

The fact that many MPs still have to make physical alterations to their own constituency offices leaves many disabled people wondering if there is real commitment to change. MPs receive public money for their offices; as citizens and taxpayers, disabled people might rightly feel aggrieved that their access needs are still being ignored. Fortunately, many MPs have made efforts to make themselves more accessible to their constituents by using facilities, such as community centres, available in their local areas. There are still groups of disabled people for whom even this may cause problems, for example people with sensory impairments.

The task of finding out about a surgery for those with a visual impairment is an issue MPs need to consider. Not all visually impaired people have copies of 'Talking Newspapers'. Perhaps more disturbing are the barriers that hearing-impaired people face when accessing their MP. Only one MP in this survey had an available induction loop system. Others made the assumption that community venues they used had these facilities, which may or may not be so. None of the MPs had a minicom or textphone facility, although one MP used British Sign Language himself (level unstated), and another employed a member of staff who could use BSL (level unstated). None of the MPs in the survey mentioned that hearing-impaired constituents might gain access to them through 'Type Talk'; it is difficult to conclude whether MPs are familiar with this facility.

For people with arthritis in general, it is time that MPs reviewed the accessibility of their offices. Ramps (portable or permanent), doors that open easily, door handles that are easy to grip, level access offices, seating that is not low and is stable, accessible toilets, all of these are achievable today. For those MPs using local venues, it has been taken for granted from their responses that these community centres have all of these access requirements. But it is the responsibility of the MP to check this for themselves.

3.2 Recommendations

1. MPs set an example over access issues and ensure that their constituency offices are fully accessible.
2. This will include addressing the access needs of hearing impaired people.
3. In line with recommendations in the new Disability Discrimination Act 2005, MPs should consult with local organisations of disabled people over access issues.

References

Independently, August 2005, the newsletter of the National Centre for Independent Living, London.
Oliver, M (1990) The Politics of Disablement, Basingstoke, MacMillan



ARTHRITIS CARE

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Access2Power

Findings of the survey conducted in 2005

1 Overview

In late 2004, it came to the attention of the Regional Campaigns Manager of Arthritis Care in Central England that the constituency office of a West Midlands MP was inaccessible to wheelchair users. Consultation with Arthritis Care members around the region showed that this was not an isolated case. This launched a pilot survey of MPs in the East Midlands, to find out how accessible their offices are, one year after the implementation of part three of the Disability Discrimination Act 1995. The Act is intended to remove physical barriers to access for disabled people. Where the removal of such barriers is impractical, or not possible, then reasonable adjustments should be made to deliver a service. A 'reasonable adjustment' for an MP is generally considered to be a home visit. Many MPs in this survey use multiple venues around their constituency. These are usually modern community centres that are accessible.

Physical access in this survey goes beyond getting into a building. It includes visual amenities and services, such as lighting and signage. It also includes facilities for hearing impaired people, such as induction loops and the provision of minicom or text phone facilities. For physically impaired people, it covers access ramps and the provision of accessible toilet facilities. Some questions were specific to people with arthritis, but most aimed to cover a broad range of impairments.

It was not in the remit of this survey to cover problems of access experienced by people with a learning difficulty or mental ill-health.

There were clear examples of good practice, for example, one MP employed a disabled person on his staff; another had learned British Sign Language. There is also a suggestion that whilst MPs enacted the legislation, they have not taken the opportunities that their position in society affords them, and led the way in removing physical barriers to access. An opportunity has been missed, both for them and for disabled people.

A copy of the survey and results can be obtained from the author (see end of this report). No MPs' names are used in this survey or report.

1.1 Facts and figures

- The 31 MPs serving Derbyshire, Lincolnshire and Nottinghamshire were surveyed
- 13 MPs responded, representing 40% of those surveyed
- Many MPs answered only part of the survey
- 80% answered questions relating to facilities they provide for hearing impaired people
- 11 of the 13 respondents did not have a minicom or text phone. The other 2 respondents did not answer this question directly
- 5 MPs stated that their entrance doors were heavy; this is of particular significance for people with arthritis
- 6 of the MPs' offices had a step or other obstacle at the front entrance

2 Findings

2.1 About the Disability Discrimination Act 1995

On 1 October, 2004 part three of the Disability Discrimination Act 1995 (the Act) was implemented. Members of Parliament from all sides of the House of Commons had supported the implementation of the Act. The aim of the Act was to remove physical barriers to access to the built environment for disabled people. It has long been recognised by disabled people that barriers to full participation in mainstream, social, economic, political and cultural life is caused by barriers designed into the physical environment by non-disabled people, and perpetuated by attitudes that see disabled people as 'dependent' (Oliver, 1990). The Act suggests that where removal of these barriers is either impossible or impractical, then 'reasonable adjustments' should be made. Impossible and impractical is not likely, except possibly if a building is listed, and even then it can often be successfully challenged. There is certainly the possibility that small, independent retailers may be excluded from making physical alterations if the cost of making the alteration would leave them at risk of financial instability. The exact definition of what makes a reasonable adjustment is unclear. It includes some other way of delivering a service normally carried out in a service provider's premises that does not disadvantage the disabled person. This may include temporary physical alterations, such as a moveable ramp, or the provision of a bell to draw attention to staff inside a building that a disabled person requires assistance. It is far more difficult to provide a 'reasonable adjustment' in these circumstances to a person who has a sensory impairment, especially if the service on offer inside the premises is not some form of commercial activity.

2.2 Reasonable adjustments and MPs

What 'reasonable adjustment' might a MP make? Remember that as the legislature responsible for implementing the Act and ensuring access to our democratic representatives - a fundamental feature of our civil rights - you might not expect too many reasonable adjustments to be made. It is worth considering that the aim of the Act is access to the built environment where barriers to access have, prior to the Act, denied disabled people access.

2.2.1 Access to MPs' offices

In the main, where there were barriers to access for physically and visually impaired people, such as a constituency office being situated up a flight of stairs, or having a step at the entrance, the following 'reasonable adjustments' were made:-

- Providing a bell or intercom at the front door – MPs would then either interview the disabled person in a downstairs room (where available), or arrange to visit them at home.
- Potential problems could include reliance on either a member of the MP's staff, or the MP themselves, being in the office at the time.
- Can the disabled person access and locate the bell or intercom?
- The inconvenience to the disabled person, who may not have disclosed their impairment at the time of booking an appointment.
- Further problems may be posed by a lack of privacy. It has been known, as with the case of the MP in the West Midlands constituency, for a disabled person to be interviewed in a cold public lobby with other people passing by. There is no substitute for an office that considers the access needs of all disabled people.

2.2.2 Home visits

Home visits would seem the ideal solution to the problem of lack of physical access. However, there are potential problems with this too, not least the fact that part three of the Act is intended to enable disabled people to leave the four walls of their home environment, and access the built environment on the same terms as non-disabled people.

So, whilst a home visit satisfies the legal requirements placed on an MP in the Act, it does not address the 'spirit' of the legislation. Once again, it may also compromise privacy for the disabled person, who may not want their neighbours to know that they have an issue that their MP is dealing with, especially if the neighbour is the issue.

There is a real difficulty here for hearing impaired people too, because very few MPs surveyed had facilities to deal with enquiries from the deaf community. If there is no minicom/text phone in the constituency office - and none of the MPs who responded did have these facilities - then how will someone from the deaf community gain access to their MP? Fortunately, two MPs said that someone on their staff used British Sign Language (level not specified). This, however, requires the hearing impaired person to be able to contact their MP in the first place to make an appointment. However, when other access needs, such as minicom, are in place at the constituency office, a home visit may still offer a solution for many disabled people.

2.2.3 Use of local venues

Use of local venues, such as community centres, is another solution to physical access needs. All venues are now compelled by the Act to remove physical barriers to access. Even here, there are numerous potential problems. Whilst this may seem like a 'glass half empty' response, it is difficult to deny that many disabled people will still not have access to their constitutional representatives.

For example, some people with disabilities (both young and old) will have difficulties getting to these venues. Not all disabled people drive, or have personal assistants to drive them. Community care delivered by local Social Service departments and agencies is not flexible enough to provide staff to accompany disabled people who need this kind of support. Whilst the provision of direct payments ought to make a difference, in some areas - Nottinghamshire County Council for example - budget shortfalls have meant that even the potential flexibility that a direct payments package should offer is rare. For disabled people and older people who live in rural areas without transport, this has the potential to compound the difficulty. If you have a visual impairment, then the opportunities of finding out about where your MP is holding a surgery are limited. However, this method of meeting an MP is by far the most accessible.

3 Conclusion and recommendations

3.1 Conclusion

Twelve months after the implementation of part three of the Disability Discrimination Act 1995, accessing the built environment for disabled people is still far from easy. The recent case of the disabled man in Derby taking Debenhams to a tribunal is a case in point (Independently, August 2005). The hope that this Act would bring about the participation of disabled people in the social, economic, political and cultural life of their communities may still be some way off.