

Northern Ireland Blood Transfusion Service	POLICY DOCUMENT
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CROSS REFERENCES

This Policy refers to the following documents:

Doc Type	Doc. No.	Title
STG	IGS:002	Information Governance Strategy
POL	AP:026	Corporate Identity Policy

Key Change From Previous Revision:

New policy.

1. STATEMENT

The provision of information by the Northern Ireland Blood Transfusion Service is governed by our Publication Scheme.

Our Information Governance Strategy (STG:IG:002) sets the context within which we operate to ensure we comply with the relevant legislation, including the Data Protection Act 1998, the Human Rights Act 1998 and the Freedom of Information Act.

The Information Governance Strategy deals with all the information that our organisation holds as well as our information systems. Its aim is to support the protection, control and management of our information assets. In other words, it seeks to make sure that our information and information systems are protected against the many threats that exist. These range from damage by accident to sensitive information being deliberately disclosed.

The Accessible Formats Policy is concerned with access to information from a particular angle: ensuring the equal access to information between people with particular needs, based on their equality grouping, and others.

Our equality scheme commits us to ensure we promote equality of opportunity and value the diversity of all people in our community. By this we believe that all members of society should have fair and equal access to our services, according to need and have opportunities to participate in our plans for how we deliver our services. Through ensuring that our information is equally accessible we will continue to demonstrate this commitment.

Information produced by our organisation exists in many forms, including information about services, policies, procedures, treatment, facilities, conditions, legislation, duties and entitlements. This means that both individuals and the public at large may be target groups of our information. By helping our staff to understand and think about how they provide information in accessible formats will help to improve standards.

Any request for this document in another format or language will be considered.

This policy will be reviewed on a two-year basis. If legislation changes or if there are major changes to policy or practice then the date for review may be brought forward.

Monitoring of this policy will take place on a two yearly basis. This will capture information on the provision of information in alternative formats and the number of requests made and type of formats requested and costs.

Reporting of progress will also be undertaken in accordance with commitments provided in our equality scheme.



2. OVERVIEW

The purpose of this policy is to help our organisation meet the information needs of individuals as effectively as possible by giving particular regard to accessible formats. We want to make sure that our approach to the provision of information either in written or alternative format is accessible, clear, balanced, fair, transparent and accurate. The policy is aimed at managers and staff involved in, or who have any responsibility for, the provision of information. Whilst we acknowledge that there are particular issues about information for staff it is also important that the principles of information in accessible formats apply when providing staff information.

By adopting this approach we believe the public will benefit.

The policy sets out the standards that can be expected from us when we provide information, as regards its accessibility for those with particular needs.

Other important issues beyond accessible formats, not covered in any detail by this policy, need to be considered to make information more accessible for those with particular needs. These include consideration of the use of appropriate channels for the dissemination of information (including, for example, voluntary and community groups or networks). Likewise, appropriate mechanisms for the recording of needs of individuals for alternative formats (including, for example, on any computerised information systems) need to be taken into account.

Scope

The Accessible Formats Policy relates to all of the nine categories covered by Section 75 equality legislation including age, gender, disability, ethnicity, sexual orientation, political opinion, dependants, religion and marital status.

There are however specific needs in relation to sensory impairment, learning disability, sexual orientation, older people, younger people, translation and interpreting for minority ethnic groups and more general literacy levels that are of particular importance in relation to this policy.

The policy aims to raise awareness of the importance of developing and providing accessible information by giving particular regard to accessible formats. Specifically it will:

- Highlight why information in accessible formats is important
- Describe what are accessible formats
- Outline priorities and criteria for producing information in accessible formats
- Highlight funding issues
- Outline responsibilities of staff
- Provide links to guidance for providing and reviewing information in accessible formats

Provide guidance on review and monitoring.



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3. RESPONSIBILITY

Roles and responsibilities of each are outlined below.

Each member of staff needs to be aware of the Accessible Formats Policy. They need to ensure that they take individual responsibility for communicating and providing information in an accessible way that recognises that this is a right of people who need to access our services, not a privilege.

Accountable officer is: Chief Executive

- Accountable for ensuring that the organisation meets its legislative requirements and promotes good practice in the area of the provision of information in accessible formats.

The Head of HR & Corporate Services will ensure that:

- There is a clear structure and process in place for implementing, reviewing the policy and associated guidelines
- In the review and implementation of this policy there is appropriate involvement and engagement with those with a particular expertise in the production or who use alternative formats
- Any equality or human rights issues emerging from the screening of the policy are examined in the context of implementation and review
- A method, including agreed criteria, for audit and quality assurance of information is in place
- The policy is monitored and reviewed in accordance with agreed time lines
- Any amendments are incorporated into the policy and guidelines in accordance with changes in legislation, policy or practice



- Reporting of progress in relation to implementation and compliance is undertaken.

The Senior Management Team (SMT) will ensure that:

- Decisions taken on the production of information in accessible formats are reasoned, evidence based and based on the priorities in this policy
- Arrangements are in place within departments to implement the policy and guidance
- There is a process within departments for quality assuring and auditing information in accessible formats that is in accordance with agreed criteria
- Funding is available in accordance with the priority areas for the provision of information in accessible formats
- Reporting on progress is provided as an integral part of NIBTS reporting to the Equality Commission on equality scheme commitments
- Staff are made aware of the policy
- Staff receive appropriate training
- A system for reviewing, departments developed information in accessible formats is in place and implemented in accordance with agreed timescales.

Board members will ensure that:

- As part of their role of approving and receiving progress reports in relation to the equality scheme commitments, human rights commitments and personal public involvement, they will oversee work in relation to accessible information.

HR will ensure that they:

- In accordance with priority areas, get information produced in alternative formats
- Follow the Accessible Formats Policy and related guidance
- Make decisions on the basis of the criteria for producing information in accessible formats and on the outcomes of equality screening exercises
- In accordance with priority areas, ensure that patients, clients and the public receive information in a timely manner in a format that suits their needs
- Ensure that information published follows agreed Corporate ID Policy (POL:AP:026).
- Where feedback from patients, clients and the public suggests changes to information, where appropriate, that a system is put in place to review address these
- When working with community, voluntary and the independent sector ensure that these organisations follow the Accessible Formats Policy



and related guidance and that this is included in the contract conditions.

- Provide general advice on information in accessible formats
- Ensure that advice is provided on corporate ID.
- Ensure that guidelines in relation to accessible formats become part of corporate ID policy.

Equality Staff will:

- Provide support and advice generally on equality considerations of information in accessible formats
- Advise on compliance issues in relation with equality duties in respect of this policy.

4. POLICY

Why is information in accessible formats important?

Information in accessible formats helps people to make decisions and choices. It allows the principle of informed consent to be put into practice. Effective information is vital for the provision of high quality services and care. It is important to remove barriers so that people with particular needs are not excluded from accessing our information and services when compared with others. Information must be accessible, easy to understand, relevant and appropriate to target audiences. If people cannot get it, read it, hear it or understand it your information is of little value. What you produce needs to be of a quality that is fit for purpose and appropriate to the target audience. This does not mean simplifying the message too much, appearing patronising or reducing the quality of the content. What it does mean is taking information that is in a format that is not accessible to an individual, and changing it to reflect their preferred format suitable for the particular setting.

Legislative Context

A number of legal requirements under the Disability Discrimination Act 1995 (Amendment) Regulations (Northern Ireland (2004), Race Relations Order 1997; Human Rights Act 1998; Section 75 of the Northern Ireland Act 1998; and the Health and Social Services (Reform) Northern Ireland Act 2009 mean that we need to ensure that we make our services, including information, accessible. The latter placed a duty on health and social care organisations to deliver Personal and Public involvement. Similarly, the United Nations Convention on the Rights of Persons with Disabilities, and the United Nations Convention on the Rights of the Child also relate to issues of accessibility.

Specific additional requirements with regards to accessibility for people with a disability also arise in the procurement context. Under the Public Contracts Regulations 2006, 9(3):

“When laying down technical specifications (...), a contracting authority shall, wherever possible, take into account accessibility criteria for disabled persons or the suitability of the design for all users.”



The Disability Discrimination Act and the United Nations Convention on the Rights of Persons with Disabilities contain specific provisions relating to accessible formats.

The Disability Discrimination Act 1995 (the DDA) as amended by the [Disability Discrimination Act 1995 \(Amendment\) Regulations \(Northern Ireland\) 2004](#)¹

The Equality Commission explains:

“Under the DDA, it is unlawful for service providers to treat people with disabilities less favourably than other people for a reason related to their disability. Service providers have to make 'reasonable adjustments' to the way they deliver their services so that people with disabilities can use them.

Accordingly, in order to address some of the practical difficulties that these barriers present, the disability legislation, unlike other anti-discrimination legislation, creates a positive duty on employers and service providers to make 'reasonable adjustment' to their policies and premises where reasonable and appropriate. The reasonable adjustment duty in relation to goods, facilities or services is 'anticipatory' in nature and owed to the public at large.

The DDA provides a list of examples to which the duty applies: This includes:

- providing an auxiliary aid or service if it would make it easier for disabled people to make use of a service, including the provision of information in an alternative format
- access to and use of means of communication;
- access to and use of information services.”
-

Appendix 1 of this policy provides further information contained in the Equality Commission's Codes of Practice which accompany the disability discrimination legislation².

United Nations Convention on the Rights of Persons with Disabilities³

Article 9 - Accessibility

“1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia: (...)

¹ <http://www.equalityni.org> see section 'Your Rights – Disability'

² Equality Commission for Northern Ireland (2013): Disability Discrimination Act 1995 (as modified by Schedule 8 thereof for application in Northern Ireland) – Code of Practice – Employment and Occupation.

Equality Commission for Northern Ireland (2003): Disability Discrimination Act 1995 (as modified by Schedule 8 thereof for application in Northern Ireland) – Code of Practice – Rights of Access – Good, Facilities, Services and Premises.

³ <http://www.un.org/disabilities/convention/conventionfull.shtml>



b. Information, communications and other services, including electronic services and emergency services.”
Furthermore, anti-discrimination legislation with regards to race is relevant.

Race Relations (Northern Ireland) Order 1997 (as amended)⁴

Discrimination in provision of goods, facilities or services

“21.—(1) It is unlawful for any person concerned with the provision (for payment or not) of goods, facilities or services to the public or a section of the public to discriminate against a person who seeks to obtain or use those goods, facilities or services—

(b) by refusing or deliberately omitting to provide him with goods, facilities or services of the same quality, in the same manner and on the same terms as are normal in his case in relation to other members of the public or (where the person so seeking belongs to a section of the public) to other members of that section.”

Appendix 1 of this policy provides further information contained in the Equality Commission’s Code of Practice and other relevant documentation which accompanies the race relations legislation⁵.

Under the Human Rights Act, some of the articles are of particular relevance to the issue of accessible formats: Article 6 - the right to a fair trial; Article 8 - the right to respect for one's private and family life, correspondence and home; and Article 10 - the right to freedom of expression, freedom to hold opinions and freedom to receive and impart information.

Section 75 of the Northern Ireland Act 1998 places the duty on public authorities to have due regard to the need to promote equality of opportunity between the nine equality categories of persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependants and persons without.

Standards in health and social care and Equality Scheme commitments

Health and Social Care organisations are bound by the “Quality Standards for Health and Social Care” (Department of Health, Social Services and Public Safety 2006) to consider the diverse needs of the public, services users, carers and staff alike in any information.

Also, one of the five standards introduced by the publication entitled “Improving the Patient and Client Experience” (Department of Health, Social Services and Public Safety, Northern Ireland Practice and Education Council for Nursing and Midwifery, Royal College of Nursing 2008), the Communication Standard, is defined as: “all health and social care staff communicate in a way which is sensitive to the needs and preferences of patients and clients.”

⁴ <http://www.legislation.gov.uk/nisi/1997/869/contents/made>

⁵ Equality Commission for Northern Ireland (1999): Code of Practice for the elimination of Racial Discrimination and the promotion of equality of opportunity in employment.



Our equality scheme, which arises from our commitments under Section 75, further commits us to giving attention to what needs to be done to make sure information and services are accessible.

The information needs of people with sensory, learning, communication and mobility disabilities, members of minority ethnic groups, whose first language is not English, and children and young people were specifically identified within our scheme.

Audit of inequalities

Our audit of inequalities was undertaken in order to address identified inequalities. One of the key barriers identified by this audit was the difficulties experienced by a number of people in accessing information and services when compared with other equality groupings. The audit action plan included the need for the production of an Accessible Formats Policy to redress this so as to ensure provision of information in a range of suitable formats.

What are accessible formats?

A large number of people find it difficult to read the typical information available from our health and social care organisations, not least when it is lengthy or when jargon and abbreviations are used. Accessible information is about using plain language to make information easier to understand for everyone and thereby more effective.

Accessible formats may be described in a number of ways according to different needs and experiences. A format can be defined as the general form, appearance and layout of a publication. A visually impaired person may need information in audio format. A deaf person may need a sign language interpreter. A learning disabled person may need it in an easy read version. A person who does not speak English as a first language may need a translation or an interpreter. Some people may need a combination of these supports.

Information that is accessible may be provided in printed and electronic document. Commonly requested accessible formats include, for example:

- large print;
- Braille;

- audio visual formats (CD, video including subtitles or signed content, mp3 or DAISY);
- Easy Read;
- electronic format or email;
- translations.

The information can also be made accessible in an alternative way, which can be through face to face and telephone communication including for example:



- Interpreters for minority ethnic languages, sign language and voice interpreters.

What is produced needs to be of a quality that is fit for purpose and appropriate to the target audience. It needs to be delivered in a timely way within expected timescales. Some information is more time sensitive than others so organisations need to allow for flexibility to respond quickly. Information to be discussed at a meeting needs to be made available well in advance of the meeting date.

This policy makes the provision of information central to our work.

The types of areas that it applies to include for example:

- Letters such as appointment letters and cards
- Patient and client information provided in leaflet, booklet, brochure, poster or audio visual format, DVDs
- Prescription information
- Personal Care Plans
- E-mails and text alerts
- Reports such as Corporate Plans, Business Plans and consultation documents
- Policies
- Job descriptions
- Agendas and minutes of meetings including Board or Council papers
- Newsletters
- Presentations
- internet and intranet.

Staff need to check and record with service users any need for alternative formats, and if so, advise any other relevant professionals of these, whilst adhering to the provisions under the Data Protection Act, Human Rights Act and our Information Governance Policy.

Priorities for producing information in accessible formats

In theory all information that is provided to the public should be made available in accessible formats. However given the quantity of information that is produced by our organisation on a daily basis and the fact that there are limited resources it is accepted that this is not possible or practical to do so.

It is therefore necessary to ensure a robust decision making process is in place, for prioritising information provision in accessible formats. This needs to be reasoned and evidence based. We need to consider the reasonableness of our decision in the context of the balancing of the rights of individuals to have equal access to information by receiving it in an appropriate format. We will use the following criteria for making documentation available in alternative formats. This



is based on the premise that within limited resources we need to decide priorities that have the most impact for service users. The priorities include:

Corporate

- Is the documentation about providing basic information on how individuals can make contact with the organisation, provide feedback or obtain details on how to make a complaint?

Service Related

- Is the documentation about providing details on what individuals can expect of the organisation and of staff who deliver the service? For example, Customer Care Standards, Patient and Client Experience.
- Does the service involve gaining informed consent from individuals?
- Is the documentation required as part of court reports, for example, witness statements in family law proceedings?
- Does access to the service require an application by individuals? For example, medical cards or free eye tests.
- Does not having the information pose a risk to the health and well-being of the individual or a substantial risk to life, for example, appointment letters, cards or prescriptions?

Target Audience

- Does the documentation target individuals who have language needs, sensory impairment needs or have a learning disability? For example, leaflets on low vision clinic, consultation documents on children's services.
- Within the target audience is it likely that individuals with particular communication needs form a sizeable share? For example, bowel cancer screening where the target audience is aged 60-71.

Reasonable alternatives

Within the priority areas as identified in Section 5 where it is more effective, cost efficient or timely to do so we will ensure a reasonable alternative is provided.

Examples could include:

- Providing information face to face;
- Providing information by telephone or email;
- Using an interpreter;
- Providing summaries.

Formats and languages – accessibility statement

Public facing documents need to include an accessibility statement in English at the start of the document. The statement should say:

“Any request for the document in another format or language will be considered.”



In relation to information for Donors, the Donor Selection information is available in a number of different languages ie English, Portuguese, Polish, Lithuanian, Simple Chinese, Irish and Irish Scots, but any further requests for the document in another format or language will be considered.

The Donor Health Check form is available in a number of different formats eg enlarged font, and the NIBTS website has an easy read / improved read format

Who funds accessible formats?

It is the responsibility of our organisation to make information equally accessible between those with particular needs, based on their equality groupings, and others. The costs for doing so must be borne by our organisation provided that they are reasonable and within the level of budget available.

The responsibility for meeting the cost of producing and disseminating information in accessible formats lies with the service area producing the information. A key consideration is the level of overall budget available. If the information is to be produced by a third party they also need to address accessibility issues and the budget needs to reflect this.

In establishing costs for the production of the information consider any additional costs associated with producing it in alternative formats and make sure that the product will be within the cost. Whilst in some instances the cost of producing information in accessible formats will be minimal the production in other formats can add considerably to costs.

Careful thought about appropriate circulation can increase equal access to information. Making contact with organisations or individuals who could help with dissemination can help reduce costs.

Within your identified circulation costs include items such as postage, delivery, display, web and telecommunications costs, and magazine or newspaper advertising charges.

Practical advice on making information accessible

Section 2 of this policy highlighted the groups where there are particular needs in relation to the provision of written accessible information. These include sensory impairment, learning disability, sexual orientation, older people, younger people, translation and interpreting for minority ethnic groups and others with general literacy issues.

Practical guidance is available at **Appendix 1**. Health and Social Care Trusts have also produced guidance in 2012 in relation to people with a disability. You can access a copy of this guidance by contacting Alison.Irwin@northerntrust.hscni.net



Organisational commitments - roles and responsibilities

For implementation of this policy to be effective it is necessary that a structure and process is in place and that this is co-ordinated across the diverse areas of the organisation.

Each member of staff needs to be aware of the Accessible Formats Policy. They need to ensure that they take individual responsibility for communicating and providing information in an accessible way that recognises that this is a right of people who need to access our services, not a privilege.

There are 6 levels of staff who carry responsibility in respect of the Accessible Formats Policy:

- Chief Executive as accountable officer
- The Head of HR and Corporate Services where this policy originates
- All SMT
- Board members
- HR Staff
- Equality staff

5. EQUALITY SCREENING AND ACCESSIBILITY

This policy has been drawn up and reviewed in light of the statutory obligations contained within Section 75 of the Northern Ireland Act (1998). In line with this statutory duty of equality this policy has been screened against particular criteria. If at any stage of the life of the policy there are any issues within the policy which are perceived by any party as creating adverse impacts on any of the groups under Section 75 that party should bring these to the attention of the Head of HR & Corporate Services.

The Northern Ireland Blood Transfusion Service is committed to the promotion of equality of opportunity for staff, donors and service users. We strive to ensure that everyone is treated fairly and that their rights are respected at all times. We believe that it is important that our policy is understood by all those whose literacy is limited, those who do not speak English as a first language or those who face communication barriers because of a disability. On request it may be possible to make this policy available in alternative formats such as large print, Braille, disk, audio file, audio cassette, Easy Read or in minority languages to meet the needs of those not fluent in English.

6. TRAINING REQUIREMENTS

Senior Managers/Department Managers/Section Heads must read and understand this policy, and inform any of their staff that the policy exists.

Staff must make themselves aware of this policy.



Appendix 1: Equality Commission Codes of Practice**Equality Commission for Northern Ireland (2003):****Disability Discrimination Act 1995 (as modified by Schedule 8 thereof for application in Northern Ireland) – Code of Practice****Rights of Access – Goods, Facilities, Services and Premises**

p.65/66:

“A service provider must take reasonable steps to provide auxiliary aids or services if this would enable (or make it easier for) disabled people to make use of any services which it offers to the public.

The Act gives two examples of auxiliary aids or services: the provision of information on audiotape and the provision of a sign language interpreter.” (...) “But these are only illustrations of the kinds of auxiliary aids or services which a service provider might need to consider. An auxiliary aid or service might be the provision of a special piece of equipment or simply extra assistance to disabled people from (perhaps specially trained) staff. In some cases a technological solution might be available.”

p.50:

“(...) without intending to be exhaustive, the following are some of the factors which might be taken into account when considering what is reasonable:

- whether taking any particular steps would be effective in overcoming the difficulty that disabled people face in accessing the services in question;
- the extent to which it is practicable for the service provider to take the steps;
- the financial and other costs of making the adjustment;
- the extent of any disruption which taking the steps would cause;
- the extent of the service provider’s financial and other resources;
- the amount of any resources already spent on making adjustments;
- the availability of financial or other assistance.”

Equality Commission for Northern Ireland (2003):**Disability Discrimination Act 1995 (as modified by Schedule 8 thereof for application in Northern Ireland) – Code of Practice – Employment and Occupation**

pp. 71-78



“What adjustments might an employer have to make?

The Act gives a number of examples of adjustments, or ‘steps’, which employers may have to take, if it is reasonable for them to have to do so (see paragraphs 5.24 to 5.42). Any necessary adjustments should be implemented in a timely fashion, and it may also be necessary for an employer to make more than one adjustment. It is advisable to agree any proposed adjustments with the disabled person in question before they are made. The Act does not give an exhaustive list of the steps which may have to be taken to discharge the duty. Steps other than those listed here, or a combination of steps, will sometimes have to be taken. However, the steps in the Act are: (...)

- modifying instructions or reference manuals;

The format of instructions and manuals might need to be modified for some disabled people (eg, produced in Braille or on audio tape) and instructions for people with learning disabilities might need to be conveyed orally with individual demonstration.

- modifying procedures for testing or assessment;

This could involve ensuring that particular tests do not adversely affect people with particular types of disability. For example, a person with restricted manual dexterity would be disadvantaged by a written test, so the employer gives that person an oral test instead.“

Equality Commission for Northern Ireland (1999):

Code of Practice for the elimination of Racial Discrimination and the promotion of equality of opportunity in employment

pp.18-19

“Communications and language training for employees

2.25 Although there is no legal requirement to provide language training, difficulties in communication can create barriers to the provision of equality of opportunity in the workplace. Good communications can improve efficiency, promotion prospects, health and safety and create a better understanding between employers, employees and unions. Where the workforce includes current employees whose English is limited it is recommended that steps are taken to ensure that communications are as effective as possible.

2.26 These should include, where reasonably practicable:

- a. provision of interpretation and translation facilities, for example, in the communication of grievance and other procedures, and in terms of employment;(...)
- d. the use of alternative or additional methods of communication, where employees find it difficult to understand health and safety requirements, for example:



- translations of safety signs and notices
- instructions through interpreters
- instruction combined with industrial language training.”

Equality Commission for Northern Ireland (2011): Goods, facilities, services and premises - a short guide to discrimination law.

p.6

“Indirect race discrimination - Regulations introduced in 2010 amended the definition of indirect race discrimination so that it covers not only individuals who are put at an actual disadvantage by a provision, criterion or practice but also individuals who would be put at such a disadvantage. This will therefore cover individuals who are deterred from trying to access a service because of a provision, criterion or practice.

Like direct discrimination, indirect discrimination can be unlawful even if it is not intentional. For any comparisons to take place under indirect discrimination, the circumstances in the case should be the same or not materially different.

Example

A bank writes its mortgage and loan agreements in the English language only. While this policy is applied equally to everyone it disadvantages people from non English speaking countries. A failure to translate documents or to provide an interpreter could be indirect race discrimination if it means that certain groups are unable to access the service, unless it can be justified.”

