

Disability Discrimination Act

What is the Disability Discrimination Act?

The 1995 Disability Discrimination Act (DDA) was set up to protect disabled people against discrimination - both in employment and when using a service or facility. You can read the whole document at

<http://www.opsi.gov.uk/acts/acts1995/1995050.htm>

There have been three phases.

Phase I in 1996 made it illegal to treat disabled people less favourably because of their disability.

Phase II in 1999 required businesses to make 'reasonable adjustments' for disabled staff, by providing additional support or equipment. They also had to begin to alter the way they provide their services to customers, to allow for the disabilities that people might have.

Phase III since October 2004 businesses are required to make physical alterations to their premises to overcome access barriers. The example people most readily think of is installing ramps for wheelchair users although for Deaf people the usual issue is access to the same information that hearing people take for granted..

All companies are involved even those that employ fewer than 15 people.

How does this affect businesses and Deaf people?

All businesses have to make reasonable adjustments to their procedures in order to ensure that Deaf people can be included in their work or as customers. In addition, from October 2004 they have had to make 'reasonable adjustments' to their premises in order to make their services accessible to all disabled people. These adjustments also extend to training of staff in Deaf awareness.

This might include putting up clearer signs for Deaf or visually impaired customers, installing an induction loop for hard of hearing people or providing BSL translations of key documents.

The law says they can make the alterations in four ways:

- Remove the barrier or obstacle
- Altering the barrier by creating a new means of access
- Find a means of avoiding the problem – remove the requirement for voice telephone calls in certain situations
- Providing a service by reasonable alternative means. This may include using sign language interpreters.

The requirements are law and so when a Deaf person at work or a Deaf customer feels that there are unfair arrangements in place, they are able to take legal advice and if necessary begin legal action against the service provider or employer.

What if an alteration costs too much?

The DDA refers to 'reasonable adjustments'. If the cost of an alteration would put someone out of business it wouldn't be reasonable and would make that service less accessible to everyone. Bodies like the Disability Rights Commission (DRC) can advise people about the changes they must make.

How is the legislation be policed?

The Disability Rights Commission is the official watchdog and provides a continuous new update and advice on progress with the Act.

<http://www.drc.org.uk/open4all/>

If a Deaf people feel that a service is inaccessible or their employer acts unfairly, they will be able to approach the DRC to pursue the case in the courts if negotiations fail.

What if businesses have no Deaf customers?

That's no argument under the law. The duties under the DDA are 'anticipatory' so saying you have no Deaf customers will not provide any legal protection.

What are the risks of doing nothing?

There is a possibility of having to defend a costly legal action.

However, there are benefits as well. The DRC says that disabled people's spending power amounts to £50bn. DRC says that ignoring the DDA means losing custom - especially if competitors have already made improvements.

Other sources of information

There are many web sites and many guides which deal with the Disability Discrimination Act. You can start on our own web links at

<http://www.signstation.org/additional.shtml>

which give you a number of web sites which will provide advice and details.

The Disability Rights Commission has a direct responsibility to support business and to advise on rights.

<http://www.drc-gb.org/businessandservices/index.asp>