Companies and organisations that provide services to the public are required by the Disability Discrimination Act to ensure that their services are reasonably accessible to disabled people. Since October 2004, this has included considering reasonable adjustments to the physical features of premises so that goods, services, and facilities are accessible for disabled people.

There are around 10 million people in the UK (Family Resources Survey 2002/2003) with a current disability covered by the DDA. Of these, over 2.75 million have a significant hearing impairment and over 2 million have a significant visual impairment. Some people have more than one disability; some have disabilities that cannot be seen; and the popular perception that people with disabilities always use wheelchairs is inaccurate.

Those who are likely to benefit from improvements made by small businesses and other service providers include:

- disabled customers (both existing and new ones)
- their friends and families accompanying them
- customers with pushchairs, carrying heavy shopping or luggage
- customers with children
- some older customers who may not consider themselves disabled but who do appreciate easier access.
Does the Act apply to me?
The Act applies to you if you provide goods or services to the public
e.g. a retail outlet, bar, local authority, library, bank, health service, conference
centre, cinema, restaurant, garage, hotel or dental practice. This list is not
exhaustive.

How the Disability Discrimination Act affects you
The Disability Discrimination Act 1995 and 2005 (DDA) introduced new laws aimed at
ending the discrimination that many disabled people face. It affects virtually
everyone who provides goods, facilities and services to the general public whether
paid for or not (referred to in this leaflet as ‘service providers’).

The DDA defines disability, and identifies who is protected under it. The definition is
broad: ‘a physical or mental impairment which has a substantial and long-term
adverse effect on a person’s ability to carry out normal day-to-day activities’.

Part 3 of the Act introduced duties on service providers in three stages:
• since December 1996, it has been unlawful for service providers to refuse to serve
  a disabled person, offer a lower standard of service or provide a service on worse
terms to a disabled person for a reason related to his or her disability
• since October 1999, service providers have had to make reasonable adjustments
  for disabled people in the way they provide their services
• since October 2004, service providers have had to make reasonable adjustments in
  relation to the physical features of their premises to overcome physical barriers to
  access.
Since October 2004, where a physical feature makes it impossible or unreasonably difficult for disabled customers to make use of a service offered to the public, service providers have had to take measures, where reasonable, to:

- remove the feature, or
- alter it so that it no longer has that effect, or
- provide a reasonable means of avoiding the feature, or
- provide a reasonable alternative method of making the service available to disabled people (this fourth duty has been in force since October 1999).

**Physical features** are defined under the DDA as ‘anything on the premises arising from a building’s design or construction or the approach to, exit from or access to such a building; fixtures, fittings, furnishings, equipment or materials and any other physical element or quality of land in the premises ... whether temporary or permanent’.

Several factors will have a bearing on whether a change is a reasonable one for service providers to have to make, particularly for physical adjustments to premises. These include:

- whether taking any particular measures would be effective in overcoming the difficulty that disabled people face in accessing the services in question.
- the extent to which it is practicable for the service provider to take the measures
- the financial and other costs of making the adjustment
- the extent of any disruption which taking the measures would cause
- the extent of the service provider’s financial and other resources
- the amount of any resources already spent on making adjustments
- the availability of financial or other assistance.
Responding to your duties as a service provider under the DDA means coming up with solutions that are reasonable in all the circumstances and which result in as many disabled customers as possible being able to access your goods and services. For small service providers (as compared to larger ones with more resources at their disposal) the emphasis is likely to be on practical, low-cost adjustments, although you should also consider more major physical alterations to improve access to your premises if feasible and affordable.

**What can I do?**

You can aim to take an inclusive approach when commissioning building or refurbishment work, aiming for equal access and best practice from the outset. You will need to identify the physical features that create barriers to access and find solutions and alternatives for them. You will need to plan to make improvements and ensure that once adjustments have been made that you and your staff are able to maintain access. It is good practice to let disabled people know about access to your premises. The organisations listed at the end of this leaflet and links provided to their websites are a good starting point.

**How can building practitioners help?**

Professional building practitioners include qualified architects, designers, surveyors and registered access auditors. One of your first points of contact could be the Equalities and Human Rights Commission. Your local authority planning or building control department may also be able to provide advice. Voluntary organisations and local disability groups may also be able to offer assistance and information.
Are there any other duties in the Act, which apply to me?
Yes. The Act already requires you to make reasonable adjustments in relation to auxiliary aids and services such as communication support or information in large fonts and to review your policies, procedures and practices. The Act also covers employment, education, transport etc. The Equalities and Human Rights Commission can provide more information on the Disability Discrimination Act

Where can I find out more about physical adjustments to my premises?
You can use the following organisations to find out more and to find links to other sources of helpful advice.

Equalities and Human Rights Commission Helpline (England)
FREEPOST RLLL-GHUX-CTRX
Arndale House, Arndale Centre
Manchester M4 3EQ
Telephone: 0845 6046610
Textphone: 0845 6046620
Fax: 0845 6046630
Email: info@equalityhumanrights.com
www.equalityhumanrights.com
Centre for Accessible Environments and Access Lab
70 South Lambeth Road
London SW8 1RL
Telephone/textphone: 020 7840 0125
Fax: 020 7840 5811
Email: info@cae.org.uk
www.cae.org.uk

The National Register of Access Consultants
70 South Lambeth Road
London SW8 1RL
Telephone/textphone: 020 7735 7845
SMS: 07921 700 089
Fax: 020 7840 5811
Email: info@nrac.org.uk
www.nrac.org.uk

The Employers Forum on Disability
Nutmeg House
60 Gainsford Street
London SE1 2NY
Telephone: 020 7403 3020
Fax: 020 7403 0404
Minicom: 020 7403 0040
www.employers-forum.co.uk
This document is available in other formats on request.

This leaflet is based upon the Disability Rights Commissions publications:
“What you need to know about making changes to your premises” and
“Making access to goods and services easier for disabled customers”
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