

ACCESSIBILITY ON THE HIGH STREET

Ensuring equality on Britain's high street



There are 12 million people in Britain with disabilities - a considerable portion of the UK's spending power. An audit conducted in 2014 by accessibility information providers DisabledGo found that thousands of retail venues have failed to adapt their premises, missing a trick financially whilst also failing to make the reasonable adjustments they are required to by law.

Last month saw the first such case making it to the Supreme Court. Doug Paulley was challenging the Court of Appeal's decision that FirstGroup Plc did not fail in its duty to make reasonable adjustments when operating its "first come, first served" policy for the wheelchair space. Although this case concerns public transport, it has highlighted the extent to which customers with disabilities encounter barriers to their full participation in society. When the decision is handed down, the reasonable adjustments duty will be under the spotlight, and the extent to which service providers must adapt their premises and practices to ensure equal access for customers with disabilities.

The reasonable adjustments duty requires a service provider to anticipate the needs of disabled customers in advance. It is also a duty that is owed to disabled persons generally. Service providers must consider how customers with visual, hearing, manual dexterity, mobility and cognitive impairments may experience difficulties when accessing their services. It is not sufficient to wait until a customer complains about the quality of service that they have received. Where customers with disabilities may be put at a substantial disadvantage compared to non-disabled customers, the service provider must make reasonable adjustments to remove or ameliorate the disadvantage.

DisabilityGo's 2014 audit revealed the extent to which the high street remains inaccessible for disabled people. One in five shops had no disabled access, despite the fact that obligations to make reasonable adjustments have been in place for 20 years. In March 2015, the BBC reported how many restaurant chains and other retailers had taken on board the findings of that survey by improving access to their premises, providing staff with training and repairing defective equipment.

However, the duty to make reasonable adjustments is a continuing one and must be kept under review in light of customers' experiences and the way in which service delivery methods change. While some service providers may have taken steps to address physical access, the overall experience in-store and online must not be overlooked.

A research survey called "The Click-Away Pound" was launched in January 2016 to examine the experience of customers with disabilities when shopping online. It builds on the work carried out by the Extra Costs Commission and Business Disability Forum who reported on 23 June 2015 that 75% of customers with disabilities take their business elsewhere after encountering inaccessible services. Early findings from the "Click-Away Pound" survey highlight a range of barriers for customers with disabilities, including websites with small print, moving images, large blocks of text, poor colour contrast and broken links. Customers with hearing impairments report a lack of captions or text transcripts of spoken content on websites, while those with visual impairments explained how payment forms failed to work with screen readers. If websites are

inaccessible, the retailer is effectively excluding customers with disabilities from its store. According to the Business Disability Forum, the retailers who do not provide accessible services are losing out on their share of £1.8 billion per month.

Where service providers get it right, it can reap rewards in terms of the brand and customer loyalty. Asda reported a really positive response to a "quiet hour" when in-store music and display TVs were turned-off for customers with autism. EDF has been singled out by the Business Disability Forum for its personal support service for customers with disabilities. Service providers must keep the way in which they deliver services under review to ensure that they provide a positive experience for a diverse customer base.

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