



2 May 2019

PRESS RELEASE

Settlement for profoundly deaf woman in disability discrimination case against bank

The Northern Bank Ltd has paid a profoundly deaf woman £2,000 without admission of liability, and has made adjustments to its services, in settlement of a case she brought alleging disability discrimination.

Fiona McKendry, from Belfast, who was assisted by the Equality Commission, wears hearing aids in both ears and is a skilled lip reader.

When she spotted ongoing fraudulent activity on her bank account, Fiona checked the Bank's website for guidance, and duly contacted the Bank via telephone as instructed, with the help of her brother.

Fiona says: "I asked my brother to explain my disability and to ask for a reasonable adjustment to enable me to act quickly on fraudulent activity on my bank account. I didn't want my brother to act for me, I wanted him to relay the instructions of the bank employee to me and I would respond via the speaker phone.

"Even though the bank employee said he could hear me, the account holder, he refused me service because I was lip-reading the information the employee provided to my brother via speaker phone. I could see attempted transactions happening on my account while this call was ongoing and was extremely worried."

The bank had in fact blocked the card immediately after her phone call, but following what she saw as a refusal of service, Fiona contacted her bank via secure messaging on the online banking app. The app says it can take 3 – 5 days or more to get a response – Fiona was concerned that the app would be inadequate to deal with her urgent situation.

The next morning, she was invited to meet the branch manager who confirmed that her card had been blocked following her call, her account was safe and missing funds would be re-instated. The manager suggested putting in place a mandate that would give her brother access and transaction rights to her bank accounts. Because Fiona as a financial professional is capable of managing her financial affairs herself, she turned the offer down, made a formal complaint to the Northern Bank and contacted the Equality Commission.

Fiona says: "I found this whole episode hugely frustrating – I have no problem running my own finances and I only needed my brother in this instance to act as a go-between so that I could act quickly and decisively to stop money being

fraudulently taken from my bank account. I am very pleased that the Bank has now put in place technology I can use if I need to contact it in a hurry, which gives me a lot more confidence to deal with the situation if it crops up again.”

Mary Kitson, Senior Legal Officer with the Equality Commission, comments: “This case is worth noting for two reasons. First, it’s a very positive outcome that the Bank has made its services more accessible to people with hearing impairments. As part of the settlement of the case, the Bank has put in place a reasonable adjustment to the service it provides through the use of new technology. One of the main reasons we support discrimination cases is to change things for the better, so its action is very welcome. Fiona is confident to continue banking with the Northern Bank and delighted with this positive outcome for everyone.

“Secondly, year after year, disability discrimination is the most common cause of complaint to our advice line, and many of these are about access to services. Service providers must be aware of the requirement to make their services accessible to everyone. This has been the case in service provision since 1999.”

Notes

The duties to service providers under the Disability Discrimination Act 1995 were introduced in three stages:

1. Since 2 December 1996 it has been unlawful to treat disabled people less favourably for a reason related to their disability
2. Since 1 October 1999 people providing services have had to make ‘reasonable adjustments’ for disabled people, such as providing extra help or making changes to the way they deliver services
3. From 1 October 2004 they may have to make other ‘reasonable adjustments’ to the physical features of their premises to overcome barriers to access.

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Northern Bank Ltd is a member of the Danske Bank Group.