



DISABLED ACCESS

Committed to creating
accessible environments



Part M and The Equality Act 2010

The latest edition of the Approved Document M (ADM) of the Building Regulations came in to force on April 6, 2013. It didn't impose major changes on design guidance; rather it made amendments to access statements and the moving of design guidance into other Approved Documents. Nor did it change the relationship between the Building Regulations and the Equality Act 2010 (EqA).

The Equality Act 2010 brought together a whole host of equality legislation into one Act. One result was that the Disability Discrimination Act (DDA) was repealed, although "DDA" is a term that has stuck and has become synonymous with disability, access and the EqA.

The Act requires employers and service providers such as shop keepers and banks, along with education providers and public authorities, to make reasonable adjustments to physical features which might put a disabled person at a substantial disadvantage when compared to a non-disabled person.

The EqA still provides a 10-year exemption from altering features that are in accordance with ADM at the time the feature was constructed, but this is not a "get out of jail card". Things like a carpet that may be difficult for a wheelchair user to move across, or which has a pattern that is a problem for visually impaired people, do not fall within this exemption clause as they are outside the scope of the Approved Document.

So not all features are covered by ADM, and the guidance within it is not enough to ensure compliance with the EqA.

The EqA, concerns itself with people. It is about, in this instance, ensuring that disabled people are not put at a substantial disadvantage, for example discriminated against because of a property's physical features, when compared to a non-disabled person. The Act does not give design guidance and nor does it say where guidance should be sought. So just as it was never possible to say that a building was "DDA compliant", it is not possible to say it is "Equality Act compliant".



Take, for example, the most accessible building imaginable in terms of physical features; one that meets Building Regulations part M including the guidance within the Approved Document as well as other sources of guidance, such as BS8300:2009+A1 2010 Design of buildings and their approaches to meet the needs of disabled people. Even with all of this good practice in place, if management policies are discriminatory they can undo all the best efforts of the designer.

Consider a self-service restaurant and the difficulties facing a customer who uses two walking sticks. That person may need assistance to carry food to their table, and if the restaurant refuses to help it may well lose custom even if the design is excellent.

There are times when it is not possible to meet the guidance in the Approved Document, and when this happens a written Access Strategy should be in place. The size of the document will depend upon the scale of the project. An extension may require discussions with the building control body,

followed up by a letter detailing the outcome of the meeting. A more complex building may require a larger document with drawings, but it is still the responsibility of the applicant to demonstrate how they intend to meet the Building Regulations and to show that their solutions are appropriate. Even though a building control body approves the alternatives, it does not follow that the building meets with the requirements of the EqA.

The Approved Document is quite clear that by following it you demonstrate compliance with Part M of the Building Regulations, but it does not necessarily mean that you have fulfilled your duties under the Equality Act.

Ian Streets
NRAC Auditor

Accessibility – why it matters

Looking after the needs of disabled people is not just important from a legal perspective – it's good for business and for everyone, from elderly people to parents pushing prams and buggies.

If you ignore disabled access issues it can cost you in court and in damage to your reputation. Get it right and you gain recognition as an organisation which cares for its customers, its business partners and its own staff.

That matters a lot to such businesses as shops, hotels, restaurants, entertainment venues and tourist attractions, which rely on attracting a constant flow of people through their doors. But it can also make a difference to offices, factories, warehouses, buses, trains and much more.

At About Access we explore, investigate and anticipate every scenario to provide our clients with affordable solutions. We can show you how to fix a problem but, more importantly, we can also advise you on how to avoid difficulties in the first place by adopting good practices in design, layout and attitude.

Experience and expertise

About Access has been specialising in identifying and addressing access issues since 2006 and our casebook is full of a wide range of successful projects completed for clients in the public and private sectors.

Our input varies depending on the needs of our clients and their customers, and on the stage at which we become involved. Prevention is better than cure – and usually much cheaper.

So we are able to assist from the planning and design stage through the construction and fitting-put procedures all the way to completion and snagging. And if things go wrong we can also offer expert witness services, although our aim is to try and avoid that with early intervention.

Our Managing Director, Ian Streets, is a member of the National Register of Access Consultants and the Access Association and as such works with BSI Standards, the UK's national standards body, to advise on appropriate designs for buildings and their surrounding areas. Ian has also been appointed to the Network Rail Built Environment Accessibility Panel.

About Access works with organisations of all sizes around the country, and on all property types from listed buildings to those still on the drawing board.

Successful outcomes are a more inclusive world in which disabled people are treated fairly and everybody else recognises that access is about procedures and policies as much as physical barriers.





Our services

About Access provides a variety of services to improve accessibility for disabled people.

The key to what we do is attention to detail. In particular we look beyond the obvious; we understand that people with hidden impairments can face the same sort of accessibility problems as someone whose disability is clearly visible.

We also recognise that some features of a building's design and lay-out can be identified very easily as obstacles to a disabled person, whereas with others the inconvenience is less evident.

Our services therefore extend from consultancy and accredited practical advice on disabled access to training courses on disability awareness and policies. We also address the provisions of the Equality Act that are relevant to access.

Our aim is to help companies and other organisations ensure that their premises are accessible, and their staff are properly trained and aware of the needs of disabled people and the business opportunities that can result from looking after them properly. Here are some of the services we offer to achieve that aim.

Access consultancy

New-build is an obvious situation where a business, local authority or other organisation might seek guidance from About Access.

However it may be that a building is to undergo alterations and the occupiers need advice about access around the new-look premises. There may be questions about new furnishings or colour schemes – on one occasion we were called in to advise on the possible impact for partially-sighted people of the pattern on a new carpet.

Generally, as access consultants we provide advice on how the requirements of people with impairments can be incorporated into the design and management of the built environment.

We ensure that the facilities and services in buildings are accessible to disabled and non-disabled people alike. We offer support throughout the property development process to completion. We can also assist where accessibility issues emerge due to factors such as customer complaints, helping to achieve resolution with minimum cost and inconvenience.



Access audits

Try working your way round a building using your elbow or a clenched fist rather than open hands and flexible fingers. You'll get an idea soon enough of whether office doors can be opened, toilet doors locked and lights turned on and off by someone who has difficulties with manual dexterity.

We take a fresh and comprehensive look at the facilities in a building, and we identify the problems that many may overlook because they haven't had much experience of working with disabled people, or because they are so familiar with their surroundings.

We approach a building from the viewpoint of disabled people – maybe noticing that someone with a hearing impairment might experience difficulties with the background noise at a reception point.

Our access audit reports are unique to each project. They are also free of jargon, produced with the end-user in mind, because there's no point in delivering a document that cannot be used or understood.

And because About Access doesn't sell any of the products recommended in our reports, you can be sure you will receive unbiased advice.

Design appraisals

A common misconception is that by designing a building to construction standards Building Regulations Approved Documents and BS8300 you will automatically comply with the disability provisions within the Equality Act.

But the Equality Act is less concerned with buildings than with service. It requires that provision is made to overcome the discriminatory effects of any physical features of a building that place disabled people at a substantial disadvantage.

We study accessibility provision from the earliest stage, looking at the plans and giving our advice at a point where corrections and improvements can be easily accommodated.

We use our experience and understanding to make recommendations that will assist a design team in incorporating features to improve access, and we also help them save time and money by avoiding potentially costly corrections once construction is under way – or even complete!



Access statements

A good Access Statement, promoting best practice and posted on your website can help people to make an informed choice about visiting your premises. It's another way of making your business stand out from the competition, and it's one of our most popular services.

The aim of the Access Statement is to explain the design principles around access and to argue the case for features that are an alternative to the conventional guidance in the Building Regulations Approved Documents M or K or from other recognised sources.

An Access Statement starts at the concept stage and is a living document, updated as changes are made to the building. It should be seen as a companion to documents relating to, for example, the heating and ventilation system.

This service enables you to show your awareness and appreciation of features within your property that might present a problem for disabled people, and to set out how you have managed to overcome or minimise the impact.

Strategic planning

The most effective way to approach the issue of disabled access is to make it part of your culture.

At About Access we help you develop your organisation with disabled access in mind. The built environment will form part of the process, but we also show you how to think at a higher level about how you are going to provide your services.

For example if you're buying a shop you should have an access audit done on the building, but if you're buying a chain of shops you should devise a strategy for all of them that is both comprehensive and cost-effective.

Such a strategy would cover buildings and people, because attitude and awareness are vital, and it would promote forward-thinking, helping to future-proof your business as legislation and facilities change.

We deliver our advice in a number of ways, from a simple phone call to a briefing or site visit, a referral to one of our specialist services or a booking on one of our training courses.



About Access training courses

About Access provides training in different ways, from an informal meeting with members of a trade association or professional body, to specific issues around disability or the built environment. It can be delivered to a range of businesses off-site, generating valuable interaction and enabling them to learn from each other's experience, or it can be in-house, direct to clients at their own premises.

We offer access audit training, disability awareness training, user needs, disability provisions within the Equality Act. It can be prompted by fresh guidance on disability issues, new premises, changed layout of premises, new staff. It is relevant to staff at all levels from senior management to shop-floor and customer-facing staff.

Our courses include the following.

Accessibility overview

Training for employees or for members of a trade association can cover any of our specialist areas and is flexible – we'll work with you to try and fit the things you need to know into the amount of time that you can spare.

Make yourself at home

A move to new premises or refurbishment of existing accommodation brings a need to anticipate the needs of people who can't see the splendour for themselves or who may face mobility difficulties as the result of the new lay-out. Our consultancy services can help you with the planning and implementation of such a move, and we also offer training for key people involved in the process.

The access audit

This two-day course covers the areas you need to know and be aware of when conducting an access audit. These include users' needs, and problems with the external environment, such as buildings, signage, colour and contrast.

We also look at the purpose of the access audit and the legislation which it should address – not just the Equality Act 2010 but also Building Regulations and health and safety law, because they all fit together.

The Equality Act

Our dedicated course will give you greater insight into what the legislation demands.

The Equality Act was introduced to provide protection throughout society against many forms of discrimination, but we only deal with the Act from the point of view of disability. We look at the terms of the Act, which people are defined as disabled, what sort of preventative and remedial measures are considered reasonable, what the various duties are for staff and visitors and what the impact is on local authorities and businesses.



Our clients and their customers

When disability is mentioned, most people immediately think of someone in a wheelchair, but in reality there are about 750,000 wheelchair users among a disabled population which is in the order of 11.2 million.

People with memory, concentration or learning impairments are said to have a hidden impairment. Such conditions are not obvious when looking at a person, whereas a mobility impairment is more easily visible.

Our aim is to stop people being discriminated against. We work with disabled people, their representative organisations and statutory bodies to reduce the likelihood of disability discrimination and to provide an inclusive environment.

Our advice and consultancy services are designed to influence businesses and organisations, whether they are dealing with colleagues or customers. We also provide guidance for a range of business professionals including:

- Architects/designers/surveyors
- Facilities/estates managers
- Human resources for training of staff
- Health and safety companies who are asked for access audits and don't provide the service.

We operate across the UK and internationally if required, and we provide services to a variety of buildings and property managers including:

- Retail and shopping centres
- Education sites
- Ecclesiastical buildings
- Local and national government
- Healthcare establishments
- Elderly care facilities
- Hotels and resorts
- Car park buildings
- Airports
- Railway stations
- Sports stadiums
- Housing associations
- Travel facilities
- Industrial sites
- Tourism
- Heritage

We are known for our straight talking and our no-nonsense approach. We listen to our clients, look at the issues and then give you the options so that you can make informed choices. And we complete all our work to set deadlines and agreed budgets.

For further information on how About Access can help you and your properties please contact Ian Streets, Managing Director, telephone: 01482 651101, email: ian@aboutaccess.co.uk website: www.aboutaccess.co.uk

