

Diocese of Sheffield



DAC Guidance Notes



Providing for people with  
disabilities

### Introduction

This guide is aimed at helping you to make your church more welcoming and accessible to people with disabilities. The term 'disability' covers a wide range of impairments, physical and mental in nature. Although a barrier usually occurs because of a disability, it is caused by the situation rather than by the disability itself. For instance, a person using an electric wheelchair is not restricted or limited if doors are wide enough to allow him or her to pass through them, or if there are ramps and lifts doubling steps.

Providing for people with disabilities is not about treating them specially, quite the opposite in fact: it is about enabling them to join in with the activities of the rest of the church community without having to be treated in a special way. It is important to consider your building in relation to all disabilities, not just those represented in your current congregation. Even if there is no one currently among your regular worshippers who has a disability, it is entirely possible that one day someone who does might visit your church to attend a wedding or funeral or participate in the service. Don't forget that some disabilities – deafness, for example – aren't immediately obvious.

Legislation has been phased in over a number of years, culminating in the Equality Act of 2010, stipulating that all service-providers should make what it terms "reasonable adjustments" to their buildings so that disabled people can make full use of them. This act is a civil, not a criminal law so fines cannot be levied for non-compliance. However, legal action can be taken – not just by people with disabilities, but also potentially by bodies such as the Equality and Human Rights Commission, for example – if it can be shown that discrimination has been suffered. Such cases are, fortunately, rare and prosecutions are only brought as a last resort after all attempts at reconciliation have failed. But parishes do need to be able to show that they have thought through the various issues. Decisions made, and the reasons for them, need to be recorded in writing, so it can be shown that the Equality Act has been given proper consideration.

Yet ultimately the important thing about making your church accessible to people with disabilities is not doing something simply because the law requires it but having an active desire to be inclusive. Don't forget that church buildings can often be made accessible to people with disabilities without the need for major alterations. Providing a ramped entry from the road, widening narrow doors, putting in ramps up internal steps to chancels with raised floors, improving inadequate lighting levels, installing provisions for people with hearing impairments, or remodelling toilets to make them universally accessible – these are the sorts of works that are typically required. Often the finished result is barely noticeable even to someone who knows the building well, yet makes a huge difference to people with disabilities.

### **Legal Requirements**

#### **The Equalities Act**

Where a physical feature makes it impossible or unreasonably difficult for people with disabilities to make use of a service or else to be able to use it to escape from the building in an emergency you have a duty to take reasonable steps to:

- Remove the feature, or;
- Alter it so that it no longer has that effect, or;
- Provide a reasonable means of avoiding the feature, or;
- Provide a reasonable alternative way of making the service available to people with disabilities.

The best way to get the process started is to carry out an access audit. This is a really helpful way of working out what needs to be done to your church building to make it accessible to disabled people. The results will help your architect understand what needs to be done and will help your PCC to plan and prioritise the works. While you can commission an access audit from a professional it is also possible to do it yourself and that way you can save yourself money.

### Completing an Access Audit

There is a questionnaire in eight parts, all focusing on different areas of the building and aspects of the services that you provide, available to download from this page. This will help you to experience your church building from the perspective of people with disabilities and to guide you toward the things that you might need to assess.

An access plan with a range of options can then be drawn up on the basis of what you find out and here your inspecting architect can provide useful advice. He or she should have an understanding of the architectural importance of the part of the building where change is necessary, as well as of the likely cost and feasibility. Even if you do not have the funds to make a start straight away or enact all the measures in one go, it is good to have a clear plan of action for when funding does become available because this still demonstrates commitment to equal access. A clear audit trail is very helpful in demonstrating that you have endeavoured to take reasonable steps to comply with the Equality Act.

It is a good idea to involve organisations specialising in disabilities such as Through the Roof (see below for contact details) in looking at the situation, and to get them to review any plans you have drawn up. Ask church members with disabilities for their views. Where reasonably possible, facilities should be able to be shared by disabled people and the non-disabled alike. So, for instance, ambulant and disabled visitors ideally should be able to park in the same area and enter through the same door. Where specially adapted facilities are required for people with disabilities, such as universally accessible toilets, they should be grouped together with those for non-disabled visitors, not placed somewhere out on a limb.

If any changes need to be made to the fabric of a listed building then it is important to balance providing equal access with conservation needs. Some of the advice given above is a counsel of perfection and sometimes the high architectural significance of a church might militate against making the substantial alterations necessary

to comply with them, or else the cost of doing that in a way that is sympathetic to the building might be prohibitive. Say the main entrance of a church is approached by a flight of monumental steps, for instance: of course, ideally all visitors, whether with or without a disability, ought to be able to enter the building by the same point. But if installing a lift or ramp here would cause unacceptable visual intrusion likely to draw opposition from external consultees, be technically difficult or very expensive then it might well be acceptable to look at providing disabled access through an entrance in another location. Your quinquennial architect, the DAC and the Care of Churches team can all help advise on these matters.

Measures which avoid or minimise the need for alteration should be considered first and ideally they should be reversible wherever possible. It is important – and also recommended by English Heritage – to take a global, long-term view of the building when planning works to facilitate equal access rather than just making piecemeal alterations as and when necessary.

It's worth repeating the access audit every few years to find out whether any changes have taken place which have had a negative impact on users with disabilities. Any new additions or alterations to the building need to be planned from the outset in compliance with the provisions of the Equality Act.

### **National Building Regulations**

These apply to any new building, and also when any alteration is made to an existing building. They can be downloaded from the website of the [National Planning Portal](#). Part M is particularly relevant to access and facilities for disabled people, covering the kind of disabilities to be provided for, requirements for access and use, sanitary conveniences and audience or spectator seating. The regulations are complemented by detailed guidance with diagrams and notes showing how they can be translated into the design of your premises. Remember that although for the sake of cost and convenience these are usually treated as maximum standards, building regulations in fact stipulate minimum requirements

### **DAC and Faculties**

As with any other alteration to your church building, you will need to obtain a faculty to carry out access improvements. Start by consulting your Archdeacon and the Care of Churches team, who can provide advice and will help you to obtain the Certificate of Recommendation that you will need to submit with your application.

### **Local Authority Requirements**

Alterations which affect the exterior of a building almost always require planning permission in addition to a faculty. Fortunately, national planning guidance stipulates that if works for which permission is sought are aimed at providing disabled access then this can be a material consideration – in other words, a positive incentive for the planners to take a favourable view - in determining the application.

### **Funding and Value Added Tax**

Registered charities can get much of the work required in providing access and other facilities for disabled people zero-rated for VAT. Churches are accepted as charities without having to register as such with the Charity Commission. More information about which goods and building works are eligible for zero-rating and whether your parish is entitled to VAT relief can be found at the [Listed Places of Worship Grant Scheme](#)

The HMRC [VAT Notice 707/7](#) dated August 2002 is still valid and contains the pro-forma wording of a zero-rate certificate that the PCC must provide to the builders to present to their VAT office. There is a large number of grants available for access works from various organisations. The Care of Churches team and some of the organisations whose contact details are listed below can be consulted for further information.

### Further reading

- Church Buildings Council, *Guidance Note on Accessibility and Disabled People*, available as a free pdf download from the [ChurchCare website](#).
- English Heritage, *Easy Access to Historic Properties*, English Heritage (available as a free pdf download from the [English Heritage website](#)).
- Foster, Lisa *Access to the Historic Environment* (ISBN 978 1 873394 18 2), available direct from the publisher [here](#).
- Heritage Lottery Fund, *Improving your project for disabled people*: available as a free pdf download from the
- Penton, John *Widening the Eye of the Needle: Access to Church Buildings for People with Disabilities* (ISBN 978-0715140611), available from [Church House Publishing](#).

### Useful organisations

- Centre for Accessible Environments: [www.cae.org.uk](http://www.cae.org.uk)
- The Church Buildings Council: [www.churchcare.co.uk](http://www.churchcare.co.uk)
- Disabled Living Foundation: [www.dlf.org.uk](http://www.dlf.org.uk)
- Equality and Human Rights Commission: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)
- Mencap – the voice of learning disability: [www.mencap.org.uk](http://www.mencap.org.uk)
- Royal Association for Disability and Rehabilitation (RADAR): [www.radar.org.uk](http://www.radar.org.uk)
- Royal National Institute of Blind People (RNIB): [www.rnib.org.uk](http://www.rnib.org.uk)
- Action on Hearing Loss (formerly RNID): [www.actiononhearingloss.org.uk/](http://www.actiononhearingloss.org.uk/)
- Through the Roof: [www.throughtheroof.org](http://www.throughtheroof.org)
- Livability Choices for disabled people: <http://www.livability.org.uk/church/dementia-friendly-churches/>