


Brighton and Sussex   
University Hospitals

NHS Trust

15 August 2008

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**Our ref: MLS/NL7/150**

**Dear Mr Bennett,**

Thank you for your letters of 2 and 24 July. I apologise that I was not in a position to respond to you on behalf of the Trust more promptly before your holiday, as I had initially intended.

Since we last met, the Trust has considered in detail the proposed Order you have drafted, and has obtained additional external advice on the facilities provided in the Board Room at Sussex House which have been causing you particular concern. This has included the following:

1. Confirmation from TSP Professional Audio Ltd that the loop system in the Sussex House boardroom is fully functional, bearing in mind the requirements of the European Standard BS EN60118-4-2006

2. Arrangements were made for three people with varying kinds of hearing-impairment to attend a random meeting being held in the Sussex House boardroom in order to assess the equipment and the extent to which they could hear the proceedings. This led to

a) Confirmation from a representative of the Sussex Deaf Association that the loop system in the Sussex House boardroom "is a top of the range type and it certainly works".

b) Confirmation from a member of staff who is dependant on hearing aids and is also a Health and Safety representative, that "the L-shaped construction of the room does not lend itself to lip-reading, but even when a speaker had her hand over her mouth, I could hear her, thanks to the Loop. ... In summary, I felt the Loop was totally adequate and was actually quite impressed."

c) confirmation from a volunteer who a hearing-aid wearer that she did "find the loop satisfactory".

Thus the equipment provided by the Trust constitutes a reasonable adjustment to meet the needs of people with hearing difficulties. In these circumstances, the Trust does not feel able to make a commitment to change the existing equipment in Sussex House, as it appears to be fully and adequately functional.

The Trust is in the process of drawing up a set of guidance notes for any member of staff chairing a

Trust meeting which may be attended by members of the public. This includes giving the opportunity at, or preferably before the start of, the meeting for any member of the public who has any special needs to identify them if they wish (such as hearing impairment, access difficulties etc), so that these can be taken into account in the arrangements for conducting the meeting; and confirming as necessary that the facilities intended to assist, such as the induction loop, are functioning.

The notes also give guidance on ways in which facilities such as room layout may be adjusted in such a way as to assist those who may have particular needs. The notes make reference to national guidance, such as the RNID fact sheets, which provide additional useful information.

The Trust does not consider that the use of a Tomlin Order to take this forward will change the effectiveness of the resolution of this matter, while it may increase the costs associated with the proceedings. I confirm that the Trust is prepared to pay £1000 to you in full and final settlement of this matter.

I hope you will feel able to agree that this is a satisfactory way forward to address all the matters you have raised.

Once again, I am sorry that I did not write to you, as I had intended, before the end of July.

Yours sincerely

Melinda Stone

Melinda Stone (Mrs)  
Medico-legal Services Manager

Doc ref: MLC 24 7/150

Thank you for your letter of 27th July 2006. I apologise that I was not able to write to you on behalf of the Trust before the end of your holiday, as I had intended to do so.

Since we last met, the Trust has been reviewing the proposed Order for the Board Room. We have obtained additional external advice on the facilities provided in the Board Room at Sussex House which have been considered in particular. The points included the following:

1. Confirmation from TSP Professional Audio Ltd that the loop system in the Sussex House boardroom is fully functional, bearing in mind the requirements of the European Standard BS EN60118-4-2006.