



Vulnerability & Reasonable Adjustments in ASB Case Management

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Vulnerability:

What is it?

- **No one universal definition**
- **Those with protected characteristics:** Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
- **Not just those defined as disabled under the Equality Act 2010:** Bereavement, financial hardship (job loss), illness, re-location (isolation) can all result in vulnerability
- **Keep it under review - why?**

A victim or perpetrator may not initially disclose any information.

A person that reports ASB may not initially consider themselves vulnerable, but the longer ASB persists, the higher the harm caused. So being victim to ASB may lead to vulnerability that was not there in the



- Everyone is different e.g. even those with a diagnosis of the same condition.

What now?

Consider...

- Seek specialist advice
- Remember Public Sector Equality Duty
- Document everything!

Vulnerability

All conditions are different, and people will have their own individual needs, but you may encounter people who :-

- Find it difficult to cope with stressful situations and demands
- Find it challenging to absorb information & or explain themselves
- Experience tiredness & side effects from medication
- Motivation to access support & advice
- Find last minute changes to set arrangements difficult
- Find questioning hard - may in turn trigger stress
- Exhibit extreme emotions
- Struggle to concentrate when there is noise & or interruptions

Case Management:

Reasonable Adjustments & Communication

- **How?** Email, Apps, phone calls, in person
- **Frequency** - may need to increase
- **Recording incidents/Reporting methods** - diary sheets, emails, phone call
- **Specific point of contact** - use of call centres, different staff members and repetition
- **Language used in letters/meetings**
- **Use of 3rd parties interpreters, advocacy services**
- **Typeface, font size, colour of paper, use of images**
- **Access to technology (& ability to use it)**
- **Be aware of information and sensory overload!**
- **Show understanding** - some may exhibit extreme emotions, understand stress triggers and understand how you can assist/adapt
- **Have they understood - check!**

Case

Management:

Empowering the
victim



- ADHD & confrontation/difficult conversations – some seek it or avoid at all costs – Are you asking too much to consider this as an option – ask & understand what a person's stress triggers are.
- Speech impairment– may find conversations difficult
- Writing notes/letters may be preferable,

Participati

MEDIATION



- Consider why someone may say no - it may not just be them being difficult, they may want to participate!
- Personal support at the meeting
- Avoidance of confrontation/difficult conversations avoided at all costs by some - would a formal structured session be useful? which they know about in advance
- One-to-one time with mediator beforehand
- Seating arrangements - eye contact
- Pre-arranged signals if stress is triggered
- Frequent breaks
- Shuttle or via letter, Online or alternative venue
- Consent to advise other party of vulnerabilities, conditions etc?
- 'More could have been done' and offered to help Cara engage with the mediation process (It is not just a tick box exercise) - Rosebery v Williams

Participati on:

In the Court
Process

- Equal Treatment Bench Book
<https://www.judiciary.uk/about-the-judiciary/diversity/equal-treatment-bench-book/>
- Reasonable adjustments to ensure effective participation in addition to pre court visits
- One point at a time and short sentences/questions. Allowing more time to respond, adaptations to court paperwork, use of images, additional preliminary hearings.
- There are plenty more adjustments - enquire!



Failure to
identify &
respond to
vulnerability

- Failure to support and safeguard customers appropriately -
- Increased chance of person not participating in the process
- Increased chance of complaint & legal challenge - Equality Act 2010
- May exacerbate risk which if not addressed may result in fatality

Contact us

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