

Holly Lane v Aware Defeat Depression

Disability discrimination proceedings brought in the Industrial Tribunal which settled on 20 September 2015.

Summary

The Claimant is profoundly deaf. She uses British Sign language.

In March 2015 she applied to the Respondent for the position of Training Co-ordinator. She has 8 GCSEs, 1 A Level and BTEC in Business Studies and Level 3 Certificate in Education Principles & Practice. She also has a foundation degree in Art & Design and a PGCE in Education.

The Claimant was shortlisted for interview. She received a letter inviting her for the interview on 23 April 2015. However, she alleged that despite the Respondent being aware that the Claimant was deaf, a British sign language interpreter was not arranged for the interview. The Claimant's own attempts to find a suitably qualified interpreter for the date and time of her interview proved unsuccessful given the short notice. The Claimant alleged that she therefore contacted the Respondent to request that the interview date be re arranged to accommodate her need for an interpreter.

Further to this, the Claimant alleged that she received an email from the Respondent's Head of Corporate Services who explained that it could not change the interview date. The email went on further to state that another candidate had asked to have the interview changed as the date did not suit, and was not accommodated. Further the Respondent asserted that it had to treat everyone the same and that it was interviewing in Belfast over two dates and that two panel members were coming from Derry.

The Claimant alleged that she emailed the Head of Corporate Services and explained that a reasonable adjustment was required. She stated that she could make the interview date and was willing to attend but that the interview would not be accessible as even if she attended there would be no interpreter. Instead of replying to the Claimant's email, the Claimant alleged that the Head of Corporate Services rang and spoke to the Claimant's mother to explain that she had to treat everyone the same. The Claimant believes that this was inappropriate.

The Claimant was very upset. She was well qualified and experienced for the post and felt that she would have performed well at interview. The Claimant believed that the mental health care training role that she played in her current job provided valuable suitable experience for the post. She also believed that the Access to Work scheme would have provided her with an interpreter in the event that she had been successful in her application.

The Respondent agreed to pay £4,000 to the Claimant. The Respondent affirmed its commitment to the principle of Equality of Opportunity in the workplace. The Respondent agreed to liaise with the Equality Commission in relation to the development of its policies, practices, training and procedures on equality of opportunity and in particular disability discrimination and deaf awareness. The Respondent undertook to implement any reasonable recommendations made by the Commission.