



# Guidelines for Hut Managers

No. 4

June 2016\*



## Disability Discrimination

### Scope and context

These guidelines are intended to help mountaineering clubs to understand the basic requirements of the legislation regarding disability discrimination and how it relates to the operation of mountain huts. These requirements need to be borne in mind with regard to current operation of huts and also as and when improvements are planned and implemented.

### Legislation

The Disability Discrimination Act 1995 (DDA) as amended by the DDA 2005 applied to all service-providers in England, Scotland and Wales, including private clubs with more than 25 members. It was deemed unlawful for private clubs to discriminate in any way against a disabled person.

### *Disability and the Equality Act 2010*

From 1 October 2010, the Equality Act replaced most of the DDA. See – [www.equalityhumanrights.com/legal-and-policy/equality-act/what-is-the-equality-act/](http://www.equalityhumanrights.com/legal-and-policy/equality-act/what-is-the-equality-act/)

However, the Disability Equality Duty in the DDA continues to apply.

Mountaineering clubs need to formulate and to adopt clear policies to comply with the legislation. This may involve modifications to their hut(s). Responsibility for compliance will rest with the officers of the club. It should not be assumed that disability means being confined to a wheel chair. A person is regarded as disabled if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out day-to-day activities. Impairments include those which affect mobility, manual dexterity, physical co-ordination, hearing and eyesight as well as progressive conditions, e.g. cancer or multiple sclerosis. Definitions of what constitutes disability can be viewed on – [www.gov.uk/definition-of-disability-under-equality-act-2010](http://www.gov.uk/definition-of-disability-under-equality-act-2010) .

A disabled person must not be treated less favourably for a reason relating to their disability compared to a person who is not disabled where there is no justification for doing so.

### Reasonable adjustments

Clubs are required to make adjustments that are 'reasonable', taking into account the specific circumstances of the case, including the cost of the adjustment and the resources available to the club to make the adjustment. It may be necessary to make adjustments to the physical features of a hut to improve access and circulation within it. The location of the hut is important. The need to make adjustments may be greater where a hut is located close or next to a public road than one that is more remote and less accessible. Clubs should seek the views of any of their members who are disabled as these may be helpful.

### Access audit

Clubs should carry out a disability access audit of their hut(s) to identify those aspects of the property that may cause disabled people problems. The audit should produce a list of things

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that could be done and things that would be very difficult, if not impossible, to do for various reasons – physical, financial, or due to planning restrictions. Whether the club has any disabled members and who else is allowed to use the hut are factors that may influence what is to be done. Where a club does not have the people with the necessary skills to carry out the assessment it should appoint a specialist access consultant to carry out the access audit.

## **Some Potential Problems and Possible Solutions**

### ***Access to and from the car park***

Uneven surfaces; poor lighting; gates; – level surfaces; improved lighting; consider improving the gate closure system.

### ***Access to the building***

Steps; poor lighting; door too narrow; – install a handrail; paint step nosings with bright paint; improve the lighting; fit a wider door; install a bell. Consider replacing the steps with a ramp or providing a portable ramp.

### ***Corridors and stair wells***

Lack of contrast between doors, door frames, wall and floor finishes; poor lighting; obstructions; – paint doors, door frames and walls in contrasting colours; improve lighting; remove obstructions.

### ***Common room / dining room***

Poor seating arrangements and circulation; lack of contrast between doors, door frames and floor and wall finishes; poor lighting; – improve the seating arrangements, circulation and lighting; install seats with armrests and high backs; paint the doors, door frames, and walls in contrasting colours. Consider fitting an induction loop for hearing-impaired people if practicable.

### ***Kitchen***

Poor lighting; badly positioned switches; taps difficult to operate; – improve the lighting (minimum 400 Lux); re-position the switches and ensure that they are easy to see; fit lever operated taps.

### ***Toilets and showers – sanitary provision***

Poor lighting; poor facilities; slippery surfaces; steps; raised thresholds; falls in showers; – improve lighting; improve facilities; install non-slip surfaces. Consider ways to obviate steps, raised thresholds and falls in showers.

This is a very important area and people with ambulatory problems and sensory impairments require aids and certain features to assist them. Consider providing one unisex toilet, shower and washbasin for disabled people.

- Toilet – install grab rail, shelf for medical bags, waste bin and pull-cord alarm.
- Basin – install a basin with a height of 740mm, fit lever type turns on taps, install soap dispenser.
- Shower – install grab rail and slip reducing tiles, fit a lever-turn control dial on the shower, with a thermostatic control set at 41° C, install a very well fixed fold-down seat.

### ***Stairs***

Too narrow, lack of contrast between the stairs and walls – improve the contrast between the stairs and walls by painting them different colours; improve the lighting maybe by fitting wall lights.

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## ***Sleeping accommodation***

Poor access to beds, bunks and to dormitories; sloping ceilings in dormitories – improve the access where possible; paint the corners of the sloping ceilings in a contrasting colour. Consider providing sleeping accommodation at ground level where all the beds are upstairs. Consider fitting a bedside light with accessible, easy-to-operate switch.

## ***Fire safety and emergency escape***

Signage may not be clear; people with hearing or visual impairment may not hear the fire alarm or see the fire exit directions; people with ambulatory problems may face difficulties getting out of the building; – improve the signage; install a fire alarm system (see guidelines nos. 3.1 and 3.2) that incorporates audible and visible warnings. Try to establish a system to ensure that disabled people are able to get out of the building quickly in an emergency.

## **Commission for Equality and Human Rights (CEHR)**

The CEHR exists to promote equal opportunities for disabled people and to promote good practice in the way disabled people are treated. It provides information, advice and support to disabled people. It also offers a conciliation service for disabled people and service providers.

## ***Enforcement***

A disabled person who suffers discrimination can claim damages in the county or sheriff court. Alternatively, he or she may use the CEHR's conciliation service to resolve their case without resort to the courts.

## **Publications**

### **Sport England**

- *Accessible Sports Facilities 2010* : Design guidance note – Conveys the current requirements for accessible sports facilities and should be read together with *Accessible Sports Facilities: Design guidance note; Audit check list* (October 2012).

Both of those publications are downloadable –

[www.sportengland.org/media/4508/accessible-sports-facilities-2010.pdf](http://www.sportengland.org/media/4508/accessible-sports-facilities-2010.pdf)

[www.sportengland.org/media/4246/accessible-sports-facilities-audit-check-list-october-2012.pdf](http://www.sportengland.org/media/4246/accessible-sports-facilities-audit-check-list-october-2012.pdf)

### **English Federation of Disability Sport (EFDS)**

The following resources (in .pdf) are available from the club resources pages on the EFDS website –

- *EFDS Physical Access Check*. This document is a useful checklist to gauge how physically accessible your club's facilities are. It includes the journey from home to club.

[www.efds.co.uk/assets/0000/3468/EFDS\\_Clubmark\\_Physical\\_\\_Access\\_Document\\_3.1.pdf](http://www.efds.co.uk/assets/0000/3468/EFDS_Clubmark_Physical__Access_Document_3.1.pdf)

## **Websites and contact details**

Commission on Equality and Human Rights (CEHR) [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

CEHR Scotland [www.equalityhumanrights.com/scotland](http://www.equalityhumanrights.com/scotland)

CEHR Wales [www.equalityhumanrights.com/wales](http://www.equalityhumanrights.com/wales)

*Contact details* –

The CEHR has offices in London, Manchester, Cardiff and Glasgow. Contact details (postal address, 'phone, fax and e-mail address) can be found on –

[www.equalityhumanrights.com/about-us/about-commission/contact-us](http://www.equalityhumanrights.com/about-us/about-commission/contact-us)

**Sports Councils >>**

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## Sports Councils

Sport England [www.sportengland.org](http://www.sportengland.org)

sportscotland [www.sportscotland.org.uk](http://www.sportscotland.org.uk)

Sport Wales [www.sportwales.org.uk](http://www.sportwales.org.uk)

Each of those websites provides access to information on a range of disability issues.

English Federation of Disability Sport (EFDS) [www.efds.co.uk](http://www.efds.co.uk)

National Register of Access Consultants [www.nrac.org.uk](http://www.nrac.org.uk)

**Note:** If viewing this .pdf while online then clicking on any [URL](#) will take you to that website.

## About Hut Guidelines

These guidelines have been produced by the Huts Group of the British Mountaineering Council and the Huts Advisory Group of the Mountaineering Council of Scotland to assist those operating mountain huts in Britain.

Contact the BMC Huts Group by e-mail – [huts@thebmc.co.uk](mailto:huts@thebmc.co.uk) or telephone 0161 445 6111.

Contact the MCoFS Huts Advisory Group by e-mail – [huts@mcofs.org.uk](mailto:huts@mcofs.org.uk)

**Websites:** [www.thebmc.co.uk](http://www.thebmc.co.uk) and [www.mcofs.org.uk](http://www.mcofs.org.uk)

**URLs:** If any of the URLs (web addresses) given on the preceding pages are found to be 'dead links' please notify [huts@mcofs.org.uk](mailto:huts@mcofs.org.uk)

**Disclaimer:** These guidelines were revised on the date shown below and the information herein is believed to be accurate at the time of writing. No responsibility can be accepted for any loss of benefit or entitlement arising through use of these guidelines – they are not intended to be definitive.

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These guidelines are updated periodically; to check on the currency of this version go to one of the websites above where the latest version will always be displayed.