



Disability Rights Commission

Employers

Service Providers

**Change by • advice • conciliation
• legal enforcement**

Open for All campaign

1st October 2004 marks a landmark for disabled people. From this date anyone providing a service will have to address those physical features which make it difficult for disabled people to use their services.

This will mean that service providers – including shops and restaurants, pubs, clubs, gyms, swimming pools and hospitals – will all have to make “reasonable adjustments” to their premises or the way they provide their services to ensure they are not unreasonably difficult for disabled people to use.

The Disability Rights Commission (DRC) has launched a campaign across England, Scotland and Wales to highlight what service providers should be doing to make their services accessible.

Disability Right Commission

The DRC is an independent body, established by Act of Parliament to eliminate the discrimination faced by disabled people and promote equality of opportunity. When disabled people participate – as citizens, customers and employees – everyone benefits. So we have set ourselves the goal of “a society where all disabled people can participate fully as equal citizens”.

The Confederation of British Industry
The Federation of Small Businesses
The British Retail Consortium

are pleased to endorse this series of booklets.

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Other booklets in this series:

Café

Hairdressing Salon

Newsagent

These booklets are also available in a range of formats from the Disability Rights Commission Helpline (see back cover for contact details).

This booklet gives general guidance only and should not be treated as a complete or authoritative statement of the law.

Introduction

This booklet aims to help people who run small businesses understand the implications of the Disability Discrimination Act 1995 (DDA) and show ways in which you can respond positively to the requirements of disabled customers.

As a small business, you need to be thinking about what you can do to make sure that – as far as possible – disabled customers are treated in the same way as non-disabled customers. The Case Study of a Clothes Shop (page 3) and Hints and tips (page 9) give plenty of ideas about how to improve access to the goods and services you offer, many of which could be carried out at little or no cost.

What's in it for you?

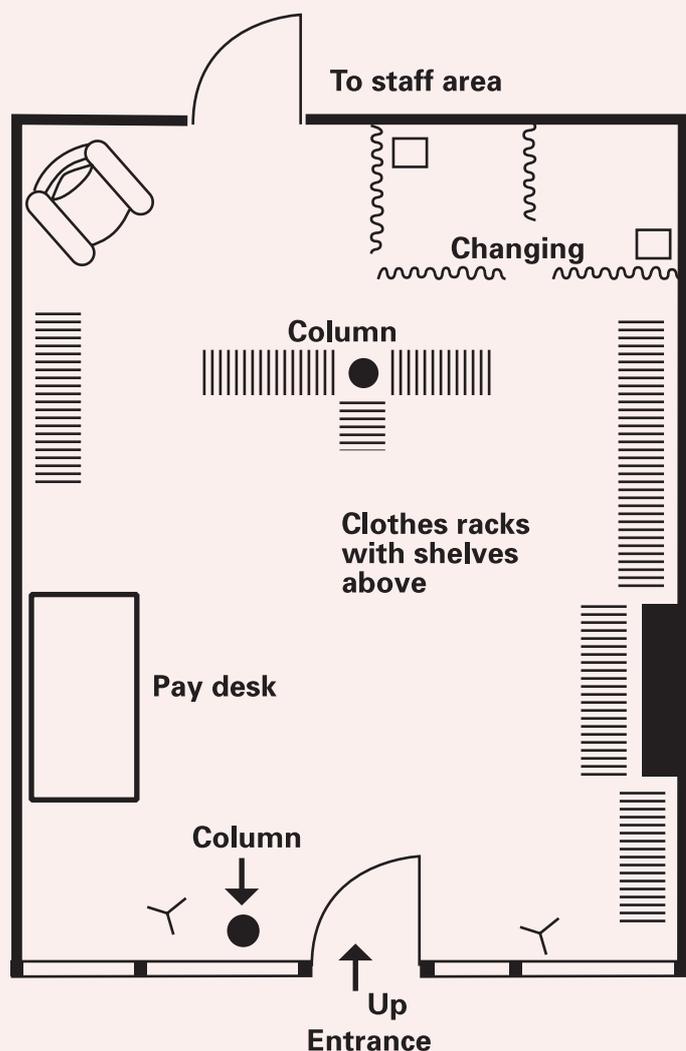
Apart from the fact that you have a legal duty under the Act to do what you reasonably can to make your services easier to use by disabled customers, there is also a strong business case. There are some 8.6 million people in the UK with some form of disability – a recent estimate put their collective spending power at more than £50 billion a year. Taken together with their friends and families, the number of customers affected by a disability is bigger still. Many of the improvements suggested in this guide will also benefit other customers, such as parents with pushchairs, people carrying heavy shopping and some older people who may not consider themselves disabled but for whom easier access will be a great benefit. So by meeting your requirements as a service provider under the DDA you are also likely to get more customers.

Case Study: Clothes Shop

Helsinki is a bright, sunny clothes shop offering a range of women's designer clothing. It has been in operation for about four years and is very visible from the street having large, open windows providing good views into the interior of the shop. It has sanded wooden flooring and high skirting with attractive railing and curtained changing areas, the design of which enhances the overall look of the shop.

Key features

- the proprietor (the only member of staff) has developed her skills in dealing with disabled customers through experience and appreciates that additional time is needed when providing the service. As this is a designer clothes shop, there is always a lot of interaction with the client to determine taste, colour preference and suchlike, so providing the service to a disabled client is seen as a natural extension of this
- some clients with particular needs have become regular visitors, and appointments can be made when the shop is known to be



quieter so that the additional time needed can be given more easily

- the shop also opens on occasion outside normal opening hours for clients with particular needs
- lighting is good throughout the shop
- mirrors in changing rooms are at a good height for both standing and seated users
- changing room layout is flexible to allow for use by people in wheelchairs
- additional labelling helps people with visual impairments.



Approaching the shop

- 1900mm from the shop front to the pavement edge
- no dropped kerb outside shop: nearest wheelchair drop-off point at the zebra crossing some 6–7m away
- difficult to see the name of the shop above from the same side of the road
- shop front (doors and windows) painted the same colour and vertical shutter rails adjacent to each side of the

doorway – this could make it difficult for a visually impaired person to locate the shop and once there identify the door.

Options

Make it clearer where the door is (eg by differentiating door frame with contrasting tone or colour).

Cost implication: minimal

Erect a perpendicular shop sign “flagging” the shop’s location to make it easier to identify.

Cost implication: low

Door

- small (50mm) threshold step
- width 700mm (recommended is 800mm for an external door) but does accommodate a double buggy
- rectangular coir mat behind the door, flush with the floor and extending 500mm behind the door
- door pressure good (ie not too heavy to open)
- door handle, although well positioned, could be a bit larger.



Options

Although not the responsibility of the shop, an approach could be made to the local authority about grading the pavement to eliminate threshold step.

Cost implication: to be discussed with the local authority

Widen front door to 800mm – although this would require major alteration to the whole shop frontage, and may not be reasonable for a business of this size.

Cost implication: major structural work required

Skirting

- skirting the same wood as the floor, extending about 300mm up the wall making it difficult for a visually impaired person to see clearly where the floor ends
- however, clothes and rails all round the room make it clear where the floor finishes and the wall starts.



Counter

- 980mm high with hooks underneath for stock (bags)
- no leg room, but customer and salesperson stand at the same side
- difficult for a wheelchair user to write out a cheque or fill in a form on the counter.

Options

Alter counter to provide leg room underneath for wheelchair user.

Cost implication: significant change to fittings, but no structural alterations required

Shelving

- 1260mm high, which means assistance is required to view the stock.

Options

Position some shelves at lower heights.

Cost implication: low

Rails

- ranging from 1260mm to 1700mm – necessary to allow garments to hang full-length and clear the floor.

Options

Proprietor to offer assistance when necessary (as at present).

Cost implications: none



Changing rooms

- curtained changing area which can be used as one (providing more than adequate space for a wheelchair user) or subdivided into two
- mirrors excellent: 230-1900mm for use by seated or standing people.

Lighting

- good lighting throughout the shop.



Action checklist

- make sure that you know what the law says and when the various different parts of the law come into effect
- consider changing the way you provide your services to make it easier for disabled customers
- make access into and around your premises easier for disabled customers
- find alternative ways of providing goods and services to disabled customers if necessary
- provide extra help or special equipment if necessary.
- make any changes that you can straight away
- come up with an action plan for the future
- when you are making changes in your premises, take the opportunity to improve access to your services by disabled customers.

Hints and tips

Consulting your disabled customers

It helps to ask customers with disabilities how they would like goods and services to be provided, particularly where, for whatever reason, there are barriers to equal access.

Can disabled people find your shop or premises?

Clear external signs help people with visual impairments or learning difficulties identify the shop.

Can disabled people get into the shop or premises?

Ideally, disabled customers will be able to enter the shop independently, through the main front door, just like non-disabled customers – for example where there is level access through a wide door. But in many premises – for instance smaller ones, older buildings or buildings on awkward sites – equality of access may not be possible at reasonable cost.

In new buildings, the required minimum clear opening width for external doors is 800mm and for internal doors is 750mm. This allows easy wheelchair access and access for people pushing baby buggies. For existing premises, 750mm clear opening width for external doors is acceptable for wheelchair access.

Where full independent wheelchair access is not possible, consider other changes such as:

- providing a temporary portable ramp
- positioning door handles at an easier height
- making the door less heavy to open
- providing a call bell to alert staff when a disabled customer needs assistance to enter the premises.

Are there alternative ways of providing the service?

Examples for goods might include:

- operating a telephone mail order or local delivery scheme
- staff who will put together an order and bring the goods to the front door or the nearest easy collection point.

Examples for services might include:

- home visits to disabled customers
- providing the service in an alternative, accessible location either by appointment or perhaps on a regular basis (for example once a week).

Can disabled people access your goods and services?

Ideally, disabled customers should be able to find their way to all sales areas, browse and inspect goods, bring them to the cash desk or receive services in the same way as non-disabled people do. For people with visual impairments who have some use of sight, consider:

- clear signs and clear product labelling and pricing
- making it easier to read menus in cafés or product information displays
- providing written menus or other product information in large print versions, or having staff read information out to visually impaired customers.

Avoiding the use of awkward or dangerously placed fittings and fixtures can make independent movement easier for blind customers. Some blind people might prefer to be guided round the shop by a member of staff or to have goods brought to them.

For wheelchair users or others who cannot access display areas or reach goods on shelves, staff could assist them.

Can disabled customers use checkouts, counters and service desks?

The ideal height for wheelchair users is 750 – 800mm from floor level. There should be unobstructed space under the counter for the person's legs and the wheelchair footrest. Think about lowering a section of counter or making the whole counter a convenient height for wheelchair users.

Should you be providing WCs for public use?

For many small shops, the issue of providing WCs does not arise – customers do not expect to have access to a WC. However, where WCs are provided for the public (for example in cafés or in other situations where customers may be on the premises for a period of time) consider their accessibility by disabled customers – both getting to and using the facilities. If there is space available and a WC compartment can be modified to full wheelchair-accessible standards, this could greatly benefit disabled customers.

Statutory consent for some building changes

When undertaking changes to premises, you may need to obtain consent, including planning permission, building regulations approval and listed building consent. The DDA does not override the need to obtain such consents.

Leased premises

If you do not own your premises and the terms of your lease do not allow you to make alterations, special provisions apply. The Act enables you to make the alteration if the landlord consents, and also says that the landlord must not withhold consent “unreasonably”, but may attach “reasonable conditions” to the consent.

Guidance

For design guidance including ramps, doors, circulation space, signs and WCs, see *Designing for Accessibility*, published by the Centre for Accessible Environments (details on page 15). For more general guidance for small businesses see *DRC Practical Guide for small businesses and other small service providers* (details on page 15).

About the DDA

Duties on service providers

The DDA places duties on all service providers, including owners and operators of shops, cafés and restaurants, and establishments where services are provided to the public. These duties are being introduced in three stages and apply to service providers of all sizes:

- since December 1996, it has been unlawful for service providers to treat disabled people less favourably than others for a reason related to their disability
- since 1 October 1999, service providers have had to make “reasonable adjustments” for disabled people in the way they provide their services
- from 2004, service providers will also have to make reasonable adjustments to the physical features of their premises to overcome physical barriers to access.

Several factors have a bearing on whether a change is a reasonable one to make for small businesses, particularly for physical adjustments to premises.

These include:

- type of shop or business
- size of the business and annual turnover
- cost of the adjustment
- disruption to the business while the work is being carried out
- practicality of carrying out the adjustment
- potential benefits to the customer.

Who is disabled?

The DDA protects the rights of a wide range of people with sensory, mental or physical disabilities. This can include:

- people who use wheelchairs
- blind and partially sighted people
- deaf and hearing-impaired people
- people with arthritis
- people with long-term illnesses
- people with learning disabilities
- people with hidden impairments.

People who have had disabilities in the past are also protected from discrimination. Only a court of law can make a decision about whether someone is disabled under the Act, so it is probably best in cases of doubt to assume that someone is protected by the Act.

Where the DDA applies

The DDA applies to the whole of the UK, but not the Channel Islands or the Isle of Man, nor to goods or services provided outside the UK.

To find out more about the DDA

If you'd like to find out more about the DDA and how it affects you as a service provider, you can visit the DRC website at www.drc-gb.org or call the DRC Helpline (see outside back cover).

Where to get more information

Publications

DRC Practical Guide for small businesses and other small service providers

Making access to goods and services easier for disabled customers

Disability Rights Commission, 2002

A practical guide for small businesses and other small service providers.

2004 – what it means to you

A guide for service providers

2004 – what it means to you

A guide for disabled people

Available to download free from the DRC website and are free from the DRC Helpline.

Designing for Accessibility: an essential guide for public buildings

Centre for Accessible Environments, 1999

A guide to designing buildings which are accessible to people with a range of disabilities; also useful for adapting existing buildings.

Available price £15.00 including postage and packing from CAE.

Access Audits: a guide and checklists for appraising the accessibility of public buildings

Centre for Accessible Environments, 1999

Comprising guidance notes, audit checklists and a copy of Designing for Accessibility (see above), the Access Audits pack is a useful tool for assessing the current accessibility and usability of buildings by disabled people.

Available price £20.00 including postage and packing from CAE.

The Disability Discrimination Act – Part 3: a service providers' guide to best practice

Customer Action File 1

Employers' Forum on Disability, 1999

Available price £13.00 from EFD, Nutmeg House,
60 Gainsford Street, London SE1 2NY

Telephone/minicom: 020 7403 3020

Organisations

Disability Rights Commission

DRC Helpline

FREEPOST MID O2164

Stratford upon Avon CV37 9BR

Telephone: 08457 622 633

Textphone: 08457 622 644

Fax: 08457 622 611

Email: enquiry@drc-gb.org

Website: www.drc-gb.org

Provides information and advice concerning all aspects of the implementation of the DDA. All DDA-related publications, including the Code of Practice: Rights of Access, Goods, Facilities, Services and Premises can be downloaded from the website.

Centre for Accessible Environments

Nutmeg House, 60 Gainsford Street

London SE1 2NY

Telephone/minicom: 020 7357 8182

Fax: 020 7357 8183

Email: info@cae.org.uk

Website: www.cae.org.uk

Provides technical information, training and consultancy in making buildings accessible to disabled and older people and advice on technical aspects of implementing the requirements of the DDA.

Disability Action (HQ)

Portside Business Park

189 Airport Road West

Belfast BT3 9ED

Telephone: 02890 297 880

Textphone: 02890 297 882

Fax: 02890 297 881

Website: www.disabilityaction.org

Provides a range of services including information and advice on all aspects of the DDA and a technical advice service on access to the built environment.

Update

27 Beaverhall Road

Edinburgh EH7 4JE

Telephone: 0131 558 5200

Textphone: 0131 558 5202

Fax: 0131 558 5201

Email: info@update.org.uk

Website: www.update.org.uk

Provides details of local, regional and national sources of information on disability related matters in Scotland.

Disability Wales

Wernddu Court

Caerphilly Business Park

Van Road

Caerphilly CF83 3ED

Telephone: 029 2088 7325

Fax: 029 2988 8702

Email: info@dwac.demon.co.uk

National umbrella organisation of disability groups working to promote the rights, equality, inclusion and support of disabled people in Wales.

Disabled Living Foundation

380-384 Harrow Road
London W9 2HU
Helpline: 0845 130 9177
Textphone: 0870 603 9176
Telephone: 020 7289 6111
Fax: 020 7266 2922
Email: info@dlf.org.uk
Website: www.dlf.org.uk

Provides information on aids and equipment that help disabled people with their daily lives. It administers a comprehensive database of products that can be used by disabled people in public buildings.

RADAR

12 City Forum, 250 City Road
London EC1V 8AF
Telephone: 020 7250 3222
Minicom: 020 7250 4119
Fax: 020 7250 0212
Email: radar@radar.org.uk
Website: www.radar.org.uk

Provides information on the needs of disabled people and consultancy services.

Access officers and local access groups

Many local authorities employ access officers (usually within the planning or building control departments) who perform an advisory role often on an inter-departmental basis. Contact details should be listed in your local telephone directory. Local access groups represent the access needs of disabled people in their locality. RADAR (see Organisations above) maintains a list of access groups across the UK.

For more organisations see the DRC Practical Guide for small businesses and other small service providers (details on page 15).