

Disability Discrimination Act 1995

Disabled people as customers. Are you open for business to all your customers?

Please note that this factsheet gives general guidance only and should not be treated as a complete and authoritative statement of the law.

In addition to employment the Disability Discrimination Act 1995 (DDA) also covers access for disabled people to goods, facilities and services.

Service providers have a duty not to discriminate against disabled people. The duty applies to **people who provide services to the public regardless of the size of the organisation**. Organisations like shops, cafes, government offices, banks, doctors, hospitals and solicitors etc... have duties under the DDA.

- Since **2 December 1996** service providers should **not refuse service**; provide a **worse standard** of service; or offer service on **worse terms** to a disabled person for a reason related to their disability. Similar duties apply to those selling or letting premises.
- Making changes - Since **October 1999**, service providers that provide goods or services to the public have to consider making changes to organisation practices which exclude disabled people. Where reasonable, they must also provide auxiliary aids and services to help disabled people use services i.e. provide **reasonable adjustments**.

For example, staff in a small cafe might read out the menu to a blind customer.

- Organisations must find a **reasonable alternative method** of delivering the service where a disabled person cannot gain access.

For example, a dry cleaners might take cleaning from a customer using a wheelchair at the shop entrance if steps into the shop would prevent the customer's access.

- Physical adjustments - From **October 2004**, organisations will have to take reasonable steps to **remove, alter or avoid physical barriers** that make it unreasonably difficult or impossible for disabled people to access their goods and services. This might, where it is reasonable to do so, include installing ramps or widening doors to allow wheelchair access.

Service providers do not have to wait until then to make changes. It is advisable to consider removing or altering physical features, which create a barrier to access for disabled people while any other building work or refurbishment is taking place.

The period before October 2004 is a time of transition and if you do not use it to prepare, the courts may take this into account when deciding whether you have acted reasonably.

What is reasonable?

Not all service providers will have to make adjustments, or at least adjustments on the same scale. The DDA only requires them to do what is reasonable in all the circumstances of the case, including the size of the business in question.

Organisations generally should benefit from the positive public image and increase of the market that the inclusion of more disabled people will mean.

Further Help?

Other factsheets in this series are available from:

Equality Commission

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