

BUILDING REGULATIONS GUIDANCE NOTE NHBC BUILDING CONTROL

DISABILITY DISCRIMINATION ACT 2005 & BUILDING REGULATIONS 2000

The Building Regulations require reasonable provision to be made for access to a building and use of facilities within a building. This can be achieved by following the principles of Approved Document M, or other recognised guidance such as BS8300. When undertaking building works or alterations, the design should therefore follow the guidance within such documents, noting any areas where compliance is not possible or practical within an Access Statement. This will provide a building that complies with the functional requirements of the Building Regulations.

The Building Regulations are however non-specific in terms of user needs, and focus on generic access issues to ensure reasonable provision for access and use. For buildings used for the provision of a service or employment, the Disability Discrimination Act 2005 (DDA) gives disabled people important rights of access to everyday services.

Everyday services include services provided by local councils, doctors' surgeries, shops, hotels, banks, pubs, post offices, theatres, hairdressers, places of worship, courts and voluntary groups such as play groups. Non-educational services provided by schools are also included.

Service providers and employers have an obligation to make reasonable adjustments to premises, or the way they provide a service. An important area will be building management and staff training, which should be considered early in the process.

A building can therefore be compliant with the Building Regulations but it cannot achieve approval under the DDA, as this legislation is focussed on specific user needs. The following should be considered in deciding what constitutes discrimination, and establishing any necessary alterations:

EMPLOYMENT

Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of premises occupied by the employer, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it is the duty of the employer to take such steps as it is reasonable to take in order to prevent the provision, criterion, practice or feature, having that effect.

SERVICE PROVISION

Reasonable adjustments should be made to any physical barriers that may prevent disabled people using a service, or to provide your service by a reasonable alternative means. Under the Disability Discrimination Act changes should be 'reasonable'. There is no rulebook, as different people have different needs, and some organisations can afford to do more than others, although this should not imply larger companies should provide more, but they may be able to offer alternative sites for the service.

CONSIDERATIONS

- Redecoration can be the easiest and most economical way of upgrading.
- Ensuring your premises are well lit and providing clearer signs.
- Providing an induction loop for a person with a hearing impairment, which can be a mobile unit.
- Providing seating, installing a permanent ramp and a handrail at the entrance to a building where there are steps.
- Replacing a door handle with one that is easier to reach and to grip.
- Lowering a reception desk so that it is more accessible for people who use wheelchairs.
- Using colour contrast to ensure entrances and exits are easier to use.
- Meeting a mobility-impaired person in a more accessible venue, or at their home if your premises can only be reached by a flight of stairs.

CHECKPOINT	PRACTICAL SUGGESTIONS
APPROACHING & ENTERING	
1. Can disabled people park near your premises?	<ul style="list-style-type: none"> - Have disabled parking bays - Consider making staff spaces available by prior arrangement - Ensure you can inform people where the nearest car park is
2. Is the entrance easy to find from the street or car park?	<ul style="list-style-type: none"> - Make the door a different colour to adjacent windows - Make the name and number of the premises clearly visible: signs which hang perpendicular to the building can be useful
3. Is the entrance wide enough for all users?	<ul style="list-style-type: none"> - Consider width for wheelchair users - If doorway cannot be widened, install a doorbell - Have glass panels in front door to see who is outside
4. Is the front door at street level?	<ul style="list-style-type: none"> - Install a permanent or temporary ramp (alongside steps) - Provide an alternative entrance accessible for all users - Speak to local council about the possibility of raising the street level
5. Is the door easy to open?	<ul style="list-style-type: none"> - Put door handle at an accessible height for wheelchair users - Use an easy-grip handle in a distinguishable colour - Install a magnetic device which holds doors open - Consider a low-energy automatic door operator
MOVING AROUND	
1. Is it easy to get around the premises?	<ul style="list-style-type: none"> - Ensure doormats are flush with the floor and avoid bristle matting - Remove clutter, widen aisles, ensure floors are not slippery - Put handrails each side of stairs and consider use of a ramp or lift (see separate guidance note on lift provision)
2. Is signage clear?	<ul style="list-style-type: none"> - Keep simple, short and clear (24pt text for shelf bar labels) - Have good contrast with background (e.g. black on white) - Use visual or pictorial symbols in addition to words
3. Is the lighting as good as it could be?	<ul style="list-style-type: none"> - Keep windows, lamps and blinds clean - Avoid glare by keeping highly reflective surfaces away from signs - Light up faces from the front rather than behind - Use extra lighting to highlight internal steps and safety hazards
4. Are floors, walls, ceilings and doors easily distinguishable?	<ul style="list-style-type: none"> - Use matt paint in contrasting colours or different tones
5. Is the fire alarm system and procedure effective?	<ul style="list-style-type: none"> - Supplement audible alarms with visual alarms - Ensure staff know how to assist disabled people in an emergency
USING FACILITIES	
1. Do your staff know how to serve disabled customers effectively?	<ul style="list-style-type: none"> - Allow more time - Talk directly to the disabled person, not a companion - Have notepads for exchanging notes - Accompany a blind person round the shop
2. Can all customers access goods and services?	<ul style="list-style-type: none"> - Try to provide all key facilities on the main floor - Place popular products on a mid-height shelf - Consider lowering the counter height for wheelchair users: provide a lap tray or clipboard if lower counter section is not available
3. Is seating available if necessary?	<ul style="list-style-type: none"> - Have somewhere people can sit down while they are waiting to pay - Use flexible seating, with and without armrests, and with space for a wheelchair user to pull up alongside a seated companion
4. If public WC facilities are necessary, are they accessible to all?	<ul style="list-style-type: none"> - Consider modifying the space to full wheelchair accessible standards, including getting to and from the toilet - If this is not possible, ensure you can tell people where the nearest accessible toilet is
5. Are alternative facilities available if modifications cannot be made?	<ul style="list-style-type: none"> - Consider providing the service in an alternative, accessible location either by appointment or perhaps on a regular basis - Provide an at-home service and make sure customers know about it

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