

ACCESS AND FACILITIES FOR DISABLED PERSONS

Under the Equality Act 2010 churches are 'service providers,' for whom it is unlawful to treat disabled persons 'unfavourably because of something arising in consequence of their disability.' Churches are therefore required to do all that is reasonably within their power to enable people with disabilities to enter into activities provided by the church at a standard that is as close as possible to that offered to everyone else.

Enforcement of the Equality Act is only by civil action in the courts brought by disabled persons who think they have been discriminated against. It would be hoped that disabled persons sincerely wishing to worship in our chapels would not be of a mind to take any church to court for perceived discrimination. It would also be hoped that no church would discriminate against any such individual or need civil law to incline to the making of provision for disabled worshippers.

The general definition of disability is 'A person has a disability for the purposes of the Act if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.' Disability can include need to use a wheelchair, difficulty in walking, deafness, significantly impaired speech, blindness or partial sight, diabetes needing continuing treatment, epilepsy, significant learning difficulties, mental illness, severe disfigurement, worsening cancer or multiple sclerosis etc. (HM Gov 'Equality Act 2010 Guidance' gives extended definitions of disability.)

Discrimination is to treat a disabled person unfavourably because of something arising in consequence of their disability, or not making reasonable adjustments to enable them to take part in church activities. Reasonable adjustments might be changes to church procedures (e.g. service times); alternative methods of making activities available (e.g. relaying of services); provision of physical aids (e.g. loop system; deacon to help at entrance steps); adjustments to physical features of the building (e.g. access ramp; disabled toilet). Where there is a physical impediment for disabled persons desiring to take part in church activities, the Act requires that the impediment, if possible by 'reasonable adjustment,' be removed or altered or be made avoidable.

What is 'reasonable' depends on the effectiveness of any possible adjustment, how practicable it would be to carry out, the cost, the disruption involved, the financial resources of the church and the availability of financial assistance.

The following actions could be taken by churches.

- 1 If churches are to carry out any building works the designer should incorporate Equality Act requirements as reasonably possible. Part M requirements of the Building Regulations would ensure reasonable compliance.
- 2 If churches have any disabled worshippers they could review their provisions for such and consider making reasonable adjustments to their premises. If a church is short of funds the Trust could be approached to assess the possibility of a loan or grant.
- 3 Churches could carry out audits of their buildings with respect to service provision for disabled persons. To have an audit record with details of reasonable adjustments which have been considered together with a plan of action would indicate that a church is taking the legislation seriously. The website checklist gives some idea of the range of issues needing consideration by churches in all future design work and in any disability audit.

[Reference acknowledged: Baptist Union Guideline Leaflet L12: Churches and Disability Issues]

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