

Providing Services for the Disabled in Public Buildings – The Law

Introduction

Recent changes to the law make it a **legal obligation** to provide specific, non-discriminatory services in any building used by the public. The DDA (Disability Discrimination Act) was enacted to vastly improve the quality of life for those who are termed 'disabled', though the benefits apply much more widely. Improved access to buildings, better welfare and bathroom facilities and critically, specific provisions for the hard of hearing, have all served to make being disabled far less of a challenge.

About 1 in 7 of the adult UK population currently suffers from some sort of hearing disability and this figure is set to explode as the effects of loud music from night clubs and personal music players works through an ageing population.

Hearing disability is largely misunderstood with a typical response being to shout loudly at the unfortunate person expecting this to solve the problem. It doesn't as hearing loss is more complex. Much work has been done on hearing disability and systems are now developed that can transform the lives of this group of people. In particular, Audio Frequency Induction Loop Systems (AFILS) (or viable alternatives) can be installed in all public buildings (both old and new) that fully meet the requirements of the DDA.

Providing these services is relatively easy although you will need some specialist technical help to start you in the right direction. Fortunately, help and equipment is relatively cheap and once installed, systems are very easy to test and maintain. We can help if you wish (<mailto:sales@dt4u.com?subject=Loop Provisions for the Disabled>).

Note: AFILS has been improved and refined over the years and the standards governing their performance (IEC118-4), revised. You **MUST** ensure your loop meets standards or make arrangements to upgrade it. A case in point is the old practice of throwing a few turns of wire around the perimeter of a hall (eg an ES amplifier installed in many KH or church buildings) which is incapable of meeting modern standards. See: <http://www.dt4u.com/dtsystems/khloop.php>

The introduction above provides a very simplified overview of the requirements. A much more detailed analysis follows with links out to many third party references. We are not responsible for these sites and information is provided in good faith. Please tell us if any links are broken, inaccurate or missing.

Access to services ref: <http://www.equalityhumanrights.com/your-rights/disability/access-to-services/>

The Disability Discrimination Act (DDA) gives you rights in the way you use services or receive goods.

It is unlawful for service providers to treat you less favourably because of your disability, and they must make 'reasonable adjustments' for you, such as giving you extra help or changing the way they provide their services. **Following changes to the law in 2004, service providers must consider making changes to physical features of their premises so that there are no physical barriers which prevent you from using their services, or make it unreasonably difficult for you to do so.**

It doesn't matter whether or not you pay for the service; it's providing the service that matters. Services include going to a restaurant, shopping for clothes or food, using the local library, **going to church** or visiting your solicitor or doctor.

A service doesn't have to be impossible to use before a service provider has to make changes. They also have to make changes when it's unreasonably difficult. They should think about whether any inconvenience, effort, discomfort or loss of dignity you experience in using the service would be considered unreasonable by other people, if they had to endure similar difficulties.

For more information on your rights when using goods and services, read <http://www.equalityhumanrights.com/your-rights/rights-in-different-settings/shops-and-services/>

See attachment SP5.pdf
Page 5 – October 2004 change in law
Page 8,9 includes hearing impairment

The following link first few sentences – service provider includes place of worship:

http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DG_4019061

more of the same:

http://www.direct.gov.uk/en/DisabledPeople/Everydaylifeandaccess/Everydayaccess/DG_4018353

Having ascertained that a place of worship is a service provider, the following discusses induction loops in cinemas – the same applies to places of worship as both involve listening to speech.

3rd paragraph down.

http://www.direct.gov.uk/en/DisabledPeople/Everydaylifeandaccess/Everydayaccess/DG_4018357

specific to hearing and the DDA from the RNID (Royal National Institute for the Deaf)

http://www.rnid.org.uk/information_resources/factsheets/your_rights/factsheets_leaflets/dda_guide_service_providers.htm

Loop specific

<http://www.rnid.org.uk/howyoucanhelp/campaignwithus/ourcampaigns/inductionloops/induction-loops.htm>

Summary

Recent changes to the law make it a legal requirement to make adequate provisions for the hearing impaired in all public buildings and places where services are delivered to the public. The term “adequate” may be open to some discussion and flexibility but notwithstanding that, proper provisions have to be made.

It obviously follows that if you have to install an AFILS to meet the requirements of the DDA, you should ensure that it works and is capable of meeting any internationally agreed standards (IEC118-4). Further, you need to be able to demonstrate when asked by the authorities that your system is operational. This implies a degree of organisation and record keeping.

The hardest part of an AFILS installation is the design and planning. Once fitted, systems are really easy to maintain and test. A well designed and fitted system will bring real advantages and benefits to all users and not just the disabled.

People are not proud of having a hearing disability and rarely if ever mention it, far less complain about poor services or a badly installed loop system. Imagine arriving at a venue eager to listen, yet hearing virtually nothing, being unable to contribute and unable to discuss what was said after. Having a working AFILS really IS important and DOES make a difference.