or service.

I made it clear to you that in order for me to communicate with you effectively I need BSL interpreter. This has not been provided. I believe I was discriminated against because I am a BSL user, which is something connected to my disability.

I believe it is reasonable for you make an exception to your standard practice of communicating via email and arranging an appointment with me to enable me to put my case to your through a BSL interpreter. By failing to do this you failed to comply with your duties under the Equality Act 2010.

**Obtaining Information**

Please provide me with the following information about the incident that I am complaining about

* Any letters or emails relating to the incident, including report from staff;
* Details of any policies you have in respect of the 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 you policies and the way you work ensuring Deaf people who need to communicate via a BSL interpreter are provided with this support;
3. A commitment from you to train your staff in Disability Equality and their duties under the Equality Act.
4. Compensation for the discrimination and injury to feelings that I experienced.

**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 to protect my interests. You could then become liable for my legal costs as well as the compensation I am seeking outlined above.

Yours sincerely