

Mairead Boyce v Western Health & Social Care Trust

Disability discrimination proceedings brought in the County Court which settled on 28 April 2015.

The Plaintiff was referred to the Commission by Doreen Patterson Solicitors Ltd.

Summary

The Plaintiff has a hearing impairment with loss of 40% hearing in both ears. She needs to see a person's face and lip-read to understand what is being said.

The Plaintiff complained that she experienced unlawful discrimination whilst attending Altnagelvin Hospital. The Plaintiff attended the outpatients department in June and November 2013. The Plaintiff alleged that on both occasions she advised the same doctor that she had a hearing impairment and wanted her friend who had attended the hospital with her to accompany her to the actual appointments. The Plaintiff wanted her friend to attend as she wanted to make sure she could hear what the doctor was telling her and if she missed anything her friend would be able to make sure she was told the information.

The Plaintiff alleged that the doctor refused to allow her friend to accompany her to the appointments.

The Plaintiff felt very annoyed by the doctor's treatment of her. The Plaintiff alleged that during the second appointment the doctor spoke in a low tone. The Plaintiff alleged that she struggled to hear the doctor and had to ask the doctor to repeat what she was saying. The Plaintiff described feeling very frustrated and embarrassed by the doctor's refusal to allow her friend to accompany her to the appointments and that this was a very simple, non-costly adjustment to the service which could have made such a difference to the Plaintiff's experience at the hospital.

The Defendant agreed to pay to the Plaintiff the £2,500. The Defendant agreed to be responsible for the Plaintiff's costs in this action in accordance with the County Court Scale.

Without acceptance of any liability in respect of any of the matters alleged, the Defendant regretted any perceived injury to feelings, upset and distress experienced by the Plaintiff as a consequence of the matters that gave rise to the above entitled claim.

The Defendant re-affirmed its commitment to the principle of equality of opportunity and will continue to ensure that its policies, practices and procedures in terms of service provision for patients suffering from hearing loss conform to all relevant equality

legislation applicable to Northern Ireland and in particular the Disability Discrimination Act 1995, as amended, and with all relevant Codes of Practice.

The Defendant undertook to review any policies which touch upon the issue of service provision for patients with hearing loss to ensure that they remain effective. The Defendant agreed to liaise with the Equality Commission in respect of its policies, practices and procedures to ensure they are effective and conform with the requirements of the Disability Discrimination Act 1995, as amended.

The Defendant undertook to provide all relevant employees with Hearing Loss awareness training and confirmed that it will take such lead and advice from the relevant and necessary service leaders with regard to the nature and extent of such hearing loss awareness training as may be required.

Where the Defendant had sought input from the Equality Commission, the Defendant undertook to implement such reasonable recommendations that may be made by the Equality Commission in relation to the provision for training for its staff within such reasonable time scale as can be agreed [having regard to staff and resource availability at that time].