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isability Discrimination Act

The **Disability Discrimination Act** more commonly referred to as the DDA makes it unlawful to discriminate against people in respect of their disabilities in relation to employment and the provision of goods and services. The original 1995 Act places duties on service providers and requires “reasonable adjustments” to be made when providing access to facilities, services and premises. The legislation has been affected by a number of amendments since then all of which extend disabled people’s rights particularly with regard to premises and transport.

The DDA says that a person has a disability “if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities”. The rights begin from the point of diagnosis rather than waiting until they are affected by the disability, and the Act has also been extended to cover conditions such as HIV and cancer. It is estimated that one in five of the population is covered by Disability Discrimination legislation.

Many of the adaptations that need to be made in order to comply with the DDA are in areas such as recruitment, job descriptions, product design or hours of work all of which may affect people in the facilities team. However, the facility manager is most affected by the need to create accessible premises. In this the DDA overlaps in many areas with Building Regulations Part B and Part M and with British Standards BS8300 and BS5588 when implementing a new workplace or changing an existing one.

Physical features can create barriers that make it impossible or unreasonably difficult for disabled people to access the premises. These may be determined by design or construction of the building and its entrances and exits and can also be fitting, fixtures, furniture, equipment or machinery or anything else on your premises.

Typical problem areas include kerbs, steps, stairways, floor finishes, paving, doors, gates, toilets, washing facilities, lighting and ventilation. The DDA requires the building owner to make reasonable adjustments to overcome these barriers. This could mean removing the physical feature altogether or changing it so that it no longer creates a barrier, or it may be that a method of access that avoids the physical feature can be provided that is considered a reasonable alternative.

The Equality and Human Rights Commission has a number of useful guides on good practices in accessibility at their website www.equalityhumanrights.com and the BIFM has published a Good Practice Guide to Inclusive Access and the DDA which is free to members. See www.bifm.org.uk/bifm/knowledge/resources/goodpracticeguides