



Kieron Holmes

Important: Misrepresentation Allegation, Formal Rebuttal and Preservation Notice

3 messages

The Reasonable Adjustment <advocacy@thereasonableadjustment.co.uk>

Wed, Sep 3, 2025 at 4:59 AM

To: Alicia Day <A.Day@npa.co.uk>

Ms Day,

Thank you for your email. I respond below, point by point. Where assertions are made without evidence, please particularise them. Where labels such as "excessive" or "harassment" are used, please anchor them in law and facts. For the record, your response and this rebuttal have been formally documented and logged. I would appreciate it if you would review my correspondence carefully and respond in a way that reciprocates the time and effort I have put into contacting your organisation.

1) "Misinterpreted the law"

I do not accept this. I hold two written confirmations from the Equality Advisory Service that my interpretation is correct. These were obtained after I challenged conflicting statements from two EAS staff members and asked for a clear position in writing. For clarity, those confirmations arose in a separate matter involving a charity, but the principle confirmed was the same: service providers have an anticipatory duty and, once on notice of an individual adjustment, must apply it for that person.

I also hold contemporaneous correspondence from the regulated solicitor firm that previously represented me. When The Reasonable Adjustment launched, I wrote from my advocacy@ address to a solicitor and a partner; their reply welcomed the news and said they are always happy to hear of success stories **[Exhibit A]**. In addition, a former speech and language therapist who worked with me reviewed my site and wrote a professional endorsement **[Exhibit B]**.

To date, no regulator, solicitor, or professional body has ever alleged that I misrepresented my role or crossed into reserved legal activity. If you intend to maintain that I have misinterpreted the law, please set out:

- a) the statute or rule you say I have misread,
 - b) your interpretation, and
 - c) why the EAS confirmations and a regulated firm's acknowledgment should be disregarded.
- I am prepared to place this documentation before a judge or tribunal.

2) Volume of emails and "impeding ability to respond"

Volume alone does not make communications excessive. My emails address distinct issues of law, process, evidence, and compliance, and they resulted in immediate fixes on your client's website. I do not expect immediate responses to every email; a brief acknowledgement is often sufficient. Some messages required a response and some did not. None are duplicates. Harassment requires a course of conduct that a reasonable person would consider oppressive or unacceptable, not legitimate attempts to progress legal matters or correct compliance issues. If you intend to rely on harassment, identify the statute and the specific communications. If you maintain "excessive," evidence duplication using my Open Invitation template or withdraw the label. Labelling disability-related written requests as excessive after I asserted Equality Act rights may amount to detriment for a protected act under s.27.

3) Equality Act 2010 and reasonable adjustments

Once IPS were on notice of my written-only adjustment, the duty became individual to me. An availability call after notice is a systems failure, not "isolated human error." Prior occasional calls occurred only when written channels failed; that does not waive a written-only adjustment.

On **Friday 22 August 2025**, IPS attempted to call me despite the adjustment. Hours later, Curaleaf emailed me that IPS would no longer dispense for me. IPS should have notified that material decision **in writing** to me directly. You have not explained why IPS did not email me themselves. As context, my call pattern is minimal; even my GP routes messages through family because I do not use the phone **[Exhibit C]**.

Action sought:

- Confirm a system flag now enforces written-only contact once an adjustment is requested; confirm staff briefing.
- Confirm material decisions, including cessation of service, are always communicated in writing where a written-only

adjustment exists.

- Provide the instruction trail for choosing phone contact for material decisions after the adjustment, including who decided, when, and on what basis, and whether any input was provided by NPA.

3A) Rights are duties, not favours — written response requested

You have not responded to this point, which I now repeat and formally put to you for a written position:

A right withheld is no right at all, it is a favour. And **favours** can be **withdrawn**. **Rights**, by definition, **cannot**. The moment an organisation treats **rights** as **favours**, it abandons **law** and slides into **arbitrary power**. That is not **equality** before the **law** - it is **preference**, and **preference** has no place in **justice**. **Section 20 of the Equality Act 2010 establishes, reasonable adjustments for disabled people are duties, not optional courtesies.**

Please state clearly whether you agree with this statement in principle. If you disagree, set out your reasoning in writing now.

4) Subject Access Request

You recast my 10 August email as a new SAR. It was a scope clarification. Under UK GDPR Article 12(3), any extension must be notified within one month with reasons. Confirm if and when such notice was issued and on what basis; otherwise the one-month period runs from 24 July. Provide data in a searchable format.

5) Communications and withdrawal of service

If IPS decided to cease dispensing, process required written notice with reasons and transition steps. On the same day as the 22 August call attempt, Curaleaf emailed me that IPS would no longer dispense. Why did IPS not email me that decision themselves.

Action sought: produce the written notice or confirm none was sent; provide the internal instruction record; provide copies of any notifications IPS sent to Curaleaf with timestamps.

6) Misrepresentation allegation and “The Reasonable Adjustment”

I have never held myself out as legally represented by a third party. The site carries permanent disclaimers that I am not a solicitor and that the work is peer-led advocacy. Your client wrote to “Mr Holmes and The Reasonable Adjustment,” which confirms there was no confusion. If you intend to pursue this allegation, identify:

1. the protected title or reserved activity you say I claimed,
2. the exact statement you say is false (verbatim), and
3. how that position can stand against my published disclaimers.
Otherwise, withdraw the allegation on the record.

7) NPA routing and your harassment threat

Your OOO specified **legal@npa.co.uk** for urgent matters and I used it. Advising an organisation how to remediate broken legal and accessibility links is not harassment. If you intend to rely on harassment, identify the statute, the specific communications, and explain how the legal test is met. Confirm the authorised fallback contact when you are unavailable.

8) “Anonymous” payment link and personal data

Identifiability is contextual. If IPS can link a “prescription number” to a patient using systems data, that is personal data, and in context it may engage special category data by inference. You have not answered basic risk questions: root cause, what would have happened if I paid, whether fulfilment would have proceeded, and why payment capture lacks the same failsafes as fulfilment.

Action sought: risk assessment, incident log, breach assessment outcome, corrective actions, and clear answers to the payment-flow questions.

9) NPA Ltd SAR and legal professional privilege

If you maintain a privilege claim, specify the legal basis, the type of privilege, and why it extends to NPA Ltd if they are “not a party” while your legal team works under NPA Insurance. Provide a **privilege log** (date, author, recipients, high-level subject category, privilege claimed).

10) Court-ready materials

I will produce a paginated bundle with index, timeline, schedule, and exhibits.

11) Investigation period and adequacy of response

You said you have four months to assess the claim. Attempting to dispose of substantive issues within weeks is inappropriate. Several of my points remain unanswered or only partially addressed.

12) Website changes, logs, and accountability

Provide full update logs and audit trail for the pages your organisation changed after my notices: timestamps, approvers, tickets, duration of exposure, and why routine checks missed the issues.

13) Context and public interest motive

For transparency, I am an autistic ex-offender using The Reasonable Adjustment as part of my rehabilitation. This work is non-profit and publicly motivated.

14) Privacy policy status and accountability

Your client's privacy policy remains stamped **25 May 2018**. NPA fixed their policy links and Puro produced a policy; IPS shows no visible updates. You have not identified who is accountable for IPS policy governance or addressed NPA's oversight responsibilities, already raised in my GDPR/PECR letter **[Exhibit D]**.

Action sought:

- Name the IPS owner for policy governance and the DPO/data-protection lead;
- Provide the current policy, last-updated date, and CMS/version history for 12 months;
- Provide the timetable to meet Articles 12–14 (lawful bases, Article 9 conditions, retention, rights, contacts);
- Explain why routine checks missed the deficiencies and what controls now exist;
- NPA oversight: state whether NPA requires members/insureds to maintain compliant privacy/cookie notices and DPIAs for portals, how often NPA samples compliance, and by whom. If NPA has no oversight here, state that plainly.

Requests and timeline

Please address the following by **14:00 BST, Wednesday 10 September 2025**:

1. Withdraw the misrepresentation allegation or particularise it with the exact statements, legal basis, and authorisation.
2. Confirm the written-only adjustment enforcement and staff briefings.
3. Confirm the SAR deadline, any extension, and provide data in searchable form.
4. Produce the written cessation notice or confirm none was sent.
5. Provide the payment-link incident records and risk answers.
6. Provide the privilege basis and a privilege log.
7. Confirm the authorised fallback contact in your absence.
8. Provide the website change history and audit records.
9. Provide a written response to Section 3A.
10. Provide IPS privacy-policy governance details, version history, update timetable, and NPA oversight answers.

Please confirm receipt today. If you cannot meet the deadline, propose one concrete date for each outstanding item with reasons.

Preservation notice

Retain all relevant records, including emails, call logs, audio, internal chats, policy documents, training materials, ticket history, SAR search logs, OOO templates, CMS audit trails, access logs, and site-change records.

Regards,

Kieron Jay Holmes

Founder, The Reasonable Adjustment

Lived Experience Advocate, Neurodivergence, Disability, Data Rights

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The Reasonable Adjustment

An independent advocacy platform politely causing confusion for disorganised institutions, one lawful request at a time.

Lived Experience Advocate | Neurodivergence, Disability, Data Rights

 advocacy@thereasonableadjustment.co.uk

 www.thereasonableadjustment.co.uk

We offer **free peer-led advocacy** to neurodivergent, disabled, and marginalised people who've been mistreated or ignored by the systems meant to support them.

4 attachments



Exhibit A – DavidGray_Acknowledgement_2025-07-28.png

14K



Exhibit C – Proof_LowPhoneUse_MotherSMS_2025-09-02.png.png

812K

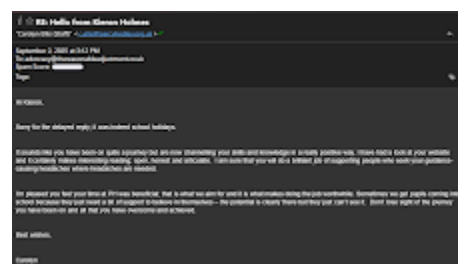


Exhibit B – SALT_Endorsement_CarolynPercyHedleySchool.png

35K



Exhibit D – IPS_Portal_GDPR_Formal_Request_2025-09-01.pdf.pdf

141K

The Reasonable Adjustment <advocacy@thereasonableadjustment.co.uk>

Thu, Sep 4, 2025 at 2:43 AM

To: Alicia Day <A.Day@npa.co.uk>

Dear Ms Day,

Polite nudge regarding my **misrepresentation** correspondence:

- **Email 1: Misrepresentation allegation — new evidence, legal position, and regulatory notice** sent **03/09/2025 at 21:55 BST** with Exhibits **G1, G2, G**. **Receipt confirmation due yesterday.**
- **Email 2 (clerical correction):** sent **03/09/2025 at 22:02 BST**, confirming the action deadline of **17:00 BST on 10/09/2025** and receipt confirmation due **today.**

Your reply about the IPS privacy policy is noted but relates to a different issue/thread. To avoid any ambiguity, please confirm **by 17:00 BST today (04/09/2025):**

1. **Receipt** of both misrepresentation emails (and the exhibits);

2. **Who** will provide the point-by-point written response; and

3. Whether you will **withdraw** the allegation or **particularise** it in full **by 17:00 BST on 10/09/2025**.

This note is confined to **receipt confirmation on the misrepresentation issue only**.

Thank you.

Kind Regards,

Kieron Jay Holmes

Founder, The Reasonable Adjustment

[Quoted text hidden]

The Reasonable Adjustment <advocacy@thereasonableadjustment.co.uk>

Thu, Sep 4, 2025 at 4:44

AM

To: Alicia Day <A.Day@npa.co.uk>

Dear Ms Day,

Two quick clarifications on receipt confirmations for my misrepresentation correspondence:

- **Email A** — *“Important: Misrepresentation Allegation, Formal Rebuttal and Preservation Notice”* sent **03/09/2025 at 04:59 BST**: receipt confirmation was due **03/09/2025** and is now **overdue**. Please confirm receipt **today**.
- **Emails B & C** — *“Misrepresentation allegation — new evidence, legal position, and regulatory notice”* sent **03/09/2025 at 21:55 BST** (with Exhibits **G1, G2, G**) and the **clerical correction** sent **03/09/2025 at 22:02 BST**: receipt confirmation is due **today, 04/09/2025 by 17:00 BST**.

Apologies for the slip in my 02:43 BST note - I'm a litigant in person doing my best and, candidly, short on sleep. The substance is unchanged. Please confirm by **17:00 BST today**:

1. **Receipt** of all three emails and the exhibits;
2. **Who will provide the point-by-point response**, identifying the drafter and the reviewer/approver; and
3. Whether the allegation will be **withdrawn** or **particularised** by **17:00 BST on 10/09/2025**.

Written correspondence only remains my reasonable adjustment.

Kind regards,

Kieron Jay Holmes

Founder, The Reasonable Adjustment

[Quoted text hidden]