



Disability Discrimination Act 1995

1995 CHAPTER 50

PART II

[^{F1}THE EMPLOYMENT FIELD][^{F1} AND DISTRICT COUNCILS][^{F1} AND MEMBERS OF LOCALLY-ELECTABLE AUTHORITIES]

[^{F1}Supplementary and general

[^{F1}[^{F2}18B] **Reasonable adjustments: supplementary**

[^{F3}

- (1) In determining whether it is reasonable for a person to have to take a particular step in order to comply with a duty to make reasonable adjustments, regard shall be had, in particular, to—
 - (a) the extent to which taking the step would prevent the effect in relation to which the duty is imposed;
 - (b) the extent to which it is practicable for him to take the step;
 - (c) the financial and other costs which would be incurred by him in taking the step and the extent to which taking it would disrupt any of his activities;
 - (d) the extent of his financial and other resources;
 - (e) the availability to him of financial or other assistance with respect to taking the step;
 - (f) the nature of his activities and the size of his undertaking;
 - (g) where the step would be taken in relation to a private household, the extent to which taking it would—
 - (i) disrupt that household, or
 - (ii) disturb any person residing there.
- (2) The following are examples of steps which a person may need to take in relation to a disabled person in order to comply with a duty to make reasonable adjustments—
 - (a) making adjustments to premises;

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 18B. (See end of Document for details)

- (b) allocating some of the disabled person's duties to another person;
 - (c) transferring him to fill an existing vacancy;
 - (d) altering his hours of working or training;
 - (e) assigning him to a different place of work or training;
 - (f) allowing him to be absent during working or training hours for rehabilitation, assessment or treatment;
 - (g) giving, or arranging for, training or mentoring (whether for the disabled person or any other person);
 - (h) acquiring or modifying equipment;
 - (i) modifying instructions or reference manuals;
 - (j) modifying procedures for testing or assessment;
 - (k) providing a reader or interpreter;
 - (l) providing supervision or other support.
- (3) For the purposes of a duty to make reasonable adjustments, where under any binding obligation a person is required to obtain the consent of another person to any alteration of the premises occupied by him—
- (a) it is always reasonable for him to have to take steps to obtain that consent; and
 - (b) it is never reasonable for him to have to make that alteration before that consent is obtained.
- (4) The steps referred to in subsection (3)(a) shall not be taken to include an application to a court or tribunal.
- (5) In subsection (3), "binding obligation" means a legally binding obligation (not contained in a lease (within the meaning of section 18A(3))) in relation to the premises, whether arising from an agreement or otherwise.
- (6) A provision of this Part imposing a duty to make reasonable adjustments applies only for the purpose of determining whether a person has discriminated against a disabled person; and accordingly a breach of any such duty is not actionable as such.]]]

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only.

Textual Amendments

- F1** Cross-heading "Supplementary and General" inserted (3.7.2003 for E.W.S. for certain purposes and 21.2.2004 for N.I. for certain purposes, and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **17(1)**; [The Disability Discrimination Act 1995 \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), {17(1)}
- F2** [S. 18B](#) inserted (3.7.2003 for E.W.S. for certain purposes and 21.2.2004 for N.I. for certain purposes and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **17(2)**; [The Disability Discrimination Act 1995 \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **17(2)**
- F3** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), **art. 16**); [S.I. 2010/2317](#), **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), **art. 2(h)**

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 18B.