



Equality Impact Assessment on the University's Policy for Physical Access and Egress for Disabled People

Final Report

15 June 2011

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Contents

	Page
Executive Summary	
1. Introduction	1
2. The University's Policy for Physical Access and Egress for Disabled People	3
3. Data collection	4
4. Consultation and Key Findings	6
5. Conclusions and Final Decisions	13

Executive Summary

This report presents the results of an Equality Impact Assessment (EQIA) on the University's policy for Physical Access and Egress for Disabled People. This policy was screened in 2002, and as an outcome it was agreed that an EQIA would be necessary.

The decision to 'screen in' this policy was unique. It was made because the University recognised that not **all** of its buildings, facilities and environments (i.e. its estate) are fully physically accessible to disabled people. However, it also acknowledged the considerable progress that has been made to make the estate more accessible. This is evidenced in the University's Access Audit. Therefore it knew that disabled people were **likely** to be adversely affected in terms of access to, and within certain parts of its estate (i.e. they do not have equal access) and that there was an opportunity to promote equality of opportunity better by reviewing and developing its existing policy.

The EQIA was originally scheduled for 2006, but was postponed to 2010 to allow the update to the University's Access Audit to take place. The University of Ulster established an EQIA Sub-group in January 2010 to conduct the EQIA.

An EQIA Consultation Report and Response Pro-forma were prepared and made available for distribution to the public on 8 February 2011. The consultation period of 12 weeks closed on 16 May 2011. The University received three responses which are summarised in Section 4 of the report.

The main issues raised during the consultation process related to:

- why the University only aspires to best practice in regard to new builds;
- ensuring internal circulation and external facilities are covered adequately by the policy;
- the possibility of implementing a complaints procedure within the policy to ensure that reasonable adjustments are monitored (and amended where necessary); and

- ensuring that the policy clearly states that it applies only to the University estate.

The University has considered carefully the findings of the equality impact assessment and the consultation exercise, and has decided that:

- following minor amendment, the Policy for Physical Access and Egress for Disabled People should be implemented; and
- the findings of the Report should be discussed with the appointed architects for the Greater Belfast Development Project (i.e. Feilden Clegg Bradley Studios).

The University would like to thank all who contributed to this EQIA.

Further copies of this report are available on the University's website at <http://www.equality.ulster.ac.uk/consultation.html>

If you have any queries about this document and/or its availability in alternative formats (including Braille, disk and audio cassette, and in minority languages to meet the needs of those who are not fluent in English) then please contact:

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Introduction

1. Section 75 of the Northern Ireland Act 1998 requires the University of Ulster in carrying out its functions, relating to Northern Ireland, to have due regard to the need to promote equality of opportunity:
 - between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - between men and women generally;
 - between persons with a disability and person without; and
 - between persons with dependants and persons without.
2. In addition, and without prejudice to its obligation above, the University must also have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
3. The University set out in its Equality Scheme how it proposed to fulfil its statutory duties. It carried out a detailed initial policy screening exercise, in which it identified a number of policies that would be subject to Equality Impact Assessment over a five-year period. The Policy for Physical Access and Egress for Disabled People was one of these.
4. The decision to 'screen in' this policy was unique. It was made because the University recognised that not **all** of its buildings, facilities and environments (i.e. its estate) are fully physically accessible to disabled people. However, it also acknowledged the considerable progress that has been made to make the estate more accessible. This is evidenced in the University's Access Audit. Therefore it knew that disabled people were **likely** to be adversely affected in terms of access to, and within certain parts of its estate (i.e. they do not have equal access) and that there was an opportunity to better promote equality of opportunity by reviewing and developing its existing policy.

5. The EQIA was originally scheduled for 2006, but was postponed to 2010 to allow the update to the University's Access Audit to take place. Since the schedule of EQIAs was agreed in 2002 the University has committed considerable resources to improving access into and throughout its estate.
6. The University is fully committed to the fulfilment of its Section 75 obligations in all of its functions, including its objectives as a teaching, research and examining body within the provision of its Charter and Statutes. The University ensures that effective implementation of these obligations is supported with the necessary resources in terms of people, time and finance.
7. In line with the University's Equality Scheme, an EQIA Sub-group, consisting of staff with relevant professional experience was set up in January 2010 to conduct the EQIA. The EQIA Sub-group was chaired by Professor Greg Lloyd, Head of the School of the Built Environment, and was made up of representatives from Physical Resources, Student Support, the Students' Union, Student Accommodation, Sport and Recreation, the School of the Built Environment, Corporate Communications, the School of Health Sciences, the University's Fire Safety Officer and Equality and Diversity Services.
8. The Group also received support from Sara Hunter (Head of Equality and Diversity Services) and Angela Getty (Equality and Diversity Officer) in Equality and Diversity Services.
9. This report outlines the results and outcomes of the Equality Impact Assessment.

The University's Policy for Physical Access and Egress for Disabled People

10. Whilst the University has always scheduled the refurbishment and upgrading of buildings to comply with (evolving) disability legislation and building regulations, this EQIA was unique because the University does not currently have a formal (written) policy regarding physical access for disabled people. Therefore, as part of the EQIA, the University also consulted on its draft 'Policy for Physical Access and Egress for Disabled People'. This formal policy will be finalised following this consultation.

11. The policy for Physical Access and Egress at the University of Ulster seeks to ensure that the University estate is universally accessible as this will provide equality of access and egress for all students, staff and visitors to the University. The University will undertake to remove any physical barriers to access and egress, or where this is not possible, to find a reasonable alternative method of providing the service/facility in question so as to facilitate this intended equality. This policy takes into account the fact that the University already has in place established procedures for responding to requests for reasonable adjustments and will continue to implement these.

12. The Policy for Physical Access and Egress takes into account the changing nature and time frames associated with the University of Ulster's strategic development plan. Therefore the policy aims to ensure:
 - that best practice is incorporated into the design of any new buildings;
 - the current provision for access and egress to existing buildings (including any planned refurbishment) complies with the legislative standards;
 - that requests for reasonable physical adjustments will be dealt with in a way which complies with legislative standards, and
 - the requirements of the Fire Regulations regarding the evacuation of disabled people are met.

Data Collection

13. In conducting the EQIA, the Sub-group considered a range of data from the following sources:
 - the University's updated Access Audit 2009/10;
 - monitoring data on University of Ulster staff and students;
 - anecdotal data on visitors attending corporate, sporting and cultural events, conferences and open days; and
 - data collected as a result of pre-consultation on the potential impacts of the Greater Belfast Development Project.

14. Based on the evidence it considered, the Sub-group agreed that whilst the quantitative data provided a useful indicator of the incidence of disability at the University (i.e. the proportions and profiles of staff and students who are likely to have additional access requirements), it did not provide information about what these requirements are likely to be. However, the review of the data collected as a result of pre-consultation on the potential impacts of the Greater Belfast Development Project highlighted examples how the expansion of the Belfast campus could encourage disabled people to participate more in University life. These included:
 - making ingress and egress more equitable by removing existing barriers and the separate entrance for disabled users;
 - consulting with disabled people at the design stage;
 - providing fully accessible accommodation;
 - providing adequate disabled parking;
 - publicising facilities for disabled people; and
 - improving physical access for disabled people by using ramps instead of stairs.

15. These data were considered by the Sub-group and by the Director of Physical Resources, when drafting the Policy for Physical Access and Egress. The feedback from the pre-consultation on the potential impacts of the Greater Belfast Development Project has also been presented to the appointed

architects for the Greater Belfast Development Project (i.e. Feilden Clegg Bradley Studios).

Consultation and Key Findings

16 In accordance with its Equality Scheme and the requirements of Section 75, an EQIA Consultation Report and Response Pro-forma were prepared and made available for distribution to the public on 8 February 2011.

Subsequently, the following actions were taken:

- prominent advertisements were placed in six local and regional newspapers inviting the public to comment;
- all representatives of organisations on the University's standard Section 75 consultee list were invited (via email or letter) to participate in the consultation exercise;
- an all-staff and all-student email was posted to advise of the consultation exercise;
- the consultation documentation was posted on the University of Ulster's website;
- the report was made available by request in alternative formats (no requests were received); and
- all staff and students received two reminders to advise them of the closing date of the consultation exercise.

Key Findings

17 The 12 week consultation period ended on Monday 16 May 2011. The University received 3 responses from staff/individuals.

18 The response to this consultation was lower than expected. Findings from the consultation exercise did not indicate that the Sub-group had misinterpreted or overlooked any data, nor was any new information received. However, consultation did identify a number of issues/areas which required consideration.

- 19 The main issues raised during the consultation process related to:
- why the University only aspires to best practice in regard to new builds;
 - ensuring internal circulation and external facilities are covered adequately by the policy;
 - the possibility of implementing a complaints procedure within the policy to ensure that reasonable adjustments are monitored (and amended where necessary); and
 - ensuring that the policy clearly states that it applies only to the University estate.
- 20 A summary of the comments/key issues received from individuals, along with the University's response to these issues, is presented in Table 1.

Table 1 Summary of Key Findings

Potential equality impacts

Q1 Are there any adverse impacts on equality of opportunity or good relations in relation to any of the Section 75 Equality groups that have not been identified in this equality impact assessment? If so, please give details?

Note: If your comments are campus specific, please state which campus.

Staff/Individual's comment			University of Ulster Response
Section 75 category	Details of adverse impact on equality of opportunity and/or good relations	Likely level of impact	
Disabled staff/students/visitors	In my opinion policy needs to aspire to best practice, with access and egress being monitored and reviewed to implement changes. If not there will merely be compliance to a law which is unspecific and does not embrace universal accessibility and so will still cause some challenges to access for some disabled people (1).	Major	<p>Due to the financial restraints which have been placed on the University during the current economic climate, and because most of the University buildings were not originally designed to be universally accessible and are now reaching the end of their viable economic use, the University believes that it would be a more efficient use of resources to focus on delivering best practice (i.e. universal accessibility) for new buildings. As in the past, and where possible (i.e. where budget allows), the University will also adopt best practice for upgrading existing buildings. However, it cannot commit to delivering best practice for both.</p> <p>The University recognises that this may cause some challenges to some disabled people, but will endeavour to ensure that accessibility is improved for these individuals by making appropriate reasonable adjustments.</p>
Disabled staff/students/visitors	Internal circulation needs to be included in the policy explicitly otherwise disabled people may not	Major	This has been noted. Although internal circulation is implicit in the definition of physical access and egress (i.e. in the words 'throughout and between') , the definition has

	be able to access facilities and so will be disadvantaged (1).		been amended to read: Physical access and egress throughout and between the University buildings is the means of entry, perambulation and exit which are identifiable, proportional and sensitive to the requirements of all individuals and groups at the University and its campuses. Egress includes emergency egress.
Disabled staff/students/visitors	A complaints procedure is required to help monitor the adjustments made and to ensure they are working properly to remove or reduce a physical barrier. Lack of such a procedure will mean that potentially physical inaccessibility will continue which will disadvantage some people with disabilities (1).	Major	A monitoring process is already in place within Disability Services to review the effectiveness and implementation of reasonable adjustments. Physical Resources responds to requests for minor reasonable adjustments regarding physical access through its 'In-year' programme, and welcomes feedback on the adjustments that are made. Physical Resources currently relies on Disability Services to advise them on appropriate reasonable adjustments, and believes that it would be more appropriate for Disability Services to update them/provide feedback if and when reasonable adjustments are not working properly.

2. Please state what action you think could be taken to reduce or eliminate any adverse impacts that you have highlighted, and/or improve (i.e. better promote) the promotion of equality of opportunity and/or good relations? **Note: If your comments are campus specific, please state which campus.**

Staff/Individual's comment	University Response
See answers for 1 and general comments (1)	See University Responses to Question 1

5. Are there any other comments you would like to make in regard to the policy, this pro-forma or the consultation process generally?

Staff/Individual's comment	University of Ulster Response
<p>Introduction: The University has spent £18m each year for capital works and over 11 years has spent £6m which is approx 3% of the budget per year. Are there plans to increase this and/or maintain this and can this be noted in the policy action plan section?(1)</p>	<p>Due to the economic and financial climate the University is reviewing its budgets across all departments. Therefore, the University cannot state what the budget for capital works will be, and set amounts cannot be noted in the policy.</p>
<p>Definitions: Does the policy cover internal circulation of buildings? If so, can it be made clearer?(1)</p>	<p>Please see University's response in Question 1.</p>
<p>The positive duty is duly noted on pg 1 which is most welcome however can the 'reactive duty' be noted within the definitions context as it is quite a significant aspect of the work undertaken.(1)</p>	<p>This has been noted. The definition has been amended as follows: This policy seeks compliance with the Disability Discrimination Act 1995 which places a positive duty on the University to make both anticipatory and reactive reasonable adjustments to its estate in order to enable disabled individuals open, convenient and safe access and egress</p>
<p>Compliance / Best Practice: It is not clear whether the policy aspires to best practice eg BS8300 or simply to comply with the law. The introduction pg 1 cites both yet on pg 2 it is stated that the University will 'seek compliance' with the law and only be 'guided' by best practice. The aims of the policy are a mixture of best practice for new builds / compliance for existing builds and in how requests are dealt with. Is there a rationale for why or how we treat new and existing buildings so for example for the new build in Belfast the aim will be best practice whilst if the Sports Centre in Coleraine is refurbished compliance will be the aim? Why not always aspire to bet practice with minimum of</p>	<p>Please see University's response to Question 1.</p>

<p>compliance? This is perhaps the opportunity to be clearly aspirational. Given this ethos can we explicitly refer to the SENDO and DDA codes of practice and the notion of universal accessibility?(1)</p>	
<p>Implementation: Review of the policy is welcomed however it might be useful to have a system of monitoring to assist that review process e.g. feedback from disabled users/mystery users etc. Should the review be bi-annually always rather than 'and then on a regular basis'. The action plan does not denote who will review and how.(1)</p>	<p>As required by the University's 'Procedures for Developing, introducing and reviewing University of Ulster Policies', Physical Resources will review the policy and action plan two years after implementation. It is anticipated that feedback from disabled users and Disability Services will form part of this review.</p>
<p>Complaints protocol: I recommend that policy should have a complaints protocol not only to assist with review but also as good 'customer' practice.(1)</p>	<p>Physical Resources relies on the expertise of and advice from Disability Services and Equality and Diversity services staff to assist them to develop good 'customer' practice. See also University's response to Question 1.</p>
<p>Under UU rules, students at colleges operating under the collaborative provision framework have ultimate right of appeal to the UU, when all college based appeal opportunities have been exhausted. You may wish to consider a sentence limiting this right of appeal if the circumstances relate to equality. (2)</p>	<p>In the main, this pertains to matters of academic standards and quality of learning. The right of appeal cannot reasonably be extended to include those matters for which the partner institutions' governing bodies have direct responsibility.</p> <p>The Definition of 'estate', has been amended to read: The University estate comprises all University buildings, open spaces, grounds, facilities (including accommodation, recreational and service facilities), laboratories, car parking and arrangements for other modes of transport. It does not include any estate owned by the University's collaborative partners (e.g. further education colleges or other universities running University of Ulster courses), for which their governing/corporate bodies have primary responsibility.</p>

<p>I notice that this EQIA aims to ensure that there is equal access to the campus buildings. Will this also include other 'fabric matters' such as the car parking, the arboretum or sports fields etc?(3)</p>	<p>As stated on page 1 (Definitions), the policy applies to the University estate:</p> <p>The University estate comprises all buildings, open spaces, grounds, facilities (including accommodation, recreational and service facilities), laboratories, car parking and arrangements for other modes of transport.</p>
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Conclusions and Decision on the EQIA

- 21 Feedback from consultees has been useful in helping to inform the Policy for Physical Access and Egress for Disabled People, and is gratefully acknowledged. The EQIA on the Policy for Physical Access and Egress for Disabled People shows that respondents feel that this policy will assist the University to become one step closer to achieving universal accessibility.

Final Decisions

- 22 The University has considered carefully the findings of the equality impact assessment and the consultation exercise, and has decided that:
- Following minor amendment, the Policy for Physical Access and Egress for Disabled People should be implemented; and
 - the findings of the Report should be discussed with the appointed architects for the Greater Belfast Development Project (i.e. Feilden Clegg Bradley Studios).
- 23 The University is committed to monitoring the impact of the decision and will publish the results of monitoring in its annual report on Section 75 progress to the Equality Commission for Northern Ireland.
- 24 If you have any queries about this document and/or its availability in alternative formats, please contact:
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