

Disability Rights Commission



Employers

Service Providers

Bringing the DDA to life for small shops

Improving access to goods and services for disabled customers

Café case study



Change by • advice • conciliation
• legal enforcement

Open 4 All
2004

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:

Clothes Shop

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.

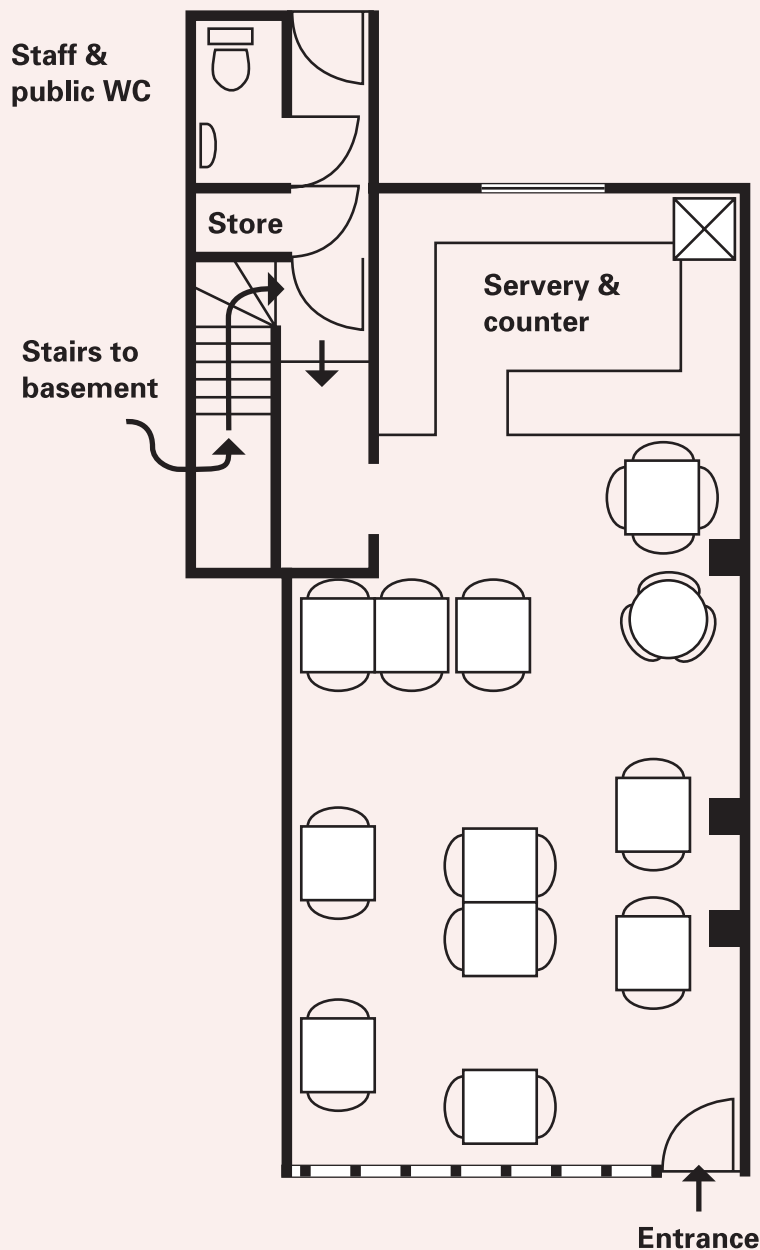
As a small business, you need to be thinking about what you can do to make sure that – as far as possible – disabled customers are treated in the same way as non-disabled customers. The Case Study of a Café (page 3) and Hints and tips (page 13) give plenty of ideas about how to improve access to the 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: Café

The Blue Legume is a busy, vibrant coffee shop/restaurant situated in the heart of a large multi-ethnic, multi-cultural community. A small, intimate café with very pleasant decor and regularly featuring artwork from emerging artists, it offers an extensive range from coffee and cakes to full meals. The proprietor – previously an interior designer – had worked on the design of a local hospital caring for older people and patients with special needs, and therefore knew what was needed to create an environment where people with disabilities would receive equal provision.



Key features

- staff are always willing to assist disabled customers (for example by helping wheelchair users across the small step and into the café or serving them in the covered outside seating area)
- customers who are visually impaired have the menu read to them and those who are deaf or have hearing difficulties are given assistance (usually by exchange of written notes) to identify and describe the contents of the dishes displayed on the counter
- seating and tables are movable and can be easily rearranged to accommodate wheelchair users inside the café
- staff are aware that additional time, effort and skills are sometimes needed when providing services to disabled people and are willing to take this time, despite the fact that the café is usually very busy.



Approaching the café

- clear, unobstructed approach with good pavement surfaces
- lamp post very near to front door may cause hazard for people with impaired vision
- outside seating area covered by large awning; all tables and chairs are movable to allow access as required
- small stepped threshold to front door.

Options

Although not the responsibility of the café, a request could be made to the local authority to have the lamp post marked with contrasting banding, making it easier for people with visual impairments to see.

Cost implication: none to café

Although not the responsibility of the café, an approach could be made to the local authority requesting that the pavement level be raised to eliminate small threshold step.

Cost implication: to be discussed with local authority

A permanent ramp could be built outside (with local authority consent).

Cost implication: significant structural alteration

A temporary ramp could be made available as and when required by a disabled customer. The ramp would have to be stored somewhere inside the café near the front door when not in use and a sign would be needed saying that the ramp was available.

Cost implication: medium

The front door

- good visibility through large glass panel
- adequate clearance width (800mm) for wheelchair users
- heavy door would be difficult for people with a range of mobility impairments to open
- table situated just inside door reduces circulation space to 560mm, which would impede access by wheelchair users.



Options

Reduce opening force of front door.

Cost implications: minimal

Move table from inside front door.

Cost implication: no direct cost (but would slightly reduce overall capacity when café is full)

Tables and chairs

- all tables and chairs are movable allowing discrete areas to be created depending on needs
- adequate height and clearance underneath, although circulation between tables could be improved.



Counter

Service takes place at the counter although people with mobility impairments would be served at their tables. There is, however, nothing to indicate that this is possible.

Counter is high, ranging from 900mm to 1700mm, and although the food is visible through glass panels there is a table adjacent to the counter, which prevents close inspection of the food in that area. For someone with impaired vision it might be difficult for them to see what was there. Also the food is on a number of levels and ideally it should all be at the same viewing level.



Options

Put a sign up saying that table service is available as an alternative to counter service.

Cost implication:
minimal

Move table from in front of counter.

Cost implication:
none

Menus

- extensive menu, details of which are written in chalk on blackboards on the walls at the rear of the service area, suspended from the ceiling above and on the walls either side. Visibility of some is not ideal, particularly the suspended boards
- some of the menus were in uppercase only (ie all in capital letters), which is not as easy to read as a mixture of upper and lower case (capital and small letters)
- no printed menus available.



Options

Provide a few printed (or hand-written) menus which can be given to people on request.

Cost implication: minimal

Spotlighting of the suspended blackboards would improve visibility.

Cost implication: low

Menus could be rewritten in both upper and lower case (as on the blackboard for the wine list).

Cost implication: none

Access to WC

- restricted access to the passage, the door being only 660mm wide (recommended minimum for wheelchair access 750mm)
- passageway dimly lit with a step down (200 mm with a clear visual marking on the edge of the step) halfway along the passage
- no scope for a ramp, because this would cause a danger to staff using the stairs down to the kitchen.



Options

Install additional lighting in the passageway for improved safety.

Cost implication: low

Install grab rails in the passageway and at the step for disabled people capable of walking short distances.

Cost implication: low

WC

- small space (1200mm x 950mm) with outward opening door
- no grab rails.

Options

Install grab rails in the WC compartment for ambulant disabled people.

Cost implication: low



Future plans

The proprietor has plans to extend the café outwards into the rear garden. This would be an ideal opportunity to consider access improvements, for example redesigning the counter area or installing an accessible WC towards the rear of the premises. If taken into account at an early stage in planning, such access considerations need not add greatly to the overall cost of the extension.

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 19). For more general guidance for small businesses see *DRC Practical Guide for small businesses and other small service providers* (details on page 19).

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 free of charge 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.

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Manchester
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The DRC welcomes feedback. If you have any comments about this publication please complete this form and return it to us free-of-charge.

Alternatively you can contact our Helpline about this publication or any other aspect of our work by phone, fax, textphone or email.

Disability Rights Commission

For more organisations see the DRC Practical Guide for small businesses and other small service providers (details on page 19).

Your feedback

Please complete and return this form to let us know what you think about this publication.

How helpful and/or interesting was this publication?

☐ Very ☐ Quite ☐ Not very ☐ Not at all

Was it easy to understand?

☐ Very easy ☐ Quite easy
☐ Not very easy ☐ Not at all easy

What do you think of the design and layout?

☐ Good ☐ Quite good
☐ OK ☐ Poor

Please use this space for your comments and suggestions

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(providing your contact details is optional)

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Email

You can contact the DRC Helpline by voice, text, fax, post or email. You can speak to an operator at any time between 08:00 and 20:00, Monday to Friday.

If you require this publication in an alternative format and/or language please contact the Helpline to discuss your needs. It is also available on the DRC website: www.drc-gb.org

SP5R

October 2003

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INVESTOR IN PEOPLE

