# **Accessible Communications during COVID-19**

## What is our duty?

The Equality Act 2010 protects the rights of individuals with protected characteristics in certain spheres of life. It covers nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Colleagues working on government communications should pay particular attention to two Equality Act duties at all times, in addition to accessibility regulations for websites and apps:

### 1. Duty to make reasonable adjustments

[Section 20 of the Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/section/20) sets out government’s duty to make reasonable adjustments. This goes beyond simply avoiding discrimination and requires positive steps, *anticipating potential needs*, so disabled people can access services. This duty applies where a disabled person might otherwise be at a ‘substantial’ (meaning ‘more than minor or trivial’) disadvantage - our communications on COVID-19 certainly fall into this space, as our guidance failing to reach all citizens could have life-threatening consequences. Any failure to comply with this duty would amount to unlawful discrimination against a disabled person.

What does this mean for you in practice? If it is reasonable to provide information in an accessible format, then it must be provided. So, for example, COVID-19 guidance should be provided in a format that can be read by assistive technologies used by many blind people. It is up to us to decide what auxiliary aids or services might be put in place and paragraph 7.30 of the [statutory code of practice](https://www.equalityhumanrights.com/sites/default/files/servicescode_0.pdf) elaborates on things to think about when considering what is reasonable.

### 2. The Public Sector Equality Duty (PSED)

The PSED, [section 149 of the Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/section/149), requires that public bodies consider the potential effects of key decisions on groups with protected characteristics. For work on public communications and information, as with all public functions, decision-makers must consider: (1) whether a proposed approach may be discriminatory or unlawful; and (2) the need to *take steps* to meet different needs of people with protected characteristics. Failure to consider the impact of communication on those with the protected characteristics will likely result in a breach of the PSED. This relates to accessibility of communications for disabled people but also, for example, the impact of the chosen form of communication on LGBT people, ethnic minorities or women at risk of gender-based violence.

### 3. Website and app accessibility

Public sector organisations have a legal duty under [The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018](http://www.legislation.gov.uk/uksi/2018/952/contents/made), to ensure websites and apps meet accessibility requirements. Further information can be found [on the Accessibility Regulations campaign website.](https://accessibility.campaign.gov.uk/).

## What do you need to do?

It is each department’s responsibility to ensure their communications meet the duties above, including to ensure that communications and information are provided in accessible formats. Policy colleagues should work with their department’s communications team to achieve this. To support you, an **Inclusive Communications Assessment** **document** is included in Annex 1. This breaks considerations down into key areas, such as font (size and typeface), colour (contrast) and stereotyping, language and format (Easy Read, braille, large print, BSL). The assessment document covers considerations for all protected characteristics, including disability.

When working at a fast pace to respond to urgent needs, it may not be possible to carry out a full assessment at the point a decision is taken. Be aware that both the above duties are on-going, so it is important to note that you will be considering the equality implications further and to set an appropriate date for review. The extent of your assessment activities will vary from case to case, in proportion to the likely seriousness of the potential equality impacts. The important thing is to have given due consideration to the needs of the audience group and to take action to improve reach and accessibility. If you require any support on how best to prioritise accessibility with limited time and resources, please contact [geocommunications@geo.gov.uk](mailto:geocommunications@geo.gov.uk).

## Annex 1

See attachment: Inclusive Communications Assessment.