



The Disability Discrimination Act in practice

Wai-Mei Chan
Access and Sustainability Adviser



The Centre for Accessible Environments

established 30 years ago

The Centre provides:

- publications
- training
- access consultancy





Centre for
Accessible
Environments

The Disability Discrimination Act 1995

The Disability Discrimination Act 1995 (DDA)

The DDA is an Act aimed at ending the discrimination which many disabled people face. It covers:

- Definitions Part 1
- Employment Part 2
- Access to goods and services Part 3
- Buying or renting land and property



What is discrimination?

Discrimination occurs when a disabled person is treated less favourably than someone else for a reason relating to their disability

Discrimination also occurs when failure to comply with the duty to make 'reasonable adjustments' in relation to a disabled person happens, and it cannot be shown that the failure is justified.



The definition of disability - Part 1

The Act defines 'disabled person' as a person with a **'physical or mental impairment** which has a **substantial and long term** adverse effect on their ability to carry out **normal day-to-day activities.**'



The Disability Discrimination Act 1995 (DDA)

Part 2 Employment and Occupation



Reasonable Adjustments under Part 2

Adjustments are expected to be made to

- a **provision, criterion or practice** applied by or on behalf of the employer,
- any **physical feature** of premises occupied by the employer

to avoid placing any person with a disability at a substantial disadvantage to others.



Factors that may determine reasonable adjustments

The DDA Code of Practice gives guidance including:

- the effectiveness of the step
- the practicality of the step
- financial constraints
- resources available
- extent of disruption



Access to Work

- For people who are starting a paid job with you, the grant is up to 100% of the approved costs. For those who already work for you, the grant is up to 80% of the approved costs over the first £300.
- contact your local Disability Employment Adviser (DEA) through your nearest Jobcentre Plus Office or Jobcentre.



The Disability Discrimination Act 1995 (DDA)

Part 3 Rights of Access:
services to the public, public authority functions,
private clubs and premises



The duties

Service providers have a duty to:

- not to refuse a service
- not to provide a service of a worse standard or in a worse manner
- not to provide a service on less favourable terms
- make reasonable adjustments to their policies, procedures and practices



The duties

Service providers have a duty to:

- provide auxiliary aids and services
- make reasonable adjustments to physical features of their premises to overcome barriers to services, goods and facilities (and functions for public authorities)



Access audits and reasonable adjustments

From the Code of Practice:

5.42 Service providers are more likely to be able **to comply with their duty to make reasonable adjustments** in relation to physical features if they arrange for an **access audit** of their premises to be conducted and draw up an access plan or policy. Acting on such an evaluation may **reduce the likelihood of legal claims against the service provider**



National Register Access Consultants

The National Register of Access Consultants (NRAC)

www.nrac.org.uk

An independent register of access auditors and consultants who:

- have demonstrated by peer review that they meet professional standards and criteria
- adhere to a Code of Practice
- hold professional indemnity insurance
- undertake annual Continuous Professional Development (CPD)



The City Bridge Trust

Funding for London based organisations



www.citybridgetrust.org.uk



The City Bridge Trust

Provides funding for work which:

- improves access to buildings in the voluntary and community sector
- increases good practice in access awareness, information and design



The Access and Sustainability Advisory Service

The project is funded by the City Bridge Trust.

It is primarily aimed at groups that are applying to the Trust's *Access to Buildings* programme but is open to the voluntary sector as a whole.

The service guides voluntary groups through the whole process of improving access and sustainability - from audit to completed works.

The website - www.cae.org.uk/asas

Contains resources relating to access and sustainability

The screenshot shows the CAE website interface. At the top left is the CAE logo (Centre for Accessible Environments). Below it is a search bar with a 'Search' button and radio buttons for 'web' and 'cae.org.uk'. A navigation menu on the left includes links for 'About CAE', 'Who we are and what we do', 'Our beliefs, ethos and values', 'Staff', 'Contact us and directions', 'Events', 'What is inclusive design?', 'Principles', 'Case studies', and 'RIBA Inclusive Design Award'. The main content area is titled 'Factsheets and resources' and includes a breadcrumb trail: 'You are here: Home > Access and Sustainability Advisory Service > Factsheets and resources'. Below the title is a paragraph of introductory text and a bulleted list of resources: 'Voluntary organisations and the DDA', 'Access audits', 'Funding from the Bridge House Trust', 'Building Regulations', 'Good practice guidance', 'VAT and building work', 'Building management and staff training', 'Language', and 'Reducing the environmental impact of your premises'. At the bottom of the main content area, there is a section titled 'Voluntary organisations and the DDA' with a sub-heading 'As a voluntary organisation you may be classed as both an employer and a service provider.'



Case Study

Enquiry

Women's charity

- converting an old library into office and training space
- Awarded £64,000 from CBT

Assistance given

- given information on the DDA
- signposted to the NRAC for an access audit
- given guidance on accessible kitchen and ramp design
- given assistance on what items to include in the CBT application



Case study

Enquiry

Church Community Hall

- Improve access
- £18,500 awarded from CBT

Assistance given

- given information on the DDA
- given guidance on accessible toilets, lift and ramp design
- discussed emergency egress



Contact details

Wai Chan

Centre for Accessible Environments

70 South Lambeth Road

London SW8 1RL

Telephone: 020 7840 5816

Email: wai-mei.chan@cae.org.uk

Web: www.cae.org.uk/asas

