

Information sheet

The Disability Discrimination Act (DDA) 2005 amends and builds on the DDA 1995 and covers important new duties including:

- Part I of the Act: the definition of disability is widened
- Disability Equality Duty: this comes into force for school in Wales on 1 April 2007 (see Section 4 of the toolkit for more information on this).

Disability Discrimination Act 1995, Part II – employment duties

Schools are bound by the DDA as employers of disabled staff members.

Disability Discrimination Act 1995, Part III – goods, facilities and services

Part III covers the provision of goods and services directly to the public. This includes:

- the private sector and the public sector;
- voluntary and community organisations;
- large and small organisations;
- services that are free or paid for.

This includes Community Focused Schools services, facilities and activities not covered by Part IV of the Act.

Duties under Part III of the Disability Discrimination Act 1995

1 Duty not to treat a disabled person less favourably for a reason related to their disability/impairment

There are three types of less favourable treatment:

- refusal to serve a person;
- providing a disabled person with a service on worse terms;
- providing a service of a lower standard or in a worse manner.

2 Duty to make reasonable adjustments

Service providers are under a duty to make 'reasonable' adjustments where it is otherwise 'impossible or unreasonably difficult' for a disabled person to use that service, by:

- changing practices, policies or procedures;
- providing auxiliary aids and services;
- overcoming physical features which present a barrier.

Where a physical feature makes it impossible or unreasonably difficult for a disabled person to make use of the service, a service provider must take reasonable steps to:

- remove it, or;
- alter it so that it no longer has that effect, or;
- provide a reasonable means of avoiding it, or;
- provide a reasonable alternative method of making the service available to disabled people (but this must not be of a lower standard).