

[INSERT your address]

[INSERT Pub/Restaurant address]

[INSERT date]

Dear Sirs

**Re: Claim for Reasonable Adjustments and Compensation
Disability Discrimination**

I am writing this letter of complaint because of difficulties that I experienced at [INSERT name and address of restaurant] on [INSERT date] to ask you to make your service more accessible to disabled customers.

Information about my Disability

I am a disabled person within the meaning of section 6 of the Equality Act 2010. [INSERT brief description of your disability and how it impacts your life e.g. I am paralysed as a result of a car accident and use a manual wheelchair to get about].

Events Giving Rise to this Complaint

On [INSERT date of incident] I arrived at [INSERT name of restaurant] at [INSERT time] to [INSERT why you were there e.g. to celebrate my birthday/enjoy a nice Chinese meal/have a business meeting. This particular restaurant had been chosen [INSERT why you were eating/drinking here e.g. as it is a particular favourite of mine/as this is the only restaurant near me that sells this particular food]. [INSERT what mobility equipment you were using/or if you were accompanied by an assistance dog e.g. I was using my manual wheelchair and was accompanied by my personal assistant.]

On arrival at your restaurant [INSERT description of the obstacles you faced or the discriminatory treatment you encountered and how it made you feel]

- a) **EXAMPLE - Step to enter:** On arrival at your restaurant I was faced with a large step. I looked around for a bell to ring to summon assistance but there was nothing visible. In order to gain access my personal assistant had to tip the wheelchair on its back wheels and push me into the shop. This was such a steep step that the wheelchair had to be tilted back at a significant angle making this a particularly unsafe manoeuvre. In addition, it drew greater attention to me.
- b) **EXAMPLE - No accessible toilet:** Halfway through my meal I decided I needed to use the toilet. My husband went to the bar area to ask where the accessible toilet was. He came back to tell me that there wasn't one and the only toilets were the ladies and gents. I was so desperate by now and so

we had to leave our meals and try to find a toilet nearby. Unfortunately I wet myself which was very humiliating and so we just went home.

- c) **EXAMPLE - Discriminatory treatment:** On arrival at restaurant shop I opened the door and walked in with my hearing dog. The shop assistance started shouting at me that I couldn't bring my dog in. I explained it was a hearing dog but they said no dogs were allowed in a place that sells food due to health and safety.

The Basis for the Complaint

In providing facilities for people to eat in a restaurant, you are providing a service within the meaning of section 29 of the Equality Act 2010 ("the Act"). You are therefore obliged to comply with the provisions of section 29 including the obligation to make reasonable adjustments in accordance with section 20 of the Act.

In failing to provide [INSERT what they did not do e.g. an accessible entrance/toilet/failing to enable me to enter with my hearing dog] you have discriminated against me, by failing to make reasonable adjustments.

What I would like this Complaint to achieve.

1. A written apology;
2. [INSERT what you want them to do to improve their access]
 - a) **EXAMPLE** Installation of a ramp at the door entrance. If this is not possible – and I would like to understand why this is not the case – then as an alternative a door bell advising that wheelchair users can ring for assistance and the provision of a portable ramp.
 - b) **EXAMPLE** Installation of an accessible toilet in an area of the restaurant that can be accessed by those with mobility impairments.
 - c) **EXAMPLE** A change in practice so that assistance dog owners are able to enter the shop with their dog and be served like any other customer.

[If you are also seeking compensation as well as a change of practice INSERT this paragraph]

I should also add that although a secondary consideration in this case, I understand that I am also entitled to compensation. I refer you to the case of *Vento v Chief Constable of West Yorkshire Police* [2003] IRLR 102 (uplifted following *'Da' Bell v National Society for the Prevention of Cruelty to Children* 2009') where the Court of Appeal set out guidelines for how much compensation should be awarded in respect of injury to feelings for cases of this nature. I would ask you to make proposals for compensation

Next Actions

Unless I hear from you within the next 21 days I will take action to protect my position because of the limitation period in Equality Act cases which requires that proceedings must be commenced within 6 months of the date of the failures which I have highlighted.

I am happy to engage with you to explore alternative way to resolve this dispute but invite you to bear in mind the time constraints set out above. If I do not hear from you, or if you deny that you are in breach of the Equality Act then I will instruct Solicitors to assist. I am aware that Fry Law are specialists in cases of this nature and offer No Win No Fee assistance and I may approach them for advice.

I look forward to hearing from you.

Yours sincerely

[INSERT your name]