

Goods and Services

Bringing the DDA to life for small shops

Improving access to goods and services for disabled customers

Newsagent case study



The Disability Rights Commission

The Disability Rights Commission (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, students, 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’.

We work with disabled people and their organisations, the business community, Government, public sector agencies and the education sector to achieve practical solutions that are effective for employers, service providers, education providers and disabled people alike.

There are about 10 million disabled people in Britain – one in five of the population. This includes people with epilepsy, cancer, schizophrenia, Down’s syndrome and many other types of impairment.

Under the Disability Discrimination Act 1995, legal rights and obligations affecting disabled people’s access to services, employment and education are in force. The DDA was amended in 2002 to include education, some duties came into force in September 2002, some in September 2003 and some will come into force in September 2005.

Many people are still not aware that they have many new rights. In addition education providers, employers and service providers are often unsure how to implement ‘best practice’ to make it easier for disabled people to use their services or gain employment.

The DRC has offices in England, Scotland and Wales. For further details of how we can help you, please contact our Helpline – contact details are given on the back cover of this publication.

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

Clothes Shop

Hairdressing Salon

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 Newsagent (page 3) and Hints and tips (page 10) 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?

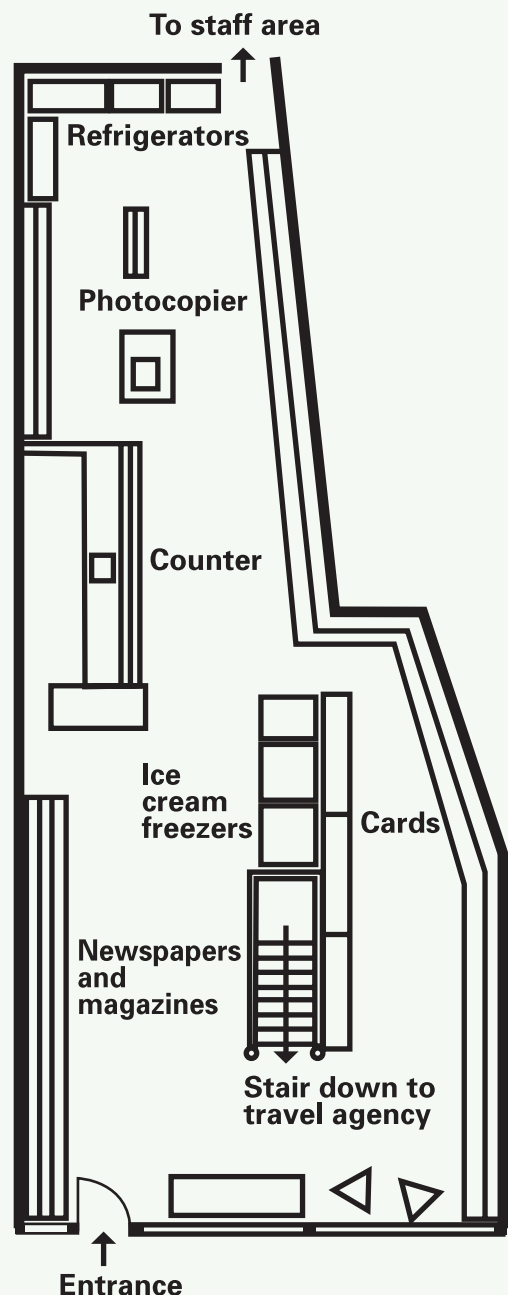
Apart from the fact that you have a legal duty under the Act to do what you reasonably can to make your services easier to use by disabled customers, there is also a strong business case. There are some 10 million people in the UK with some form of disability – a recent estimate put their collective 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: Newsagent

Hamdy's – a large, well-stocked newsagent on a busy high street – is a local landmark, having been there for over 15 years. The proprietor is a well-known local businessman who has a keen social awareness – for example, he has spearheaded a campaign to stop pornography being sold by newsagents in the area and is vigilant in local campaigns against shop crime and drug use. Situated over a travel agent specialising in trips to Egypt, the shop is laid out on one level, extending far back into the building. The entrance to the travel agent is inside the shop, down a steep staircase.

Key features

- proprietor and staff pride themselves in offering a personal service to meet the needs of all their customers
- since the shop has a lot of fast-moving custom, blind and visually impaired customers are escorted to a safe place where they can take the time to explain what they require. Staff then either bring the items to the customer or escort them to the appropriate location in the shop and take the time to go through the range with them.



- wheelchair users are helped over a small step at the front entrance. Once inside, most of the shop is accessible and the most popular goods are displayed on shelves within reach of wheelchair users
- signage identifying greetings cards in the display rack makes it very clear where to find stock
- lighting is generally good throughout the shop
- staff are selected according to qualities such as patience, concentration, attention, humour and care.



Approaching the shop

- from the High Street with 1500mm from two freestanding signs to pavement edge
- some cover from an awning
- large front windows have a lot of information posted inside, mostly concerned with the travel agent (located downstairs).

Options

Separate material relating to the travel agent from that of the newsagent, to make it easier for a visually impaired person to see what is there about each service.

Cost implication: none

Remove free-standing signs from pavement, which can be hazardous for people with visual impairments.

Cost implication: none

Door

- small step up (80mm) with good visibility and adequate access (830mm)
- good handle, with a good grip at an appropriate height (900–1130mm)
- rubber matting is becoming worn and the slight (20mm) difference to the carpet could cause some hindrance to a wheelchair user or person with mobility difficulty.



Options

Although not the responsibility of the shop, an approach could be made to the local authority about the possibility of grading the pavement to the front door.

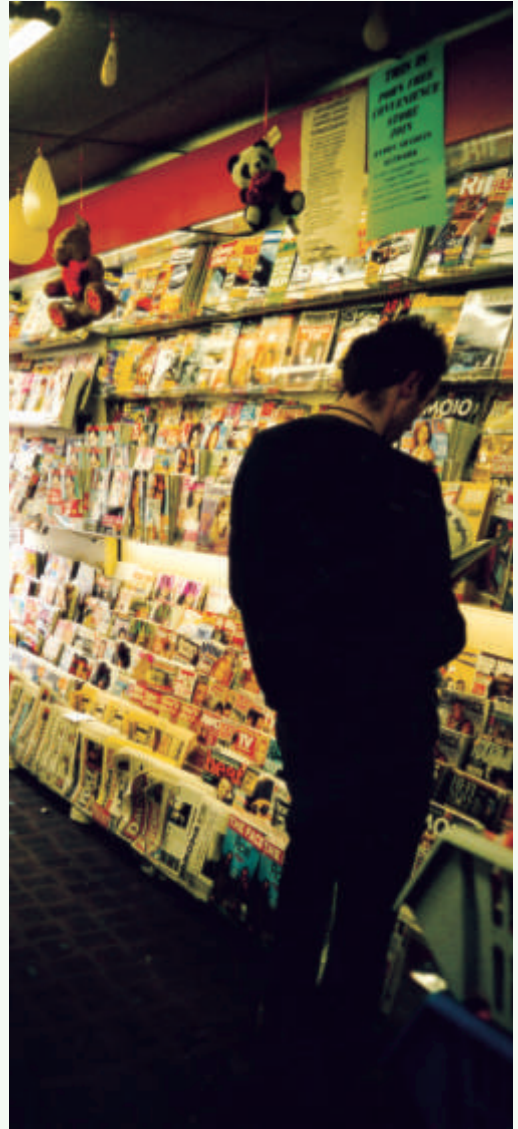
Cost implication: to be discussed with the local authority

Replace rubber matting and ensure smooth junction with carpet.

Cost implication: low – could be part of regular maintenance

Circulation within shop

- generally good ranging from 500mm (too narrow for wheelchair passage) to 1300mm
- narrowest area would be very difficult for most people to negotiate and impossible for a wheelchair user
- loose carpet tiles could prove hazardous to those with mobility or visual impairments
- steep staircase down to the travel agent is situated just to the right of the main entrance and blends somewhat with the other fittings – might not be immediately clear to a visually impaired person.



Options

Place clear visual hazard warning at the top of the stairs down to the travel agent.

Cost implication: minimal

Repair loose carpet tiles.

Cost implication: low – part of regular maintenance

Rearrange units to create better circulation where currently insufficient space (the proprietor was aware of the problem and was seeking ways to rearrange the various units).

Cost implication: low



Shelving

- stock is placed on shelving ranging from 500–1800mm and not all of it would be accessible to a wheelchair user
- it appears to be the case that the 'most commonly sold' stock is within the reach of wheelchair users
- the greeting cards rack is marked by signs perpendicular to the stock, in both upper and lower case, which makes it very clear to the user where stock is located.

Options

Use similar-style signs throughout the store providing visual indicators of location of stock.

Cost implication: minimal

Counter

- high (940mm – ideal would be 800mm) with no leg room underneath (the area being used for shelving of confectionery). There would therefore be no room for a wheelchair user to rest a cheque book or complete a form if necessary.



Options

Consider a lowered section of counter with leg room underneath for wheelchair access.

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

Photocopier

- customers pay at the counter to use the copier, but it is a rather awkward machine for people with mobility impairments to use and they would probably require assistance.



Options

Staff to offer help when required (as at present).

Cost implication: none

Drinks cabinets

- all open outwards (rather than sliding) which is preferable, with the lowest drink being at 500mm and the highest at 1550mm.

Lighting

- generally very good 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 consulting 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 product information displays
- providing 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 18).

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 have been 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 had 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

DWP1 Act Now Video

Shows the adjustments needed to make businesses accessible and ideas on how to do this.

EMP5 Guide for small business top tips pack

This guide will give you information to help you meet your duties as an employer under the Disability Discrimination Act (DDA) 1995. It will also enable you to take advantage of the considerable knowledge, skills and experience that disabled people have to offer.

FOCUS7 Creating an inclusive environment

What is 'Inclusive Design' and how can it achieve a built environment to be enjoyed by everyone?

SP5 Making access to goods and services easier for disabled customers

A practical guide for small businesses and other small service providers on how to make their premises accessible to disabled customers.

SP6 2004 – What it means to you: a guide for disabled people

The Disability Discrimination Act (DDA) gives disabled people rights in the way they receive goods, services or facilities. Service providers already have to change the way they deliver their services if they are difficult for disabled people to use. Since October 2004 these duties have become much more wide ranging – as this guide outlines.

SP7 2004 – What it means to you: a guide for service providers

Service providers already have a duty to make changes to the way they provide their services to disabled people. Since October 2004 these duties have become much more wide ranging – as this guide outlines.

SP10 Making your business open 4 all

A guide aimed to inform large businesses what they have to do in order to become more accessible to disabled customers.

Available free of charge from the DRC website and Helpline.

Designing for Accessibility: an essential guide for public buildings

Centre for Accessible Environments, 2004

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

£20.00

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

Centre for Accessible Environments, 2004

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.

£30.00

Both publications available from Centre for Accessible Environments (CAE), see contact details on page 18.

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

Customer Action File 1

Employers' Forum on Disability, 1999

Available from EFD, Nutmeg House,
60 Gainsford Street, London SE1 2NY
Telephone/textphone: 020 7403 3020

Organisations

DRC Helpline

FREEPOST MID 02164
Stratford upon Avon CV37 9BR
Telephone: 08457 622 633
Textphone: 08457 622 644
Fax: 08457 778 878
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 (CAE)

70 South Lambeth Road
London SW8 1RL
Telephone/textphone: 020 7840 0125
Fax: 020 7840 5811
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 (Head office)

Portside Business Park
189 Airport Road West
Belfast BT3 9ED
Telephone: 028 9029 7880
Textphone: 028 9029 7882
Fax: 028 9029 7881
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/textphone: 029 2088 7325
Fax: 029 2988 8702
Email: info@dwac.demon.co.uk
Website: www.disabilitywales.org

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: 020 7432 8009
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
Textphone: 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 above) maintains a list of access groups across the UK.


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

The DRC Language Line service offers an interpretation facility providing information in community languages and is available on the DRC Helpline telephone number.

You can email the DRC Helpline from our website:
www.drc-gb.org

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