

Employer's responsibilities and the need for inclusive premises

Other speakers will have covered aspects of the legislation in relation to HR and procedural processes. I want to explain how the built environment or workplace affects equality. Whilst there is no requirement to wholesale amend buildings, the more accessible the workplace, the easier it is to provide the conditions for all people, including disabled people, to equal independent working conditions.

All employers have a legal duty to make reasonable adjustments throughout their disabled staff members' duration of employment. A reasonable adjustment may include; phased return to work, part time or flexible hours, additional support, reassignment of some work, provision of equipment and *changes to premises*.

So what does the changes to premises mean? There are many considerations regarding disabled people's needs that can be assessed and reasonable measures implemented to meet the likely requirements of the legislation, premises and operational policies alike.

Any changes required should be reasonable and practical and of course there is the potential to use *Access to Work*. When considering an individual, employers would be wise to obtain an Occupational Therapists assessment to ensure that changes will meet their staff member's needs. If you are wanting to future proof your premises, then developing a process to analyse the working environment is essential.

There are many factors that determine the way in which a building, premises or environment is built, commissioned, altered and operated. How do you avoid any problem arising from a physical, or building managerial policy? It should be understood that there is no technical standard applied to the equality legislation, however, measures need to be reasonable, provide equality and independent use.

If undertaking a new building, ensuring that the building meets best practice guidance and allowing for any known demographics, should reduce any future costly challenges or changes. It may still be necessary to make amendments, or provide suitable equipment for individuals.

Although in many existing buildings it is likely that there will be a need for some physical alterations, by understanding what is required and employing a strategic approach to change, the inherent cost and disruption can be reduced.

Initially, undertake a strategic analysis (risk assessment) considering your liabilities in regards to duties to employees. This relates to the usage, not the building design. Understanding how, when and who accesses your building, will help identify the risk and once this is tested against the diversity of people, it will present a picture for future developments. We are not Mr. Average, we grow old, are tall, short, fat and thin and have children who will affect our needs and influence our demands and many will have temporary disabilities. Wheelchair users only account for 5-8% of disabled people. There is a huge diversity of needs for people with disabilities, such as, sensory impairments, dexterity,

cognitive impairments, health issues, perception of risk and short stature, to name a few.

Thereafter, evaluate current operational policies and practices already adopted; draw up a strategic operational plan in relation to practices and procedures, addressing liabilities and omissions highlighted by the analysis. This review should contain short, medium and long term goals. At this point an *Access Statement* outlining the companies approach to inclusion should be implemented. This statement is a mechanism to agree and develop policies.

Part of the plan will be to research and agree appropriate performance standards for your circumstances. Appropriate design criteria should be identified for the purposes of auditing, premises agreements, or, design reviews of new works and projects. These can be from a variety of sources including:

- Building Regulations B, M and K
- BS8300 & BS9999
- Accessible Sports Stadia
- Inclusive Mobility
- Sign Design Guide

For existing buildings, complete an audit. This should be tailored to; a business's specific requirements, such as, the location, function, planned works and any special issues, i.e. listed status, etc. The audit should prioritise actions and have a recording mechanism.

This should lead to an *Action Plan*, which when using the audit and property management review will result in a strategic achievable programme for the implementation of measures.

For new buildings or planned alteration works, there are a number of key stages:

- A brief should be developed which reflects the performance standards agreed and the long term inclusion goals.
- Ensure the suitability of the design team, including either identifying an inclusion mentor, or employing an Access Consultant from the start.
- Identify and confirm the sequence and proposed timing of approvals, relevant agencies and related performance criteria, which will feed into the process and may have a fundamental effect upon any changes required. For example:
 - Planning permission
 - Building regulations
 - Fire and means of escape
 - Licensing
 - Funding
- Ensure that inclusion should be an item on every Design Team Meeting agenda.
- Design reviews should be undertaken at all stages of any development.
- A useful tool, are Access Statements, which highlight decisions agreed and outstanding matters for following stages.
- A close out report at the end of the project will identify any management requirements, including future works. It could also include maintenance policies and guidance for assisting in the fire evacuation strategy; make it what you want it to be.

There are many areas where good design creates an inclusive, safe and comfortable environment for all to use. For example:

- Good acoustics reduce anxiety in many, as well as, improve the environment for sensory impaired people.
- Carefully placed parking encourages staff to attend work, particularly in inclement weather.
- Centralising lifts and accessible toilet provision reduces travel distances.
- Providing accessible showers.
- Sound enhancement systems for meeting rooms.
- Flexibility of spaces proving open plan and enclosed spaces.

The final point to mention, although it may be one of the first things implemented, is the need for consultation. It may be wise to establish a services consumer group of disabled people, representing the diversity of disabilities, gathered from representative organisations, staff or catchment areas. The consumer group could work collaboratively to agree the effectiveness of any operational plans and assist in design development and an agreement of strategies.

Ensuring that your premises and operational policies are accessible will not only be beneficial to staff but will rapidly become a firm requirement when seeking, building or adapting premises. Effective workplace management requires a clear strategy, free of barriers. However, we would not recommend wholesale auditing; determining a strategy from the outset, prior to any physical audit being commissioned or remedial works prioritised and ultimately funded, is crucial.

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