

# A guide to The Disability Discrimination Act (1995)

Have YOU been breaking the law...?

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## Did you know?

Anyone who wears a hearing-aid has a disability that is recognised under the Disability Discrimination Act 1995

The final phase of the Disability Discrimination Act came into force on 1st October 2004

From that date it became unlawful to discriminate against disabled people by failing to make reasonable adjustments to the physical features of service premises to overcome physical barriers to access. This includes provision for hearing-aid users.

## How does this affect me?

The Disability Discrimination Act applies to companies or organisations that offer goods, facilities or services to the public

This includes any company, partnership, sole trader, or similar

It does not matter whether the services are free or paid for

physical features of service premises to overcome physical barriers to access. This includes provision for hearing-aid users

Typical examples of service providers covered by the Disability Discrimination Act include; banks, benefit agencies, cinemas, theatres, estate agents, exhibition venues, houses of worship, hotels, leisure and sports facilities, museums and galleries, national and local Government services, NHS and private healthcare services, professional practices, restaurants and pubs, schools and universities, shops and supermarkets...and many more

## As a service provider, what am I required to do?

In many cases you will need to consider providing 'auxiliary aids' or services to improve communication with people with a sensory impairment (such as those affecting hearing or sight)

## How can I assist people with a hearing disability?

Induction loop systems constitute an 'auxiliary aid' as defined by the Disability Discrimination Act, and provide the ideal and cost-effective means for you to:

- help fulfil your legal requirements under the Act

- provide a better service for people who wear hearing aids

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**Induction loop systems are used to assist the hearing impaired by transmitting amplified sound, i.e., music, speech, etc, to NHS hearing aids. Demand for them is set to soar due to a new legislation aimed at preventing discrimination against disabled people. This document provides a brief summary of all new and existing legislation/standards relating to induction loop systems and their installation.**

## West Audio guide to the DDA and Induction Loop Systems

### BS8300 (2002)

British Standard BS8300 is the new code of practice for the design of new buildings and their approaches to meet the needs of disabled people. The standard states that “a hearing enhancement system, using induction loop, infra-red or radio transmission, should be installed in rooms and spaces used for meetings, lectures, classes, performances, spectator sports or films, and used at service and reception counters where the background noise level is high or where glazed screens are used” (9.3.2). It pinpoints the following areas for consideration: seated waiting areas; ticket sales and information points; fitness suits and exercise studios; churches; crematoria and cemetery chapels, educational, cultural and scientific buildings.

### The Disability Discrimination Act (1995)

The aim of the Disability Discrimination Act (1995) is to stop discrimination against disabled people including the hearing impaired. The Act will be extended in September 2002 to cover education in schools and colleges and will be strengthened further in October 2004 as the Disability Rights Commission's (DRC) new Code of Practice comes into effect.

Service providers, i.e., companies or organisations offering goods, facilities and services to the general public, must make 'reasonable' adjustments to ensure that they do not unlawfully discriminate against disabled people. Employers must also take measures to ensure that existing and potential employees are not disadvantaged in the workplace.

Under the Act, 'reasonable adjustments' include the provision of various auxiliary aids, including temporary induction loop systems, to enable a deaf or hard of hearing person access to goods, facilities or services available to the general public. At present, service providers do not have to make any permanent adjustments to their buildings. This, however, is about to change.

From October 2004, service providers will be required to install permanent induction loops and infra-red systems where it is impossible or unreasonably difficult for a deaf or hard of hearing person to make use of a service.

Service providers who fail to make adequate provision for people with hearing disabilities face prosecution. Furthermore, it is not enough to simply install an induction loop system – it must be properly maintained and staff must know how to use it. (DDA, Auxiliary aids and services 5.13)

Some examples of services providers covered under the Act are:

- Telecommunications and broadcasting organisations
- Public utility companies, such as gas, electricity and water suppliers
- Leisure centres, football stadia, national parks and health clubs
- Bus and railway stations, airports and travel agencies
- Shops, hairdressers, post offices, banks and building societies
- Hotels, restaurants, cinemas, theatres and pubs
- Hospitals, waiting rooms, clinics
- Solicitors' offices, courts, churches and mosques

The DRC advises service providers to take steps now to prepare for their extended obligations.

### Building Regulations (1992)

Current building regulations state that newly erected or substantially reconstructed non-domestic buildings must provide aids for the hearing impaired. The aim is to enable both members of the public and employees to play a full part in conferences, committee meetings, etc

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Areas requiring cover include booking and ticket offices where the customer is separated from a vender by a glazed screen, reception areas, auditoria and meeting rooms in excess of 100m<sup>2</sup>.

The regulations state that a person with a hearing disability must receive a signal some 20dB above that received by a person with normal hearing. The system should be able to suppress reverberation, audience or other environmental noise.

### The Care Standards Act (2002)

On 1 April 2002, the Government's new Care Standards Act came into force.

The new regulations demand that care homes provide certain adaptations and equipment for residents, specifically:-

'facilities, including communication aids (e.g. an induction loop system), and signs to assist the needs of all service users, taking account of the needs, for example, of those with hearing impairment, visual impairment, dual sensory impairments, learning disabilities or dementia or other cognitive impairment, where necessary.' (standard 22.6).

These are 'core requirements which will apply to all care home providing accommodation and nursing or personal care for older people' in England. Regular inspections of homes and enforcement of the new legislation will be carried out by the new National Care Standards Commission.

### Meeting the Standards

West Audio + Design Ltd supplies a wide range of cost-effective induction loop amplifiers, many of which are available in kit format for ease of specification, purchase and installation, and all of which are fully compliant with the above standards.

The PDA101C kit, for example, includes everything required for a high quality counter loop system and is ideal for use in banks, building societies, post offices, ticket offices and any other area where limited cover is required. The kit includes a PDA101 induction loop amplifier, a small self-adhesive microphone, a loop indication sticker and a discreet easy to mount loop which generates a sound field of approximately one meter across.

For installations up to 120m<sup>2</sup> in size, our new PDA200E wall-mounted induction loop amplifier is ideal. The unit includes straightforward internal screw connectors and pre-set internal controls, allowing the system to be set up in its entirety by any competent electrician. No less than eight PDA200E kits are available to help simplify installation in meeting rooms, lecture theatres, nursing homes, churches, schools, colleges, TV lounges, leisure centres, GP surgeries, hotels and shops.

Larger PDA range amplifiers are also available for more sophisticated applications. For example, the PDA1000/PDA500 has been designed to complement the high quality sound reinforcement systems found in theatres, churches, conference systems, etc.

For further information, or to receive a free, no-obligation site planning visit, please contact us on:

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