

# Disabled access to buildings



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Scouting at every level needs to make reasonable adjustments to any premises it controls to overcome physical barriers to access.

Even if adjustments are made now, it could be that further changes will be required if the initial adjustments are insufficient.

The Scout Association, even though it is a private members club, falls under the Disability Discrimination Act and is deemed to provide a service to the public or a section of the public following amendments to the Disability Commission Guidelines.

The Scout Association would like to see all its Members comply with the spirit of the legislation but it must be borne in mind that there is the "reasonableness test". The resources of the Scout body are a relevant consideration in deciding what is reasonable. The Scouting "building operator" should see if there is external finance available, for example grants from local authorities etc.

The requirement to make adjustments to the physical features of premises will be subject to a reasonableness test. Any Scouting provision will only be required to take such steps as are reasonable and the nature, size and resources of the service provider can be taken into account. Thus, adjustments which would need to be made by a large commercial enterprise to premises would not necessarily need to be made by a charity such as a Scout Group with limited funds as it is likely to be an unreasonable use of the Group's resources.

Finally, it is still early days to be able to give definitive advice. Many of the issues around disabled access will be decided by case law in respect of what is "reasonable" and what is "not reasonable".

It will be up to the Scouting body to look at their premises and decide what adjustments are reasonable. The building operator should seek professional advice if it is unsure where necessary.

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Legal Services  
The Scout Association  
Gilwell Park

The duty to make reasonable adjustments will also be a continuing duty; it is not enough to carry out a one-off review of the property.

**The Scout Information Centre**

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