

**Adjusting for
Better Business**

The Disability Discrimination Act
A guide for small to medium sized businesses

Introduction

Running a small business means you are short on time so this booklet concentrates on the most important things you have to know about the Disability Discrimination Act 1995 (DDA).

We have highlighted your responsibilities and given some examples of how easy it is to make changes in line with the DDA – changes that could be beneficial to you and your business.

The DDA is a law designed to end discrimination against disabled people. It also meets the needs of small to medium sized businesses because it is flexible enough to take account of your business's individual circumstances.

What you are asked to do is mostly common sense.

This booklet contains information on:

- **What is in the DDA**
- **Who is covered by the DDA**
- **Meeting the needs of disabled customers**
- **Employing disabled people**
- **Better business checklists**

What is in the DDA?

Under the DDA, businesses have to make 'reasonable adjustments' so they do not discriminate against disabled customers or employees.

A reasonable adjustment is a change you need to make to your business in order to meet your duties under the DDA. The law has been designed so that you only have to make reasonable changes, but if you fail to do what is reasonable, a disabled person could take legal action against you for treating them unfairly.

You should consider the following when deciding what sort of change is likely to be reasonable for your company:

- **Type of 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 disabled customers and employees**

You can read about some practical examples of changes you could consider at www.dwp.gov.uk/dda.

You need to take the DDA seriously.
The DDA says that your business must not discriminate against disabled people.

You may have legal action taken against you if you treat a disabled person unfairly.

Who is covered by the DDA?

The definition of a disabled person used in the DDA covers a wide range of people including:

- **People with long-term health conditions, such as diabetes**
- **People with progressive conditions, such as multiple sclerosis**
- **People who have been diagnosed with HIV and cancer**
- **People with learning disabilities**
- **People with mental health conditions**
- **People who have mobility impairments**
- **Blind and partially-sighted people**
- **Deaf and hearing-impaired people**

It is not always obvious that someone is disabled. Generally you will not know if a person has a "hidden" impairment, such as a heart condition or diabetes, when you first meet them. These people can be covered by the DDA.

Some people who do not consider themselves disabled may also be covered by the DDA. This includes people with long term health conditions such as cancer, and older people, who can sometimes think of their impairment as part of ageing.

If you are in doubt if someone is covered by the DDA you can contact the Disability Rights Commission (DRC) via their website www.drc-gb.org or helpline: 08457 622633

Remember the DDA protects disabled people as both customers and employees.

Meeting the needs of disabled customers

The DDA states that you must not treat disabled customers unfairly. No matter what size your company is, if you can't provide your service to a disabled person, you must consider whether there are other ways of providing an equivalent service, such as home delivery where this is reasonable.

There are lots of things you can do; some changes don't cost very much, such as providing a seat for people who have mobility impairments and cannot stand for very long.

If you are unsure how you can assist a disabled person, you could consider asking them what you can do to help.

There are some examples of how other companies have made changes to meet the needs of disabled customers on our website www.dwp.gov.uk/dda.

You may not have to make expensive changes to buildings.

You do have to think about of the needs of your disabled customers and make reasonable changes.

Employing disabled people

Getting the right person for the job is often the biggest challenge for any small company.

The DDA does not ask you to do anything that will put your business at risk. You are not being asked to employ someone who is unsuitable for a specific job. What you are being asked to do is to treat everyone fairly.

You can promote your business to disabled people by including a statement in job advertisements to say you encourage applications from them. Think about putting job application forms in different formats like large print, and don't forget to think about whether you could hold interviews in accessible buildings.

Retaining an employee who becomes disabled could save you money. Keeping staff means holding on to valuable experience and avoids the cost of training new people. Small changes to the work environment can make a big difference to a disabled person. For instance, removing unnecessary furniture would help someone with a mobility impairment to move around the building more easily. You could also consider things like giving people time off to attend hospital or altering someone's working hours. You need to think about changes like this as part of your duties under the DDA.

Make sure you inform all your employees about the changes that you make as others could benefit too.

You will not have to employ someone who is unsuitable for a job and you don't have to make any changes 'just in case' you recruit a disabled person.

You will have to think about how you can keep employees who become disabled or have a long term health condition.

It would be good practice to start thinking what you could do to employ more disabled people.

Better business checklist for any small to medium sized businesses

These are the sorts of things you might consider when planning your reasonable adjustments.

Accessing your information

- Think about producing signs and labels in large clear text, in contrasting colours, (e.g. black text on a white or yellow background) and mounted at a suitable height.
- Could you produce leaflets, brochures, menus and other customer information in large print or other accessible formats?
- Can staff be trained to assist customers who may need help accessing information? This might include reading a menu out loud to a visually impaired person, writing down a price or speaking in simple, plain English for a person with a learning disability.
- Can people contact your business in a variety of ways e.g. by phone, textphone, email and fax? Some telephone companies enable hearing impaired people to phone them by linking the person to an operator who relays the conversation.
- When advertising your business you may want to mention accessibility and say that you welcome disabled customers.

Entering and moving around your premises

- It is a good idea to check that the entrance to your premises and the floor surfaces inside your property are level. Are there steps, steep slopes or lips on doorways that could make access difficult?
- If you have steps, you might fit a handrail or replace them with a ramp. If it is not reasonable to make physical changes to your premises, could you install a bell or buzzer at the entrance, and go outside to serve a disabled person?

- You could consider providing a personal shopping, home delivery or home visit service for people who can't get to your business.
- Could you clear corridors and aisles so they are wide enough for a wheelchair user to pass through?
- Provide a chair for customers who have to queue or wait.
- You might ensure premises are well lit and corners, steps and counter edges are marked with high visibility tape so they can be easily seen.
- Could you fit easy-grip handles or move existing handles to a more accessible height for wheelchair users?
- If you cannot provide parking, can you make a staff space available by prior arrangement or do you know where the nearest disabled space is?

Customer service

Making your services accessible makes good business sense because it means more customers can use them.

- You could train staff in disability awareness and provide assistance if people ask. This could include helping someone handle their money, carrying a product to a customer's car, offering to guide someone around your facilities, cutting up someone's food into smaller pieces or explaining something in a different way if someone doesn't understand.
- Consider keeping a record of all the access needs of regular disabled customers so you can automatically provide the right support every time they visit.
- If you normally ban animals, you should consider relaxing this for assistance dogs. Remember it is not just visually impaired people who use assistance dogs.
- It is a good idea to ask disabled people what you could do to improve things and act on their suggestions.

Employing disabled people

- Think flexibly, there are usually lots of different ways to do a job, so be open-minded to new ways of doing things. This could include job sharing and part-time work, allowing a disabled person to sit down while doing certain tasks or allowing several short breaks rather than one long one.
- Don't make assumptions about what people can and can't do. Some people may be able to do a job if you make some basic adjustments. This could be altering the job or workplace. You may also want to provide some personal assistance or adapt equipment.
- If you are unsure whether a disabled person can do a job talk to them about how they might perform certain tasks and what adjustments you might make to enable them to do the job, or do it better.
- Think about whether you could put job application forms in different formats like large print and don't forget to think about holding interviews in accessible buildings.
- If an existing employee develops a health condition or becomes disabled talk to them about how you could change their job so they can continue working. This saves you money on recruitment and means you don't lose their skills and experience.
- You could consider not counting time off work towards disciplinary or inefficiency actions if the time off is for rehabilitation, treatments or another reason relating to the person's disability.

These are some questions anyone who runs a small to medium sized business should be asking to make sure they meet their DDA responsibilities

Getting more information

By visiting www.dwp.gov.uk/dda you can find more information about how other small to medium sized businesses have adjusted for better business.

This website also has a list of national and regional organisations you can contact.

Additional copies of this booklet, or copies in accessible formats, can be ordered from

Telephone: **0845 1249841** Textphone: **18001 0845 1249 841**

Email: ddainfopack2@meads-ltd.co.uk

Or download them from www.dwp.gov.uk/dda

You can also contact:

Disability Rights Commission

DRC Helpline

FREEPOST MID O2164

Stratford upon Avon, CV37 9BR

Telephone: 08457 622 633

Textphone: 08457 622 644

Fax: 08457 622 611

Website: www.drc-gb.org

Access officers

Many local authorities have an access officer. These people can often give basic advice on access issues. Contact your local council for more information.

Local access groups

Local access groups are made up of disabled people who want to improve the access in their communities.

They can often help with tricky problems or provide information on how other businesses have solved access problems. By visiting www.dwp.gov.uk/dda you can find more information on access groups.

