

What is Deafblindness?

People who are deafblind have combined sight and hearing impairments. It is also known as dual sensory impairment or multi-sensory impairment. There are 23,000 deafblind people in the UK (Deafblind UK, 2003). This figure does not include many older people who develop age-related hearing and sight impairments. Deafblind people are not always completely deaf and blind. In fact, most deafblind people do have some residual vision or hearing or both. People who are deafblind often experience difficulties with mobility, communication and access to information.

Suggestions on reasonable adjustments or other mitigative actions

How can I communicate with a person who is deafblind?

When first meeting a deafblind person, let the person know you are there by approaching them from the front and touch the person lightly on the arm or shoulder to attract their attention.

Be prepared to use different methods of communication. For example, some people who are deafblind may speak to you using speech, but may require you to use the Block method of communication in return (see below).

- A deafblind person might use any of the following methods of communication;
- Lip-reading;
- Writing notes.

Sign language – this might be British Sign Language, or it might be a different sign language such as Moon. This would usually be used through an interpreter, carer or assistant

Block alphabet: this is where you use your forefinger to write words on the palm of the deafblind person's hand. You can trace the letters of each word in block capitals (usually using a finger), one letter on top of another. The whole palm of the hand is used and there needs to be a slight pause between words. Some deafblind people only use Braille, however, and so may not recognise standard letters as easily.

Deafblind manual alphabet: This is like the fingerspelling used in British Sign Language, but the speaker uses this on the deafblind person's fingers and palm. For example, to make an "i" you would touch the deafblind person's middle finger. The deafblind manual can be learnt in a very short period of time.

Tadoma: this is where the deafblind person touches the speaker's lips in order to feel the lip movements and speech vibrations from the throat. This would usually be done with an assistant or carer.

Other adjustments include providing loop systems for hearing aid users and minicomms, and providing information in large print.

When communicating with someone who is deafblind, ensure that the environment can best meet the individual's needs. Ensure that background noise is at a minimum, and that it is in an area of good lighting.

If you are guiding a deafblind person, note that different people like to be guided in different ways; some deafblind people experience poor balance. Do not grab or propel or pull a person – let them know you are offering to escort them by guiding their hand to your elbow.

Legal position

Disability discrimination under the Equality Act 2010.

Direct discrimination

It is unlawful for an employer to treat a disabled job applicant, or employee, less favourably, simply because of their disability. This type of discrimination is known as direct discrimination. It is unlawful and cannot be justified.

Discrimination arising from disability

The Equality Act replaced disability-related discrimination in the Disability Discrimination Act with discrimination arising from disability which occurs when an employer knows or could reasonably be expected to know that the person is disabled:

- The disabled person experiences unfavourable treatment which arises as a consequence of their disability.

There is no requirement for a comparator i.e. the disabled person does not have to show that they have been treated or would have been treated less favourably than someone else.

An employer can justify detrimental treatment arising out of a disability if they can show that it is a proportionate means of achieving a legitimate aim.

Indirect discrimination

The Equality Act has introduced the new concept of indirect disability discrimination.

Indirect discrimination occurs when a seemingly neutral provision, criterion or practice that applies to everyone places a group who share a characteristic e.g. a disability at a particular disadvantage.

Indirect discrimination may be justified if it can be shown that the provision, criterion or practice is a proportionate means of achieving a legitimate aim.

Reasonable adjustments

An employer has a duty under the Equality Act to make reasonable adjustments (which includes providing auxiliary aids such as a support worker or information in alternative formats) to prevent a disabled employee from being placed at a substantial disadvantage by any physical feature of the premises, or by any provision, criteria or practice of the employer.

The duty applies to all aspects of employment, including recruitment and selection, training, transfer, career development and retention and redundancy. Failure to make a reasonable adjustment to a policy procedure or practice, or to a physical feature of the workplace where this is placing a disabled person at a substantial disadvantage, is unlawful and cannot be justified. Examples of reasonable adjustments for people with dyslexia are given throughout this briefing.

When deciding whether or not an adjustment is reasonable an employer should consider the following:

- Effectiveness of the adjustment in preventing the disadvantage;
- Practicality of the adjustment;
- Financial and other costs of the adjustment and the extent of any disruption caused;
- Extent of the employer's financial or other resources;
- Availability to the employer of financial or other assistance to help;

- Make an adjustment, for example through the Access to Work scheme and the support of Jobcentre Plus.

Equality Duty

Public authorities and those carrying out public functions are required by the Equality Act to promote equality of opportunity for disabled people.

This includes ensuring that third parties, such as recruitment agencies who provide services to the authority, do not discriminate against disabled people and that they positively encourage disabled candidates to apply for jobs within the authority. The duty also means that authorities need to think in advance about the needs of both disabled employees and potential disabled employees. Authorities should bear this in mind when reading this briefing.

As well as the Equality Act, there is also a “statutory” Code of Practice on Employment and Occupation. “Statutory” means that it is produced under the legislation; it is admissible as evidence and must be taken into account by courts and tribunals where relevant. References are made in this briefing to the Code.

Access to Work Scheme

Access to Work is a Government run scheme that offers financial support for reasonable adjustments, such as a Support Worker. For more information contact an Access to Work Adviser who will tell you more about the scheme and how it could help you. Contact details of the Access to Work business centre nearest to you can be found through Jobcentre Plus www.jobcentreplus.gov.uk.

For more information contact:

Sense

11-13 Clifton Terrace, Finsbury Park, London N4 3SR

Tel: 020 7272 7774

Text: 020 7272 9648

Fax: 020 7272 6012

Email: enquiries@sense.org.uk

Website: www.sense.org.uk

Sense offers a range of services and support across the UK, including with employment, training, transcription services and advocacy.

Or

Deafblind UK

Cygnets Road, Hampton, Peterborough, Cambridgeshire PE7 8FD

Tel: 01733 358100

Fax: 01733 358356

Email: enquiries@deafblind.org.uk

Website: www.deafblind.org.uk

Deafblind UK offers a range of services and support for people who are deafblind including training in communication and rehabilitation skills, a free 24 hour helpline and publications.

www.deafblind.com

This website has been designed and is managed by a person who is deafblind. It contains an "A to Z of deafblindness" and the manual alphabet.

Or

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