



STEPPING ~~OUT~~

Technical and legislative guidance on Disabled Access - from Movement Management.

Issue 1: January 2000

Editor's Welcome

The introduction of the Disability Discrimination Act in December 1996 has made it unlawful for service providers to treat disabled people less favourably for a reason related to their disability.

In other words, service providers have a legal obligation to make sure disabled people have "reasonable access" to their services.

Since the Act came into force in December 1996, there has been widespread confusion across the UK as to exactly how such legislation should be implemented, and what does and does not constitute "reasonable access".

This newsletter is intended to help those involved in the administration of the Act, to interpret, assimilate and apply the new regulations more effectively.

Our newsletter will include the latest changes taking place regarding the Act, brief descriptions of limitations and related problems that have arisen, and detailed reports of how others have overcome such difficulties - through this, we aim to achieve a sense of clarity in an area which up to now, has proved notoriously vague and confusing.

If you wish to receive further editions of this newsletter, or have any comments or suggestions concerning its contents, please return the fax-back letter attached.

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Please note that this newsletter is produced for the benefit of all those people involved in improving access to public and private buildings. While its content is well researched, we can accept no liability for any errors or omissions. The views expressed are not necessarily those of Movement Management. For more information contact Rosie Gray at Axis on 01572 724932.

WHAT IS HAPPENING WITH THE DDA?

Disabled access has always been a difficult area for architects and builders, and the owners and operators of buildings likely to be visited by members of the public. With the introduction of the Disability Discrimination Act the matter became quite simple: service providers must make provision for the less able and the wheelchair user to gain access to their building, and the services provided within it.

Consequently it is unlawful for service providers to discriminate against a disabled person for a reason related to their disability. According to the Code of Practice regarding the DDA, such "discrimination" can be committed by a service provider in the following ways;

- i) by refusing to provide (or deliberately not providing) any service which it provides (or is prepared to provide) to members of the public; or
- ii) in the standard of service which it provides to the disabled person or the manner in which it provides it; or
- iii) in the terms on which it provides a service to the disabled person.

References to providing a service include providing goods or facilities.

Since 1st October this year, all service providers are legally required to make "reasonable adjustments" to the way they enable disabled people to access their services - such as making provisions for extra help, or making changes to the way their services are provided in general.

In addition service providers

must make additional "reasonable adjustments", to the physical features of their premises. These changes must be made to overcome any physical barriers a disabled person might face in trying to access a service.

The implications of the above are enormous, especially if one considers the fact that many service

providers' premises were designed and built long before the Disability Discrimination Act came into force. Such buildings are therefore plagued by the sorts of "physical features" which often prove very difficult if not impossible for a wheelchair user to negotiate.

One of the most common of these "physical features" is the simple flight of stairs, something which undoubtedly represents an insurmountable obstacle to wheelchair users. The solution to such a problem often manifests itself in the form of a platform lift. For examples of how platform lifts are being used read on.

People with severe disabilities have to be served on the pavement at Abingdon's High Street Post Office. Three steps and two doors make it difficult for wheelchair-bound people to get in. Post Office Counters has been carrying out a survey of all 19,000 post offices in Britain, in a drive to meet standards laid down in the Disability Discrimination Act. The survey picked out Abingdon as one of the worst.
Abingdon Herald, 4th Nov.

Visitors benefit from improved access to Wirksworth Town Hall

Nearly two thirds of businesses have still **not taken action to comply with legislation** as set out in the Disability Discrimination Act...The majority of the businesses who had taken no action either said they knew nothing about the legislation or else did not think it relevant to them. *Disability Times*, Nov. 1999

According to Bert Massie OBE (Chairman of the Disability Rights Commission) codes of practice are a "powerful tool", setting out clear duties to avoid problems arising...but **too few small businesses know about the DDA...** *Disability Now*, Nov. 1999

For the past month managers of leisure and entertainments in London have been forced to consider the way in which they treat disabled patrons...**Pubs across the country are among the worst offenders** when it comes to ignoring the needs of disabled customers. *Disability Times*, Nov. 1999

Shops, banks, hotels, churches, pubs and theatres are just some of the service providers who will be affected by the new law. *Disability Times*, Nov. 1999

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The disabled, elderly and young mums are now enjoying greater accessibility to Wirksworth Town Hall in Derby thanks to a new access project recently implemented by Derbyshire County Council.

Built in 1871, Wirksworth Town Hall is a classic example of Victorian architecture -striking to look at but with limited accessibility. However, this has now changed through a £62,000 investment by the council which has provided a new ramp leading to the entrance of the building, a toilet for the disabled in the foyer and elevators to solve the 'problem' of stairs.

Providing a welcome alternative to the six stairs located in the entrance of the building is a platform lift, the Companion Supreme, manufactured by one of the UK's leading lift manufacturers, Leicester-based Movement Management.

Architect, Derek Trowell who was responsible for implementing the building modifications says: "Having discussed requirements with Mary Sharp, Access Officer for the Council's Access Group and the respective environmental health and insurance officials we looked at various ways of improving access to the foyer in the building. After having viewed the Companion Supreme in operation outside a public house in Derby, we were extremely impressed with its simple yet durable design and knew it would provide the ideal solution for the first six stairs in the entrance hall."

The Companion Supreme has a self supporting structure, requires no pit or building work and operates on a single phase 240v electricity supply.

Installation of the lift is also extremely quick and simple, Derek Trowell continues: "Movement Management certainly lived up to their promise as the lift was installed and operational in only one day."

The lift installed at the Town Hall comfortably accommodates a wheelchair passenger and attendant and in this particular instance will rise to a height of 750mm.



"...the lift was installed and operational in only one day."

Aesthetically pleasing in design with full height door and glazed upper panels, the Companion Supreme is one of a range of four Companion Platform Lifts which also includes the Prima, the Prestige and the Excel.

All Movement Management products can be designed to each individual customer's specifications and are manufactured to meet the most stringent safety standards. All models feature touch-sensitive surfaces on the platform surround, together with emergency stop buttons which come as standard. The lifts also carry the CE mark and meet the requirements of Building Regulations, European codes and European legislation.

Mary Sharp, Access Group Officer for Derbyshire County Council says: "By choosing Movement Management we have the peace of mind of receiving a highly responsive 365 day back up service."

"We have been delighted with the lift so far, and although it has only been in operation since 24th September, it is being used extensively, and in addition to providing better access for the disabled it has also proved to be a real boon for mothers with prams and the elderly."

Plenty of Scope for improvement...

.....that's the verdict from leading UK charity regarding the latest disabled access survey results

Scope, formerly the Spastics' Society, is a charitable organisation which has been involved in championing the rights of disabled people in the UK for nearly fifty years.

One of the fundamental principles of Scope is that equality should be a right. This belief permeates every aspect of Scope's work, from their highly publicised campaigns aimed at educating the public about disability, to their extensive research into issues affecting disabled people and their families.

In keeping with this philosophy, equality of access is regarded as a right, rather than a privilege to be enjoyed only by the able-bodied. Scope is actively involved in raising awareness of access problems and related issues, and provides valuable information and advice not only to those with disabilities, but to anyone concerned with the issue of disabled access.

As part of its campaign to raise awareness of accessibility, Scope is producing a report highlighting good practice and exposing the many remaining

barriers to disabled people. In order to gather the relevant information for a report of this nature, Scope has organised a series of nationwide surveys, conducted by disabled people in their own areas. One of the first of these involved a range of neighbourhoods across London which were assessed to see if the capital is ready to provide services to disabled customers in the new millennium.

The surveys were carried out in five areas of Greater London, and included pubs, bars, cafes, small retail units, cinemas and banks. The features that were examined included entrances, counters, alternative formats of information, hearing induction loops, counter/serving heights and toilets. Out of the 289 points noted in the survey, there were 130 (45%) items of good practice and 159 (55%) presenting problems.

The Clapham Picture House, and the Santa Fe restaurant in Islington were found to be particularly well equipped for disabled customers. Each has consulted with disabled people before making adjustments; such as improving entrances, including large print information,

building accessible toilets and installing minicom telecoms for deaf people.

With respect to the survey's findings, Brian Lamb, Scope's Head of Public Affairs and a member of the Government's Disability Rights Task force, said "I really hoped we could demonstrate a wealth of good practice, but apart from a few shining beacons, most of the results were moderate to poor... These results are quite depressing especially those for London's tourist heartland."

The European tourist market is estimated to be worth over £23 billion, yet it seems that one of the world's great capitals is unprepared for disabled visitors. Disabled people who have experience of cities in Australia and the USA cannot believe the lack of facilities here in the UK.

NB: Scope's excellent website can be found at www.scope.org.uk, and is regularly updated with the latest information regarding access issues. The site is very easy to navigate, and visitors can gain access to various parliamentary reports, details of Scope's research and changes in legislation.

Schools will be forced to make their buildings accessible to disabled people by law....**David Blunkett, the Secretary of State for Education said legislation would be bought forward....**to ensure schools made all "reasonable adjustments" to accommodate physically handicapped children.
The Independent, 14 Dec. 1999

South Ayrshire Council....is to survey a total of 220 buildings at a cost of £30,000.... "our survey will include checking buildings for the suitability for all forms of disability"
Ayr & District Leader, 2 Dec. 1999

in the news

The European Platform and Stairlift Association.

The inaugural meeting of the "European Platform and Stairlift Association" (EPSA) was held on Wednesday 17th November.

The Association's headquarters are in London, and its members include Movement Management and other manufacturers of platform and stairlifts from the UK, Italy, Sweden, France, Holland and Spain.

The Association's aims include;

- Promoting and encouraging free communication, discussion and exchange of views between members and users of the products on all matters relating to the design manufacture, supply and service of the products covered.
- Promoting policy amongst the members and betweenother bodiesdirectly or indirectly affecting the design, manufacture, supply and service of products covered.

- Encouraging technical progress and safety in the field of the products.
- Harmonisation of legislation, standardisation and testing procedures at International and European levels to facilitate free trade.
- Assisting and advising relevant authorities, at national and European level, on all matters concerning the products covered.

The statutes also state that members of EPSA must "comply with all the appropriate European legislation, in particular the Machinery Directive...".

This Association will be of particular interest to readers as it will be a unbiased source of technical information and a vehicle for users to address specific issues relating to the application of platform lifts. For further information contact our Sales Manager, Boyd Porter on 0116 225 2100.