

Equality and Human Rights Commission

The state of play- How accessible is your club?

Disability access at

Premier League grounds

April 2017

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Introduction

The Equality and Human Rights Commission ('the Commission') was established under the Equality Act 2006. It has a statutory duty to work towards the elimination of unlawful discrimination on the grounds of age, disability, race, religion or belief, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation. These are characteristics protected by the Equality Act 2010 ('the Act'). Under the Act, as providers of services to the public, football clubs have a legal duty to take positive steps, referred to as 'reasonable adjustments', to ensure that disabled people can access their services.

Background

The legislation requiring clubs to make reasonable adjustments for disabled people is not new. Football clubs have been required by law to make reasonable adjustments for disabled people since 1999, and the final element of this duty came into force in 2004. There have been widespread concerns raised with the Commission over a number of years about the accessibility of Premier League club stadia. These concerns have come from individual fans with disabilities and from representative organisations.

Section 20 of the Act sets out the duty to make reasonable adjustments. The Act defines a failure to make reasonable adjustments as a form of unlawful discrimination. While it is unlawful for service providers to discriminate against disabled people in a number of ways, the duty under section 20 is of particular relevance in respect of access for disabled football supporters. It requires service providers to anticipate the needs of potential disabled customers, meaning that they should consider in advance what reasonable adjustments will enable access for disabled supporters. Clubs should not wait until a disabled supporter asks for a reasonable adjustment to be made.

Given the considerable wealth of the majority of Premier League clubs we would expect them to have taken significant steps over the past 18 years to ensure that they comply with their legal obligations.

To assist clubs towards becoming more accessible, the [Accessible Stadia Guide](#) (ASG) was published in 2003 and updated in August 2015 in respect of clubs' duties under the Act. It gives guidance on the provision of amenity and easy access (AEA) seating, Changing Places facilities, toilets and accessible services, on removing sensory barriers and on access audits and plans.

In August 2015, all Premier League clubs committed to ensuring that by August 2017 they would meet the standards set out in the ASG. This pledge was voluntary, but clubs also have legal obligations under the Act. We remain concerned that by the start of the 2017-18 season not all clubs in the Premier League will meet their legal obligations.

In December 2016, the Commission wrote to all 20 Premier League clubs asking for information regarding the steps they have taken to meet their legal obligations to make reasonable adjustments. The letter (see Annex 1) requested information on the current accessibility of their ground and the services they provide, such as ticketing and stewarding, and transport to and from the stadium, including car parking. We also asked them to share with us any plans to improve the provision of services and access for disabled fans over the next two years. All clubs returned the information to us by the deadline of 10 February 2017. The Commission has made an assessment based on this information. It should be noted that this assessment reflects a snapshot in time and that there is a lot of work being undertaken by clubs between now and the Premier League pledge deadline of August 2017.

Summary of findings

The information we received from the 20 clubs varied, given that each of their grounds are unique and pose a different set of challenges. Some clubs were very keen to tell us about all the positive things they have in place for their disabled fans. Some clubs provided very little information and gave a variety of reasons for this. The majority of clubs were somewhere in the middle, showing good practice in some areas and failing in others.

In order to give us an insight into how seriously clubs take their obligations to their disabled fans, we asked them to provide us with information on when accessibility issues have been discussed at Board level within the club. Disappointingly some clubs were unable to provide a detailed answer to this question, indicating that these issues may never have been discussed at Board level.

We also asked clubs to give us information regarding who within the club has responsibility for disabled access to the ground. We were hoping to see a list of people, including someone at a senior level, for instance a Board member or director, plus a Disability Access Officer (DAO) and a Disability Liaison Officer (DLO). One of the rules in the [Premier League Handbook](#) 2016/17 relates to employing a DAO. This is in addition to the DLO, a role that should already be in place at clubs as a UEFA requirement.

The Premier League state in their [interim report](#) from January 2017 that a DAO is 'one of the five key club positions outlined in Section J of the Handbook'. From the information provided to us on 10 February there are three clubs that appear not to have filled this position at their club and two clubs where it is unclear if they have a dedicated DLO. We will be discussing this with the Premier League in the coming weeks.

There are positive things to report on. Some clubs are providing good services for their disabled fans. By offering clear, easy-to-find, detailed access statements on their websites they are making it simple for fans to buy tickets and get the information they need to inform their trip to the ground. This is a simple but important piece of information that clubs can easily make available for visiting fans, both home

and away. Since June 2016, it has been a Premier League rule that clubs in the Premier League must publish an access statement. On 10 February 2017 seven clubs didn't have this on their website.

Some clubs provided us with information of other positive initiatives for instance the installation of Changing Places facilities and sensory rooms.

Whilst the constraints of existing stadia may make it difficult for some clubs to meet the minimum recommendations for accessibility as set out in the ASG, some clubs provided us with information about how they intend to meet this challenge head on by making significant changes to their existing ground. Other clubs are building, or planning to build, a new ground or new stands. We would expect these grounds or new stands to be built to the highest standard when it comes to accessibility, not just aspiring toward achieving the minimum.

Other clubs did not provide us with enough information to be able to draw any positive conclusions about their current or future aspirations for their disabled fans.

Next steps

Following our analysis of the information provided to us, the Commission remains concerned that not all clubs in the Premier League are complying with their obligations under the Act. The option to use our formal powers and undertake an investigation into named clubs remains under consideration. The Commission's Compliance and Enforcement Policy requires that we will only take enforcement action where attempts to encourage compliance have failed. This includes working with organisations to ensure that remedial or preventative action may be taken, providing them with specific advice or guidance, and holding meetings with senior managers and other staff. This will be our undertaking to clubs in the coming months.

In the next few weeks we will write to clubs to seek meetings where:

- we were not given enough information to be able to draw any positive conclusions about their current or future aspirations for their disabled fans
- clubs are currently designing and building new grounds and new stands, so that we can understand in detail how they are intending to ensure that their disabled fans' experience equals that of non-disabled fans
- clubs did not meet, or were not able to provide us with concrete plans to meet, the ASG guidance on wheelchair spaces and accessible seats, and to understand whether or not their provision constitutes a reasonable adjustment

At these meetings we will expect clubs to demonstrate the plans they have in place and their timelines for meeting their legal obligations.

We also hope to identify good practice at some clubs that we will share with others, so that the work undertaken by Premier League clubs can set the standard for what is reasonable for the providers of other large stadia and venues.

We await with interest the outcome of the Premier League pledge.

At the end of this season we will open a call for evidence from disabled fans on their experiences of attending Premier League football matches. We want to hear about:

- which clubs are getting it right for their fans and which clubs are getting it wrong

- the experience of disabled fans travelling to away games
- what clubs have done in the 2016-17 season to improve disabled fans' experience, and
- the experience of disabled fans of buying tickets.

We will meet and talk to disabled fan groups and other interested stakeholders, and remain in contact with the Premier League on progress towards their pledge.

We hope that at the beginning of September 2017 all the clubs will have provided us with evidence to demonstrate how they have met their legal obligations, or will have reached an agreement with us as to how they will meet their obligations in the future. However, if following our dialogue with the clubs and the information gathered from disabled fans we continue to suspect that a club or clubs are not complying with their legal obligations, we will commence a formal investigation into a named club or clubs.

We are committed to starting that investigation in September 2017.

Detailed findings

Table 1: Provision of wheelchair spaces and amenity and easy access seats (AEA)

Club	Minimum wheelchair spaces met?	% of minimum wheelchair spaces provided	Meeting pitch side requirement?	% of spaces at pitch side	Minimum AEA seats met?	% AEA seats
AFC Bournemouth	Yes	186	No	95	No	0
Arsenal	No	79	Yes	0	No	80
Burnley	No	27	No	83	No	0
Chelsea	No	50	No	87	No	0
Crystal Palace	No	38	Yes	0	No	21
Everton	No	56	No	88	No	0
Hull City	No	91	No	46	No	Unclear
Leicester City	Yes	106	No	65	Yes	128
Liverpool	No	79	No	60	No	37
Manchester City	Yes	106	Yes	0	Yes	117
Manchester United	No	43	Yes	0	No	45
Middlesbrough	Yes	117	No	59	Yes	414
Southampton	Yes	104	No	63	Yes	109
Stoke City	No	67	Yes	0	No	Unclear
Sunderland	No	89	No	50	Yes	144
Swansea City	Yes	100	Yes	25	Yes	262

How accessible is your club? Disability access at Premier League grounds

Tottenham Hotspur	No	31	No	100	No	52
Watford	No	40	No	64	No	85
West Bromwich Albion	No	85	No	61	Yes	118
West Ham	Yes	104	Yes	0	Yes	251
Totals	7/20		7/20		8/20	

Minimum wheelchair spaces met

The ASG 2003 gave a ratio for the minimum number of wheelchair spaces in proportion to the number of standard seats in the stadium. This is as follows:

- Stadium capacity under 10,000 seats = minimum 6 wheelchair spaces, or 1 in 100 depending on which is greater
- 10,000 – 20,000 seats = 100 wheelchair spaces plus 5 per 1,000 above 10,000
- 20,000 – 40,000 seats = 150 wheelchair spaces plus 3 per 1,000 above 20,000
- 40,000+ seats = 210 wheelchair spaces plus 2 per 1,000 above 40,000

The median capacity of the current Premier League grounds is around 33,000. According to the ASG criteria for a 33,000 capacity stadium, there should be a minimum of 189 wheelchair spaces. This is a small proportion of the seats available to non-disabled fans.

It is disappointing that 14 years after this guidance was first published only seven out of 20 clubs have reached the minimum number of wheelchair spaces as defined by the ASG criteria.

The ASG sets out the criteria for an appropriate space for a wheelchair user. These include minimum space requirements, a companion seat next to the wheelchair user, the position of the seat in the ground, and the view available. From the information provided to us by clubs it is apparent that some of the wheelchair spaces identified by the clubs, and included in the table above, may not meet the relevant criteria under the ASG. We have not assessed the quality of the spaces provided; therefore these statistics potentially represent a best-case scenario. We will be exploring the standards of the wheelchair spaces in detail with clubs in due course.

Offering a choice of seats - meeting pitch side requirement

The ASG recommends that no more than 25% of wheelchair spaces in a stadium should be at pitch side. This is to ensure that clubs provide a choice for supporters in wheelchairs, giving them a variety of viewing locations throughout the ground. The guide states: 'one of the principle requirements of BS8300 is that disabled people should have access to any storey of a new non-domestic building. In the context of stadia, this means that spectators with disabilities should gain a far greater choice of viewing location than before'.

The table above sets out whether or not clubs met this criterion and what percentage of their wheelchair spaces are at pitch side. Based on the information provided to us 11 clubs have more than 50% of their wheelchair spaces at pitch side, and five clubs are above 80% at pitch side.

Out of the seven clubs identified as having a sufficient number of wheelchair spaces, only three have sufficient choice of seating for their fans: Manchester City, Swansea City and West Ham.

This does not reflect well on clubs when it comes to providing choice for their supporters.

Minimum amenity and easy access (AEA) seats met

The availability of these seats is important to disabled people with a range of impairments as it enables them to get to their seats easily. This includes people who may be limited in the distance they are able to walk and people who may be blind or partially sighted who have walking aids or a guide dog. Only seven out of the 20 clubs are able to meet this criterion.

The provision of AEA seating was set out in the [Supplementary Accessible Stadia Guide](#) published in 2015 and plays a crucial role in making stadia accessible for ambulant fans with a range of impairments. It states:

'In addition to the provision of wheelchair user accommodation all stadia should provide an equitable number of amenity and easy access seats for spectators who may require more space. Amenity seats should provide seating with extra leg room and it is helpful to provide some with armrests, although these should be removable. Amenity and easy access seats should also have backrests.

People with limited mobility may need more room to access their seat using a walking aid or crutches, hence the need for extra leg room. They may be unable to stand easily or for long periods or easily change position. Therefore, amenity seating should provide a reasonable sightline from a seated position that is not obstructed by another spectator standing in front or to the side. A disabled spectator accompanied by an assistance or guide dog may also require extra

space for the dog to lie in front of or under their seat. They too should be provided with a choice of AEA seating.

AEA seats should be provided in easily accessible areas, such as at the end of rows, where steps are minimised to accommodate spectators with limited mobility. Spectators requiring AEA seats should be able to sit with supporters of their own team in a variety of viewing areas and ticket categories, including hospitality, VIP and directors' boxes. Such seating should also be located close to toilets and other facilities.'

The formula used to calculate the provision of recommended AEA seating is the same as for wheelchair spaces (see above).

Where a club has merely stated 'ambulant disabled fans are able to sit wherever they choose within the stadium' we have determined that there is no specific provision for AEA seating. This applies to Bournemouth, Burnley, Chelsea and Everton. The information provided by Hull was unclear; they say they have 500 AEA seats throughout the ground but elsewhere in their response and on their website they indicate that ambulant disabled supporters can sit anywhere in the stadium. Stoke also provided inconsistent information. The club says they have 232 designated seats, but their website says there is no specific seating for ambulant disabled supporters.

The figures used in the table are based on information provided by the clubs, and have not been subject to an independent verification that they meet the ASG criteria for AEA seats. These statistics therefore again potentially represent a best-case scenario, and yet only eight of the 20 clubs are providing the minimum or above number of designated AEA seats for supporters as defined by the ASG criteria.

Where we have concerns regarding the lack of availability of designated AEA seats we will discuss these issues in detail with the clubs concerned in due course.

Table 2: Provision of toilets, Changing Places facilities, sensory rooms, access statements and audits

Clubs	Meet 1:15 ratio for accessible toilets?	Meet required standards?	Changing Places facilities provided?	Sensory room provided?	Disability access statement	Dates of access audits in the last 10 years
AFC Bournemouth	Yes	No	No	No	Yes	2016
Arsenal	Yes	Yes	Yes	No	Yes	2010
Burnley	Yes	Unclear	No	No	No	None provided
Chelsea	Yes	Yes	No	No	Yes	2012; 2014; 2016
Crystal Palace	Unclear	Unclear	No	No	No	None provided
Everton	Yes	No	No	No	Yes	2016
Hull City	Yes	Unclear	No	No	No	2016
Leicester City	Yes	No	Yes	No	Yes	2010; 2013; 2016
Liverpool	Yes	No	Yes	No	Yes	2010; 2012; 2016
Manchester City	Yes	Yes	Yes	No	Yes	2012; 2016
Manchester United	Yes	Yes	Yes	No	No	2011; 2014; 2016
Middlesbrough	Yes	No	No	Yes	No	2016

How accessible is your club? Disability access at Premier League grounds

Southampton	Yes	Yes	Yes	No	Yes	2016
Stoke City	Yes	Yes	No	No	No	2014; 2016
Sunderland	Yes	No	No	Yes	Yes	2016
Swansea City	Yes	Yes	No	No	Yes	None provided
Tottenham Hotspur	Yes	Yes	No	No	Yes	2012
Watford	Yes	No	No	Yes	Yes	2008; 2011; 2016
West Bromwich Albion	Yes	No	No	No	Yes	2010; 2016
West Ham	Yes	Yes	Yes	No	No	2007
Totals	19/20	9/20	7/20	3/20	13/20	

Meet 1:15 ratio for accessible toilets

The ASG says that ‘disabled people should be able to find and use appropriate sanitary accommodation as easily as non-disabled people and they should be dispersed around the stadium’. The ratio of one accessible toilet per 15 wheelchair spaces provided at a ground is an industry standard and is best practice in both UEFA and CAFE guidance for sports stadia. From the information provided to us by clubs it was unclear how adequate and appropriate some of their accessible toilets are. Whereas all but one club appear to meet the one to 15 ratio of toilets to wheelchair spaces (Crystal Palace has been rated as unclear because they provided us with very little information regarding the number of accessible toilets in the ground), there were several clubs with minor or more significant issues with the standards of provision.

Although Bournemouth and Burnley have the correct number of accessible toilets for the wheelchair spaces that they are currently providing, it is unclear from the information they sent to us whether the provision at Burnley is to the required standard. Bournemouth’s provision is referred to in detail in the report by specialist consultants Wilson Owens Owens (WOO) which Bournemouth sent to the Commission as part of their response and which is critical of the quality.

Chelsea, Manchester City and Southampton all reported having minor issues with some of their accessible toilets; ‘minor’ meaning issues with maintenance, grab rails, signage, design and layout. We would expect these issues to be easily addressed.

Everton, Leicester, Liverpool, Middlesbrough, Sunderland, Watford and West Bromwich Albion all have what we consider to be more significant issues with their accessible toilets, for example some of the toilets are too far away (over 40 metres) from the wheelchair spaces. Many clubs have reported that they are aware of this and are looking into improvements.

Other issues reported were distribution across the stadia. Some stands have an adequate number of toilets per wheelchair spaces and some do not. Some toilets (as reported in WOO audits) do not comply fully with the guidance in [The Building Regulations, Approved Document Part M](#), nor do they meet the guidance in BS 8300. BS 8300: 2009+A1:2010 looks at the design of buildings and their ability to meet the requirements of disabled people. By offering best-practice recommendations, this standard explains how architectural design and the built environment can help disabled people to make the most of their surroundings. Some clubs do not provide separate accessible toilets for away supporters.

It should be noted that the one accessible toilet per 15 wheelchair spaces figures have been calculated in relation to the current number of wheelchair spaces. As clubs increase the number of wheelchair spaces to meet the ASG criteria, we would expect a corresponding increase in the number of accessible toilets in line with the one to 15 ratio.

Provision of Changing Places facilities

Changing Places toilets are larger than standard accessible toilets and have additional equipment, including a hoist system and adjustable changing bench. They provide enough room and the facilities to accommodate disabled people who may use large, complex wheelchairs, or may require additional equipment. Parents and carers have reported occasions where they have had no alternative other than to change their family member by laying them on the floor of an accessible toilet.

In September 2016 Penny Mordaunt MP, Minister of State for Disabled People, Health and Work, wrote to the Premier League calling upon clubs to install Changing Places facilities by the end of the 2016-17 season.

As of 10 February 2017, only seven clubs had installed Changing Places facilities.

Provision of a sensory room

Sensory rooms are specially constructed facilities that assist people with autism or sensory impairments to be able to watch games in an accessible environment. In October 2016 the Premier League [announced a scheme](#) to fund sensory rooms across all 20 clubs. It is disappointing that only three clubs have so far installed such facilities.

Disability access statement

Providing a comprehensive access statement is a low cost, effective way of attempting to ensure facilities are as accessible as possible for disabled fans. It is a crucial document as it provides all of the information necessary for disabled fans with a range of impairments in one easy-to-access place. It allows them to assess in

advance how accessible a facility is for them. It can also influence their decision to visit that ground as an away supporter. A good access statement should be easy to find on a club's website, and ideally be available in hard copy, large print, and braille on request. It should cover things like:

- Transport to the stadium: public transport, car parking, dropped kerbs, drop-off points, ramps
- Stadium entrances and accessibility
- Circulation within the stadium
- Stand entrances and viewing areas
- Ticket offices
- Toilets

Access statements were recommended in the original 2003 ASG and the 2015 Supplementary Guidance. Publishing a disability access statement forms part of the [Premier League Handbook 2016/17](#) (Section R2), which states that: 'Each Club shall devise, document and publish: [...] a disability access statement. A copy of all such documents must be provided to the Premier League before the start of the Season'.

Based on information provided to the Commission, seven of the 20 Premier League clubs are currently in breach of the Premier League's own rule, as they were not able to provide us with a comprehensive disability access statement that offers all the information a disabled person would require when attending a match. This was the case for Manchester United, Middlesbrough, Stoke and West Ham. These clubs already have significant information available on their websites, so pulling this together into a disability access statement and highlighting it on their websites should be a simple task. Crystal Palace provided us with an access statement but it did not contain the information necessary to fulfil its purpose. Their website does contain some of the required information. We would expect that the club will be able to produce a comprehensive disability access statement in line with the Premier League rule by the start of the 2017-18 season.

For other clubs there were more significant issues with the quality of information provided for disabled fans. Burnley reported to us that they are commissioning a fuller access statement, as the version currently available on the website dates from February 2012 and contains very limited information. Hull has no access statement on its website.

Dates of access audits in the last 10 years

Access audits are not new and are part of the 2003 and 2015 ASG recommendations. The Commission's [Code of Practice on Services, Public Functions and Associations](#) states that regularly reviewing whether services are accessible to disabled people, and carrying out and acting 'on the results of an access audit carried out by a suitably qualified person' assists service providers in meeting their obligations to make reasonable adjustments under the Equality Act 2010.

The extent to which a club has commissioned access audits provides a helpful barometer in terms of the attitude of a club towards its disabled fans. We asked clubs to provide us with dates of their access audits from the past 10 years. It should be noted that some of the clubs have moved to newly built stadiums during this 10-year period, but nevertheless, audits remain important in fulfilling the duty to act proactively and to continually secure equality for disabled fans.

It seems that many of the 2016 access audits that clubs, including Bournemouth, Everton, Liverpool, Watford and West Bromwich Albion refer us to are the Accessible Stadia Audits carried out by Wilson Owens Owens (WOO) on behalf of the Premier League. These reports were commissioned by the Premier League for each club to help them meet the [Premier League pledge](#) by August 2017. This demonstrates the impact of the Premier League's leadership in this area. It is disappointing, however, that these clubs required this initiative in order to conduct a thorough review of the accessibility of their stadia.

Burnley's response was unclear but it seems from the information provided that a full access audit has never been carried out. Crystal Palace provided a partial and undated copy of a recent WOO audit but this is not a full access audit, and they did not supply us with dates of any other access audits. Swansea carried out a full access audit when they moved to their new ground in 2005, but they didn't provide us with any dates of further audits undertaken in the last 10 years.

West Ham have provided us with 2007 as the date of their last access audit, however this is for their previous ground, Upton Park. They moved to the Olympic Stadium in August 2016. It is disappointing that no access audit has been carried out since. While this ground was built to the Olympic Standard, which exceeds the ASG minimum criteria, we understand that significant work was undertaken to convert the stadium to a football ground and we would therefore expect a new access audit.

Following access audits, we would expect to see an action plan based on the findings. This enables a club to actively work towards addressing each issue highlighted by the audit. We shall follow up with clubs on this in due course.

In summary

This report sets out our initial assessment of the current provision for disabled fans across all Premier League clubs.

As set out in the next steps, we shall follow this report by engaging in more detailed discussions with Premier League clubs in order to understand the challenges that they face and to hear more about their plans to improve the accessibility of their grounds and the services that they offer disabled fans. We shall also conduct a survey with disabled supporters to better understand their match day experience.

We hope this will be a positive process for both clubs and disabled fans alike and will lead to significant improvements in accessibility at all grounds, so that win, lose or draw all fans have the same experience when they go to watch a match.

Annex 1: Letter to Premier League clubs

Date: 21st December 2016

Dear

Subject: Equality Act 2010 - Legal duty to make reasonable adjustments

The Equality and Human Rights Commission was established under the Equality Act 2006. It has a statutory duty to work towards the elimination of unlawful discrimination on the grounds of age, disability, race, religion or belief, gender, gender reassignment and sexual orientation. These are characteristics protected by the Equality Act 2010 (“the Act”).

As you will know, in August 2015, all Premier League (PL) clubs pledged to improve their stadium facilities for disabled supporters by achieving compliance with the Accessible Stadia Guide (ASG) by August 2017. The Commission recently met with the Premier League to discuss the progress on this pledge. We discussed the information-gathering process that they have committed to undertaking, including the extensive questionnaire that is currently being completed by all PL clubs in respect of accessibility. We are supportive of this process and would encourage you to fill this in as comprehensively as you are able.

However, whereas the PL’s focus is on compliance with the ASG by August 2017, our interest is in ensuring that all PL clubs are presently complying with their continuing duties under the Act.

Under the Act, as providers of services to the public, football clubs have a legal duty to take positive steps, referred to as reasonable adjustments, to ensure that disabled people can access their services. I am writing to request your assistance and cooperation in assessing the extent to which NAME OF CLUB is currently complying with this statutory duty.

The duty to make reasonable adjustments

Section 20 of the Act sets out the duty to make reasonable adjustments. The Act defines a failure to make reasonable adjustments as a form of unlawful discrimination. Whilst it is unlawful for service providers to discriminate against disabled people in a number of ways, the duty under section 20 is of particular relevance in respect of access for disabled football supporters. As you will be aware, detailed guidance on the duties the Act places upon service providers is to be found in the Commission's statutory *Code of Practice on Services, Public Functions, and Associations*. Information is available on our website at:

<https://www.equalityhumanrights.com/en/publication-download/services-public-functions-and-associations-statutory-code-practice>

In respect of the section 20 duty, the Code says this at paragraphs 7.3 - 7.4:

The duty to make reasonable adjustments requires service providers to take positive steps to ensure that disabled people can access services. This goes beyond simply avoiding discrimination. It requires service providers to anticipate the needs of potential disabled customers for reasonable adjustments.

The policy of the Act is not a minimalist policy of simply ensuring that some access is available to disabled people; it is, so far as is reasonably practicable, to approximate the access enjoyed by disabled people to that enjoyed by the rest of the public. The purpose of the duty to make reasonable adjustments is to provide access to a service as close as it is reasonably possible to get to the standard normally offered to the public at large.

The duty therefore requires football clubs to consider in advance what reasonable adjustments are needed to facilitate access for disabled supporters. Clubs should not wait until a disabled supporter asks for a reasonable adjustment to be made.

These obligations are not new. Football clubs have been required by law to make reasonable adjustments for disabled people since 1999 and the final element of this duty came into force in 2004. Detailed guidance in the Accessible Stadia Guide (ASG) was published in 2003 and a supplementary ASG Guide was published in August 2015, updating the ASG in respect of clubs' duties under the Act. It gives guidance on the provision of easy access seating, changing places facilities, toilets and accessible services, on removing sensory barriers and on access audits and plans.

Requested information

We are writing to each PL club, requesting information in order to assess whether it is complying with its statutory duties towards disabled supporters. We would therefore be grateful if you could reply to this letter and provide the following information:

Access audits and plans:

1. Please provide a dated copy of your most recent accessibility audit.
2. Please provide a dated copy of your most recent access plan/strategy.
3. Please provide a dated copy of your most recent public access statement/plan (i.e. the information made available to the public to assist them in accessing the club's services).
4. Please provide the dates of all previous access audits and plans since 2003.
5. Please confirm how your public access statement is presently made available to disabled and non-disabled supporters.

Stadium access:

6. Please provide details of the measures taken by the club to assist disabled supporters to travel to, enter and exit your stadium. We would expect you to include details of:
 - a. Transport to and from the stadium, including car parking.
 - b. Access routes, including ramps and lifts, within the stadium.
 - c. The provision of information on facilities, access routes and support for disabled supporters within the stadium.

Seating and viewing areas:

7. What is the crowd capacity of your stadium?
8. How many wheelchair spaces are currently available?
9. Where are the wheelchair spaces located in the stadium? Please specify numbers and exact locations including elevation and position within the stand.
10. How many amenity and easy access seats are available? (See the Supplementary ASG Guidance, p.5)
11. Are disabled supporters able to buy season tickets for these accessible seats?
12. What is the exact location of the amenity and easy access seating?
13. If not covered by the above, what other seating/viewing provision is made for ambulant disabled supporters?

Other:

14. Please give details of disabled toilet facilities available in your stadium including number, type, location etc.;
15. Please provide details of how your club makes services accessible to ambulant disabled supporters.

General:

16. Please provide the Commission with evidence of discussion of these issues at Board and/or executive level in the last 18 months. This could be in the form of minutes from Board meetings, or plans and proposals taken to the Board regarding measures to improve access.
17. Please provide details of which member/s of staff are responsible for disabled access to your club.
18. Please provide details of the most recent training on disabled access given to match day stewards and other staff.

Future provision of services

We are aware that stadium ownership arrangements may differ from club to club. We are also aware that individual clubs may be planning to move or to build new stadia in the future. In any event, we would welcome information regarding any approved plans for the provision of services and access for disabled supporters in the next 12 - 24 months.

The Commission's statutory duties and powers

Section 8 of the Equality Act 2006 imposes duties on the Commission to promote awareness and understanding of rights under the Equality Act 2010 and to work towards the elimination of unlawful discrimination. Section 16 of the 2006 Act allows the Commission to conduct an inquiry into a matter relating to its section 8 duties. Section 20 of the 2006 Act allows the Commission to conduct an investigation where it suspects that a person may have committed an unlawful act, for example a failure to make reasonable adjustments.

The 2006 Act also gives the Commission powers to compel persons subject to inquiry or investigation to provide evidence to the Commission. If, following an investigation, the Commission is satisfied that a person has committed an unlawful act, it may issue an unlawful act notice in respect of that person. The Commission may also enter into binding agreements under which persons undertake not to commit a specified unlawful act and to take or refrain from taking other specified action.

Please provide the information requested above no later than Friday 10 February 2017. Photographic evidence and plans, if available, would be of assistance, in addition to written information. Our intention is to publish on the Commission's

website an analysis of the information we receive from each PL club. This will include the names of any clubs who have chosen not to respond to our letter.

Securing equality for disabled football spectators and supporters is an issue of great importance to the Commission. If, as a result of the above process, and/or following the publication of the information generated by the PL's questionnaire, we suspect or believe that individual clubs are in breach of the Equality Act 2010, we will consider the use of our statutory powers in order to achieve compliance. Details of our compliance and enforcement policy are available on our website:

https://www.equalityhumanrights.com/sites/default/files/compliance_and_enforcement_policy_final_updated_jan_15_0.doc

Please confirm by return that you have received this letter and that it has been passed to the person that will be responsible for providing us with answers to the questions we have asked. It would also be helpful if you could let us know who that person is.

As stated above the deadline for receipt of information is February 10th 2017.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rebecca Hilsenrath', with a stylized flourish at the end.

Rebecca Hilsenrath, CEO

Contacts

This publication and related equality and human rights resources are available from the Commission's website: www.equalityhumanrights.com.

For advice, information or guidance on equality, discrimination or human rights issues, please contact the Equality Advisory and Support Service, a free and independent service.

Website www.equalityadvisoryservice.com

Telephone 0808 800 0082

Textphone 0808 800 0084

Hours 09:00 to 19:00 (Monday to Friday)
10:00 to 14:00 (Saturday)

Post FREEPOST Equality Advisory Support Service FPN4431

Questions and comments regarding this publication may be addressed to: correspondence@equalityhumanrights.com. The Commission welcomes your feedback.

Alternative formats

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